

DID YOU KNOW?

Your business must provide a privacy policy that is transparent and easy for people to understand under the NDPA

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NDPA & Your Privacy Policy Obligations:

Under Section 27 of the Nigeria Data Protection Act (NDPA) 2023, every data controller must include in its privacy policy certain key pieces of information before collecting personal data from individuals.

Key Information to Disclose:

A legally compliant privacy policy must tell:

- **Who is collecting their data (identity and business address of the controller).**
- **The legal basis for processing (e.g., consent, contract) and why the data is being collected.**
- **Who else will receive or have access to the data (recipients or categories of recipients).**
- **What their rights are under the law (e.g., access, correction, complaint).**
- **How long their data will be kept (retention period).**
- **Whether there will be any automated decision making (like profiling), and how that might affect them.**

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How It Must Be Written:

The NDPA is clear: the privacy policy must be “clear, concise, transparent, intelligible, and easily accessible”, especially given who the data subjects are (their language, literacy, etc.). This means no legalese, information must be easy to understand for real people.

Why This Matters for Your Business:

- Building trust: Clear privacy policies show users you care about how their data is used.
- Regulatory risk: Non-compliance can lead to investigations or sanctions by the Nigeria Data Protection Commission (NDPC).
- Better accountability: Transparent policies help your team stay aligned and reduce internal risk.

Contact us to learn more: info@goldsmithsllp.com

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