

BUNGE LA WAZALENDO

P.O.BOX 1203-00100
NAIROBI KENYA



Email: bungelawazalendo1@gmail.com
CELL:0727 106 899

MEMORANDA OF BUNGE LA WAZALENDO ORGANIZATION ON THE PROPOSED PRIVACY AND DATA PROTECTION POLICY AND BILL 2018

TO: THE CHAIRPERSON
TASK FORCE ON DEVELOPMENT OF THE POLICY AND
REGULATORY FRAMEWORK FOR PRIVACY AND DATA
PROTECTION IN KENYA COMMUNICATION AUTHORITY OF
KENYA
P.O. BOX 1448 00800
NAIROBI – KENYA

FROM CHAIRMAN
BUNGE LA WAZALENDO ORGANIZATION
NAIROBI

DATE: 01/10/2018

**SUBJECT MATTER: DATA PRIVACY AND PROTECTION POLICY AND BILL
2018**

INTRODUCTION: As a boost to article 31 of the constitution on the subject matter and in the further interest of public participation, we as members of the citizens assembly popularly known as Bunge la wazalendo fully committed to the rule of law under the true spirit of constitutionalization and open democracy do hereby contribute as follows:-

REACTIONS:

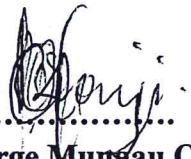
1. Ref to page 14 and 15 article 8.4.1
More emphasis should be vested in this area since the noted main characters in this matter are the **DATA CONTROLLERS / DATA PROCESSORS** who must be viewed as persons of high integrity as an addition to their qualification.
2. Ref to page 16 article 9.1 data protection regulator point No. 5 amend it to read:
Sensitize the general public on the importance of **DATA PROTECTION** in the wake of advancing modern technology.

3. Ref to page 17 article 11.6 should end with through **DATA PROTECTION COMMISSIONER** and through **CABINET SECRETARY**.
4. Ref to page 29 / 30 **FUNCTIONS OF DATA COMMISSIONER** article 7.1 subsection (f) to read Create constant awareness to the public through workshops, forums and broader conferences on the real need of **DATA PROTECTION** practice.
5. Ref to page 47 article 47.2 **PROCESSING OF PERSONAL DATA AS EXEMPTED** from the provision of this Act add the following f, g, h. as follows.
 - (f) if you only process data notification or the purposes of staff administration, payroll, advertising, marketing and PR that are directly related to your own business activities or accounts and record – keepings.
 - (g) if you only process data in order to maintain as public register.
 - (h) if data is only processed for family, household affairs and personal norms.
6. Ref to page 50 article 57 on the annual report.
Add (f) to read... The impact of the general public as a result of the nationwide campaign to sensitize the public on the real importance of **DATA PROTECTION** practice.

In a clear conclusion, we as members of **BUNGE LA WAZALENDO** fully registered in the laws of Kenya as civil society movement do call upon people entrusted with the task of preparing this important document to raise up and be counted to international standards by coming up with a commendable document to the high appreciation of the Kenyan citizens. We further call for a continuous **CIVIC EDUCATION** to cover the importance of public participation. A clear spirit of democracy and constitutionalism should reign the two levels of the government for a true process of implementation

MAY THE ALMIGHTY GOD BLESS KENYA

Signed

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George Mungau Okonji
Organizing Secretary
0713 968 763

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Charles Tabu Okumu
0727 106 899
Chairman

