

LEGAL ALERT

COMPLIANCE: WHY YOUR COMPANY CAN'T AFFORD TO OPERATE WITHOUT A DATA PRIVACY POLICY



As Zambia continues to roll out the enforcement of the Data Protection Act No. 3 of 2021 ("DPA"), organisations that collect and process personal data face growing legal and reputational risks. At the heart of compliance lies one foundational tool: the Data Privacy Policy.

Yet, many companies, large and small, are still operating without one, exposing themselves to avoidable regulatory scrutiny.

What is a Data Privacy Policy?

A Data Privacy Policy is an internal (and often public facing) document that outlines how your organisation collects, processes, shares, stores, and protects personal data. It applies to the data of clients, employees, service providers, and other third parties.

Example:

A telecommunications company must clearly set out how it handles customer call records, location data, and contact details, including how long this data is stored and who it is shared with.

Why Does Your Organisation Need One?

Legal Compliance

The DPA requires all data controllers and data processors to demonstrate transparency and accountability in their data handling practices. A Data Privacy Policy is one of the most effective ways to document your organisation's compliance with the Act.

Informed Consent

Organisations must obtain clear, informed consent from individuals before collecting or processing their data. A well-drafted policy helps define what constitutes valid consent and ensures your practices align with legal standards.

Protecting Employee Data

Most employers collect sensitive personal data, NRCs, bank account details, health records, emergency contacts. Without clear internal guidance on how this data is handled, your organisation risks violating its duties under the DPA.

Risk Management and Trust-Building

Data privacy isn't just about compliance, it's about earning

and retaining the trust of your clients and staff. A transparent, accessible policy shows your stakeholders that you take privacy seriously, while helping reduce the risk of enforcement penalties and reputational damage.

What Should You Do Now?

Whether you are a startup or an established corporation, operating without a Data Privacy Policy is no longer an option. Every organisation should take the time to:

- Review how it collects, uses, and stores personal data;
- Assess whether those practices comply with the DPA;
- Draft or update a Data Privacy Policy to reflect legal obligations and best practice.

*We hope you found this compliance alert useful. Please contact our Corporate Advisory Partner and Associate, **Jacqueline Jhala** at JJhala@corpus.co.zm and **Christine Mwambazi-Mukuka** at CMwambazi@corpus.co.zm respectively, if you have any questions relating to this compliance alert.*

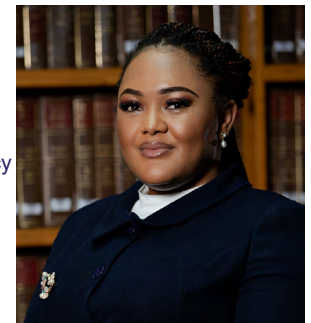
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