

# FACTSHEET: ZIMBABWE

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## FAST FACTS

**Population:** 14,862,924

**Capital:** Harare

**President:** Emmerson Mnangagwa, elected 2018

**2020 Freedom House Score:** 29/100

**Data protection law?** Yes, not yet in force

## LAW

On 15 May 2020, the [Cyber Security and Data Protection Bill](#) (the Bill) was published in the Zimbabwean Government Gazette. The Bill is not yet in force and must undergo debate in the National Assembly and a public participation process.

## PERSONAL DATA

*Personal information* is defined as information relating to a data subject and includes:

- name, address or telephone number;
- race, national or ethnic origin, religious or political beliefs, or associations;
- age, sex, sexual orientation, marital status, or family status;
- an identifying number, symbol, or other particulars assigned to that person;
- fingerprints, blood type, or inheritable characteristics;
- information about healthcare history, including a physical or mental disability;
- information about educational, financial, criminal, or employment history;
- opinions expressed about an identifiable person;
- the individual's personal views or opinions, except if they are about someone else; and
- personal correspondence pertaining to home and family life.

## COLLECTION AND PROCESSING

Under the Bill, personal information may only be processed if the data subject or a competent person, where the data subject is a child, consents. The processing of data must be necessary and processed fairly and lawfully. The data controller must ensure that data processed is adequate, relevant and not excessive in relation to the purpose for which it is collected. The data must be accurate, kept up-to-date and not retained for longer than necessary.

## REGISTRATION AND ENFORCEMENT

The Bill established the Data Protection Authority (the Authority) within the Postal and Telecommunications Regulatory Authority. The functions of the Data Protection Authority include, amongst others:

- to regulate the processing of personal information through the establishment of the conditions for lawful processing;

- to promote and enforce the fair processing of data;
- to provide its opinion on any matter relating to the application of the fundamental principles of the protection of privacy;
- to submit to any Court any administrative act which is not compliant with the fundamental principles of the protection of privacy;
- to conduct inquiries or investigations; and
- to investigate any complaint regarding data processing.

## CROSS-BORDER TRANSFER

Under the Bill, personal information may not be transferred to a third party in a foreign country unless an adequate level of protection is ensured and the data is transferred solely to allow tasks covered by the competence of the controller. The Authority will specify the categories of processing operations which are not authorized for transfer outside of Zimbabwe. A transfer of data to a country which does not assure an adequate protection may still take place if one of the listed reasons applies, one of which includes the consent of the data subject.

## SECURITY AND BREACH PROTOCOL

The data controller must notify the Authority, without undue delay, of any security breach affecting the data he or she processes.

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