

COMMUNIQUÉ

DATA PROTECTION OFFICE

DESIGNATION AND CERTIFICATION OF DATA PROTECTION OFFICERS GENERAL RULE AND CASE-BY-CASE ASSESSMENT



The principles for the designation and certification of Data Protection Officers (DPOs) under Data Protection (Designation, Tasks and Position of Data Protection Officers) Regulations 2026 is set out below

1. GENERAL RULE

Designation of DPO

A controller must designate a staff member of the organisation.

Certification of DPO

The designated DPO must comply with the certification programme as follows:

- completion of an online training;
- physical attendance at training sessions delivered by trainers of the Data Protection Office;
- successful completion of a written examination; and
- issuance of a certificate by the Data Protection Office upon successful completion of the required training and examination.

2. CASE-BY-CASE ASSESSMENT

Designation of DPO

This regime is **strictly** limited to controllers which fall within one of the cases below. It is not an alternative to the general rule.

- companies having no employees;
- Global Business Companies, Authorised Companies or investment holding companies having no employees;
- sole traders;
- micro or small organisations with only one or two directors, very limited personnel and no suitable staff member to undertake the DPO role; or
- organisations whose employees mainly perform field-based, manual or general-worker duties and which have no staff member reasonably suitable to undertake the DPO role.

3. CAPACITY- BUILDING ARRANGEMENT FOLLOWING A CASE-BY-CASE ASSESSMENT

Where, following a case-by-case assessment, the Data Protection Office determines that an alternative capacity-building arrangement is appropriate, the person concerned will not be required to undergo the same certification programme that applies under the general rule.

The alternative programme may include:

- a practical data protection workshop;
- a short capacity-building programme; or
- any other form of training determined by the Data Protection Office.

Following satisfactory participation, the person will be issued with a certificate of participation or other evidence confirming completion of the capacity-building arrangement.

4. WHICH REGIME APPLIES TO MY ORGANISATION?

KEY QUESTION: Does my organisation fall within one of the limited cases above?

✗ NO — GENERAL RULE APPLIES

Designate a staff member of the organisation as DPO and comply with the certification requirements. Do not submit a case-by-case request.

✓ YES — CASE-BY-CASE REGIME APPLIES

Approach the Data Protection Office for assessment and provide the relevant facts and supporting evidence.

5. WHAT TO SUBMIT FOR A CASE-BY-CASE ASSESSMENT

- Nature of the business and its activities
- Number of employees or other staff and their functions
- Directors, owners, partners or other persons responsible for management
- Categories and approximate volume of personal data processed
- Number and categories of customers or other data subjects
- Whether sensitive or higher-risk personal data are processed
- Systems and applications used to process or store personal data
- Whether processing is carried out in Mauritius or in connection with persons in Mauritius
- Where relevant, the role of an administrator, service provider or other person involved in administration or personal data processing
- Any other relevant circumstances determined by the Data Protection Office

6. SUPPORTING EVIDENCE

Documentary evidence must support the information submitted. The information may also be subject to verification, including an inspection, where considered appropriate.

7. AFTER ASSESSMENT

The Data Protection Office will assess the circumstances and advise on the appropriate designation, training and compliance arrangement.

8. FOR FURTHER CLARIFICATION

Please consult the **Guidance Notes** available on the Data Protection Office website.

FOR FURTHER INFORMATION: <https://dataprotection.govmu.org> | Enquiries: 460 0251

The Data Protection Commissioner
Data Protection Office
August 2026