

COMMUNIQUÉ

Data Protection (Designation, Tasks and Position of Data Protection Officers) Regulations 2026

A. Designation of Data Protection Officers under the Data Protection Act

The Data Protection Office hereby informs all controllers operating in Mauritius that the **Data Protection (Designation, Tasks and Position of Data Protection Officers) Regulations 2026** will come into force on 01 January 2027.

The Regulations require every controller to designate one or more qualified Data Protection Officer/s from among its staff members to oversee compliance with the Data Protection Act and to serve as focal points of contact between the organisation, the Data Protection Office and data subjects. They further establish the duties, qualifications, position, independence and reporting obligations of Data Protection Officers within public and private organisations.

For organisations operating without any supporting staff, the office should be contacted for advice regarding certification as Data Protection Officer.

B. Role and Responsibilities of Data Protection Officers:-

Main Responsibilities of Data Protection Officers under the Regulations include:

- Ensuring registration of the organisation as controller and/or processor with the Data Protection Office;
- Ensuring compliance with the principles of data processing under the Data Protection Act;
- Safeguarding the rights of data subjects;
- Conducting Data Protection Impact Assessments (DPIAs), Compliance Audits, Security Checks and Inspections;
- Maintaining records of processing operations;

- Coordinating personal data breach notifications;
- Advising management and employees on their obligations under the Data Protection Act;
- Conducting awareness and training activities;
- Acting as the liaison officer with the Data Protection Office; and
- Assisting the Data Protection Office during investigations, inspections and compliance audits.

C. Qualification Requirements:-

A Data Protection Officer shall possess appropriate professional qualifications, including:

- Expert knowledge of data protection laws and practices applicable in Mauritius;
- The ability to effectively perform the duties assigned under the Regulations;
- An understanding of the operational and regulatory environment of the organisation; and
- Certification issued by the Data Protection Office which determines the appropriate training fees.

D. Independence and Protection of Data Protection Officers:-

Organisations are required to ensure that Data Protection Officers perform their duties independently and without unlawful interference.

E. Offences and Penalties

Failure to notify the Data Protection Office of the designation of a Data Protection Officer or failure to publish the contact details of the designated officer will

constitute offences. Upon conviction, a person may be liable to a fine not exceeding **Rs 100,000** and to imprisonment for a term not exceeding **five years**.

Controllers will be required to notify the Data Protection Office of the designation of their Data Protection Officer within fourteen (14) days of such designation and notify the Office of any subsequent changes.

A **moratorium of six (6) months** has been granted for complying with the regulations and controllers are encouraged to identify suitable officers, undertake the necessary training and certification, review their internal governance arrangements and implement the measures required for compliance with the Regulations.

A soft copy of the Data Protection (Designation, Tasks and Position of Data Protection Officers) Regulations 2026 is posted on the following websites:

<https://mitci.govmu.org/mitci/legislations/>

<https://dataprotection.govmu.org/SitePages/Index.aspx>

Further information and guidance regarding the implementation of the Regulations, including the designation process, training programmes and certification requirements will be communicated by the Data Protection Office in due course.

Data Protection Commissioner

Data Protection Office

23 June 2026