

Speech of the Data Protection Commissioner

Data Protection Office

“Protecting personal data across all economic sectors”

Date: 30 January 2023

Time: 9h10

**Venue: Landscape Mauritius, Shri Atal Bihari Vajpayee Tower,
Conference Hall A, Ebene**

Honourable Minister of Information Technology, Communication and Innovation, Mr. Deepak Balgobin,

- **The Permanent Secretary, Mrs Valere-Bolli**
- **Panelists and Speakers,**
- **Distinguished Guests,**
- **Members of the Press,**
- **All Protocols Observed,**

Ladies and Gentlemen,

Good Morning

It is with immense pleasure that I welcome you all to this conference themed “**Protecting personal data across all economic sectors**”. As rightly said by John Wooden: - *“Success is peace of mind, which is a direct result of self-satisfaction in knowing you made the effort to become the best of which you are capable.”* I thank you for taking time out of your busy schedules and your presence here today, in such large number, demonstrates the importance that data protection and privacy have in our daily lives and operations.

Ladies and Gentlemen,

This conference is an emblematic event for us all as we are gathered today to celebrate the annual Data Protection Day, celebrated on the 28th of January worldwide. Throughout this conference, together we shall walk along through a couple of step-by-step participant experiences.

To mark this event, we are celebrating the 17th Data Protection Day and the 42nd anniversary of the Council of Europe Convention 108, which is the only international legally binding instrument on data protection. The COE initiator of this important celebration, continues to play a leading role by encouraging and showcasing initiatives held on this occasion.

The Data Protection Day begins the year with a positive reminder of the importance to protect privacy rights of people, aiming at raising awareness on the right to data protection. Privacy which is a fundamental human right for each and every individual whereby organisations are also reminded of their duty to protect personal data under their custody and to pay special attention to their data transfers across borders.

Our mission is attaining ever-greater importance locally, regionally and across borders. Ensuring adequate data protection is proving day by day an

increasingly essential prerequisite for democracy to work and fundamental rights and freedoms to be made real. It is therefore fundamental to all organisations to commit to achieving a level of protection of personal data that corresponds to the changes linked to the rapidly evolving technology. It is therefore imperative that privacy protections are reinforced at all levels.

Getting assurances that our data is protected and safeguarded is fundamental in order to prevent new technologies from becoming a threat – turning us all into the inhabitants of an out-of-control, disquieting technological world. Being aware of the demand for security, which fathers the claim for increasingly pervasive surveillance tools, we highlighted the risks that society might jeopardise its own freedom – and thus, its very soul – for the sake of defending itself and its body.

Privacy is a necessity. It is therefore fundamental to all organisations to commit to achieving a level of protection of personal data that corresponds to the changes linked to the rapidly evolving technology. The protection of personal data is no "luxury" or "decorative" item one can do without. It is actually indispensable in a world where using data is a vital precondition

for economic growth, indeed for the very survival of businesses. Data protection, privacy and cybersecurity breaches are on top of the corporate and national data protection oversight agencies.

Ladies and Gentlemen,

With intense satisfaction, I am pleased to share with you all one of our main achievements for the year 2022 – the **e-DPO**. The DPO had embarked on a project to computerise its services to the public which will allow for the online submission and e-payment of applications, the automatic generation of certificate of registration of controllers and processors, the electronic submission of complaints, authorisations of transfer of personal data abroad, data protection impact assessments, certifications, data breach notifications and compliance audits.

In this way, the advent of the e-DPO has brought significant changes in the various functionalities of this office, whereby it is commendable to say that data protection in Mauritius has went through rather a transformational journey when looking backward.

Ladies and Gentlemen,

Our office has also certified a private organisation in Mauritius. The path along the certification process has not been easy, rather a challenging one I must say, as this achievement called for our office's high expertise and analysis. Certification under section 48 of the Data Protection Act is a time and resource consuming process because of its complexity and in-depth analysis and it is laudable moment for us to also celebrate this achievement of the office.

The purpose of certification is to enhance transparency and compliance with DPA. Introduced to help controllers and processors to demonstrate accountability and compliance with the Act, it helps also in building confidence and trust in the organisation with the wider public, allowing data subjects to quickly assess the level of data protection compliance of relevant products and services by providing legal certainty for cross-border data transfers.

Any organisation willing to be certified must fill the certification form available on our website. It consists of a rigorous form containing 115 questions covering all sections of the DPA, which the organisation must

ensure to implement. Certification is however voluntary and is valid for a period of 3 years. This Office has other certification requests, which are currently under consideration.

Ladies and Gentlemen,

To be honest, it is not and has never been easy for this office to operate with limited human resources but I am proud that the accomplishments of the office stand out against all difficulties. Henry Ford has rightly said: *“Coming together is a beginning, staying together is progress, and working together is a success”*.

Having said so, it’s time to reflect on what data protection best practices have each one of us achieved and implemented. Because there is no such thing as standing still and not reacting - either you move forward, or the world moves without you.

Ladies and Gentlemen,

Protection of personal data is vital and it is imperious that we all join hands together to promote a society where privacy of all individuals is respected. I am confident that today’s conference will be fruitful and that, together,

we will achieve a giant step towards sharing our knowledge on data protection. Your trust is important to us, which is why we take the issue of data protection seriously and ensure the appropriate level of security.

The economic system is also involved in this innovation process that is multiplying data processing operations. Though the protection of personal data may sometimes be regarded by businesses as a constraint or even a hindrance, privacy remains a long-term investment for sustainable development of an organisation's future.

Justin Timberlake once said: *"The worst thing about being famous is the invasion of your privacy"* and with these words, Ladies and Gentlemen, let us work together towards safeguarding our privacy as well as the privacy of others. Data protection and privacy will always be an "added value".

I thank you for your kind attention.