



Jamaica Charges Towards European Style Data Privacy Law

The Information Collective

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After significant parliamentary debate, a data protection law is now a reality for Jamaicans. On 12th June, the Jamaican Senate passed the Data Protection Bill. The new law creates data privacy rights for Jamaicans and minimum standards for public and private organisations operating in Jamaica on their responsibilities for handling personal information. This is a significant step for Jamaica as it introduces a digital law for a new digital era.

Accountability and Oversight

The Bill introduces the concept of accountability through an Information Commission overseeing compliance of the data controllers and data processors handling personal information belonging to data subjects. Accountability measures include the requirement for organisations to provide a report to the Information Commissioner in the form of a Data Protection Impact Assessment on the categories of personal information they process.

New Data Privacy Rights

It creates new rights for Jamaican citizens increasing their control on the use of their personal information, and granting comprehensive transparency rights of access, correction, and deletion personal information. It also extends the existing digital privacy rights by requiring the consumer's explicit consent to receive digital marketing, unless already an existing customer.

The Bill also introduces restrictions on international transfers of Jamaican personal information. Once the Bill takes effect, Jamaican data controllers and processors may only transfer personal information to a country if that country has as an adequate level of protection in place to match the data privacy rights Jamaicans enjoy.

Implementing New Measures

The Bill will take effect upon Governor-General sign-off and its publication in the Gazette as the Data Protection Act 2020. Organisations will then have a 24-month transition period to enable organisations to plan and implement the new measures.

The Information Collective's [Building a Data Privacy Program](#) chart guides organisations through the steps required to prepare for this monumental change. The journey towards compliance will be smoother for those organisations already compliant with the European General Data Protection Regulations (GDPR). However, even organisations with the most robust data privacy practices in place must audit and benchmark their compliance against the Jamaican requirements.

A Bold Step Forward

Although some privacy rights already exist in Jamaica, the Data Protection Bill is a bold move that will see Jamaicans enjoying some of the best levels of data privacy across the Caribbean and North America. Businesses with operations outside of the Caribbean should also welcome this new change. With data privacy compliance featuring highly on vendor assessment checks supply chain verification, a Jamaican Data Protection Act of this nature will provide a more level playing field for Jamaican organisations seeking to attract clients from outside of the Caribbean region.

You can read the full text of the most recently published Bill [here](#).