

# GENERAL NOTICE NO.8/2025

## **NOTICE OF NON-COMPLIANCE ENFORCEMENT ACTIONS BY THE EDPA- UNREGISTERED ENTITIES (DATA CONTROLLERS AND DATA PROCESSORS)**

The Data Protection Act, 2022 mandates the registration of all public and private entities that process personal information. Following a registration period from March 1 to September 30, 2024, the EDPA has noted that a significant number of entities remain unregistered, which constitutes a violation of the Act.

The Eswatini Communications Commission (ESCCOM) acting as the Eswatini Data Protection Authority (EDPA), is initiating formal enforcement actions against entities not registered as Data Controllers or Data Processors.

**Effective September 1, 2025, the EDPA will begin enforcement against all non-compliant entities.** This action follows extensive public awareness campaigns and is necessary to uphold the legal requirement that all data processing entities be registered with the Authority.

To avoid penalties, all unregistered entities must immediately begin the registration process. Visit [www.edpa.org.sz](http://www.edpa.org.sz) for the full enforcement notice. The official Data Protection Register is available for public inspection at [www.edpa.org.sz](http://www.edpa.org.sz).

Commissioner General  
Eswatini Data Protection Authority



**ESWATINI  
COMMUNICATIONS  
COMMISSION**



**ESWATINI  
DATA PROTECTION  
AUTHORITY**

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#### **INTRODUCTION**

In March 2022, the Data Protection Act was passed to provide for the collection, processing, disclosure, and protection of personal information. The Act designates the Eswatini Communications Commission as the Eswatini Data Protection Authority (EDPA) charged with the mandate to administer and foster compliance with the Act.

#### **BACKGROUND**

On 28<sup>TH</sup> February 2024 the EDPA issued General Notice NO.5/2024 (**ANNOUNCEMENT OF THE COMMENCEMENT PERIOD FOR THE REGISTRATION OF DATA CONTROLLER AND DATA PROCESSORS – 1 MARCH -31 SEPTEMBER 2024**) indicating the commencement of registration of all entities processing personal information. A registration guide was also published to assist entities processing personal data in complying with the requirements.

#### **PURPOSE OF REGISTRATION**

Section 5 of the Act enjoins the Commission to maintain a register of all data controllers and data processors. Pursuant to this provision, the Commission shall establish a data protection register and register all entities, businesses, institutions, Government Ministries, NGOs, public bodies, religious institutions, and any other entities that in their ordinary business are collecting or processing personal information. By registering, entities are fulfilling the Notification Requirement under Section 46 (2) (a-f), this is a process by which the Data Controllers and Data Processors inform the Commission of the following:

***NB: In terms of Section 46(8) of the Act, “A data Controller shall process personal information only upon notification to the Commission”.***

## NUMBER OF ENTITIES REGISTERED TO DATE

Following the issuance of General Notice No. 5/2024, a significant number of entities have since registered with the Eswatini Data Protection Authority (EDPA). These entities are now listed in the official Data Protection Register, accessible at [www.edpa.org.sz](http://www.edpa.org.sz). To date, over 445 organizations including some government ministries have complied with the registration requirements and are duly recognized by the EDPA.

## NON-COMPLIANCE ENFORCEMENT ACTIONS FOR UNREGISTERED ENTITIES

The EDPA has observed that a number of entities continue to process personal information without fulfilling the mandatory registration requirements, as stipulated under the Data Protection Act and this constitutes a violation of the law.

The EDPA hereby announces that, effective **1st September 2025**, it will commence **formal enforcement actions** against all entities processing personal information that have failed and/or neglected to comply with their legal obligation to register with the EDPA.

This decision follows extensive efforts by the EDPA to promote compliance through various channels, including direct engagement, media campaigns, social media outreach, and repeated reminders. Despite these initiatives, a number of entities remain persistently non-compliant.

**Important:** To avoid enforcement actions, entities are encouraged to contact the EDPA at [dataprotection@esccom.org.sz](mailto:dataprotection@esccom.org.sz) or **2406 7000**, or to begin the registration process at [www.edpa.org.sz](http://www.edpa.org.sz)

## NOTICE TO THE PUBLIC

Any entity that is processing personal information without a valid registration certificate issued by the EDPA is in contravention of the Act and such processing is illegal. The public has the right to be informed whether such entity requiring their personal data is registered with the EDPA. A data protection public register is available for inspection at [www.edpa.org.sz](http://www.edpa.org.sz)