

The ESCCOM Privacy Statement

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I. Who are we?

The Eswatini Communications Commission (ESCCOM) derives its mandate from the Eswatini Communications Commission Act 2013, which establishes its primary responsibility to develop and maintain a sustainable, secure, and competitive regulatory framework for the nation's communications ecosystem. This mandate centres on protecting consumer interests, ensuring fair competition, and facilitating the development of innovative, high-quality, and affordable communication services for all citizens.

The Commission's regulatory duties have been expanded significantly through its designation as the Eswatini Data Protection Authority (EDPA) and as a Cybersecurity Agency. This responsibility is recognized by ESCCOM as a critical undertaking, requiring the Commission to lead by example in matters of regulatory compliance and data governance.

2. Introduction to the Privacy Statement

The Commission has developed this Privacy Statement to help you understand how it processes your personal data. The Statement outlines the nature of personal data we gather, how we collect it, use it, share it, how long we keep it and your rights in relation to the personal data we hold whether you engage with us digitally or physically.

3. Scope of interactions

This Privacy Statement covers personal data collected through all forms of engagement with ESCCOM, whether online or physical.

4. Application of the Privacy Statement

4.1 This Privacy Statement applies to the processing of your personal data by the Commission or on its behalf by data processors.

4.2 This Statement applies to all data subjects who engage with ESCCOM, including those who work with us to fulfil our mandate, use our website or services, provide products or services to us, or interact with the Commission in any other capacity.

5. Processing of your personal data

5.1 ESCCOM processes your personal data only for specific purposes. Our processing is grounded in recognized lawful bases such as: consent, legal obligations, contractual necessity, and legitimate interests in executing our regulatory mandate.

5.2 We will not use your data for purposes beyond those for which it was collected, without your consent, unless required by law.

5.3 If we need to use your personal data for purposes other than those stated at the time of collection, we will notify you and, where required by law, seek your consent before proceeding with such new processing activities.

6. Types of Personal Data Collected

6.1 We generally process basic personal data including names, job titles, organization, email addresses, phone numbers, and physical addresses.

6.2 For specific activities (employment, procurement, licensing, scholarships), we may collect additional information such as ID numbers, qualifications, employment history, financial details, academic records, guardian information (for minors), tax certificates, criminal record checks, health information, and other relevant documentation.

6.3 Our premises use CCTV cameras that capture video footage, facial recognition data, timestamps, and visitor movements for security purposes.

6.4 At events, we may photograph or video record attendees, capturing images, likenesses, and voices.

6.5 Our online platforms may collect browsing habits, click patterns, IP addresses, and usernames.

6.6 Additional information may be requested based on specific processing purposes.

7. Purposes for Processing Your Personal Data

7.1 ESCCOM collects and processes personal data to fulfil four essential organizational functions:

- Core regulatory and statutory duties
- Stakeholder engagement and communication
- Organizational development and capacity building
- Operational and administrative management processes.

8. Personal Data Security

8.1 The Commission takes precautions and measures to maintain the security and confidentiality of your personal data. Therefore, we have put in place appropriate organizational, administrative and physical safeguards and procedures to protect your Personal Data.

8.2 Notwithstanding the above, to the extent permissible by law, we shall not be liable for any loss, claim and/or damage arising from any unauthorised access, disclosure, misuse, loss, alteration or destruction of your personal data which is beyond our reasonable control.

9. Disclosure of Your Personal Data

9.1 ESCCOM may disclose your personal data to third parties in certain circumstances, including but not limited to:

- Where we have obtained your explicit consent.
- Where we are required or permitted to do so by law, court order, or legal process.
- Where necessary to fulfil our regulatory mandate under all sectors under the remit of the Commission.

10. International Transfers of Your Personal Data

10.1 Transfers of personal data outside of Eswatini will be carefully reviewed prior to the transfer taking place to ensure that they fall within the limits imposed Data Protection Act.

11. Storage and Retaining of Your Personal data

11.1 ESCCOM stores your personal data using a combination of physical and electronic storage systems.

11.2 When storing your data, we ensure appropriate safeguards are in place. If international storage used, we ensure that contractual agreements and compliance with international data protection standards are in place.

11.3 We retain your personal data only for as long as necessary to fulfil the purposes for which it was collected, to comply with our legal and regulatory obligations, or to protect ESCCOM's legitimate interests.

11.4 We securely delete or destroy personal data when it is no longer necessary for the purposes collected, when you withdraw consent (where applicable), or when legal and regulatory retention requirements expire.

12. Your Rights as a Data Subject

12.1 ESCCOM is committed to being fully transparent about how your personal data is collected and used. You have the right to know exactly why your information is processed and who it is shared with. If you wish to see your records, you may request a copy of your personal data at any time. We encourage you to notify the Commission if any of your information is incorrect so that we can update it immediately.

You may also ask ESCCOM to limit or stop the use of your personal data if you have concerns about how it is being processed. Should there be no legal reason for the Commission to keep your information, you have the right to request its permanent deletion. Your data can be provided in a portable format if you wish to transfer it to another organization. We also ensure that any significant decisions made by automated systems are reviewed by a person to protect your interests.

13. Exercising Your Rights

13.1 To exercise any of these rights, please contact our Data Protection Officer using the details provided in the "Contact Us" section of this statement. We will respond to your request within 14 working days, or inform you if we need additional time to process complex requests.

13.2 Please note that some rights may be subject to limitations based on legal, regulatory, or operational requirements. We will explain any limitations when responding to your request.

14. Change in the Privacy Statement

14.1 We recognize that data protection and privacy is an ongoing responsibility, and so we will from time to time update this Privacy Statement as we undertake new personal data practices or adopt new privacy policies. Updated notices will be available on our website.

15. Contact us

15.1 You can contact us in case you have any questions about this Privacy Statement or if you wish to exercise your rights under this Privacy Statement on the details below:

Eswatini Communications Commission (ESCCOM)

- **Physical Address:** ESCCOM Head Office, Plot 11/850, MR103, Ezulwini, Eswatini

- **Email:** dpo@esccom.org.sz
- **Phone:** +268 2406 7000
- **Website:** <https://www.esccom.org.sz/>

15.2 Should you wish to report a complaint or if you feel that ESCCOM has not addressed your concern in a satisfactory manner, you may contact the Eswatini Data Protection Authority on dataprotection@esccom.org.sz or filling out a general inquiry on its contact us page <https://www.edpa.org.sz/>