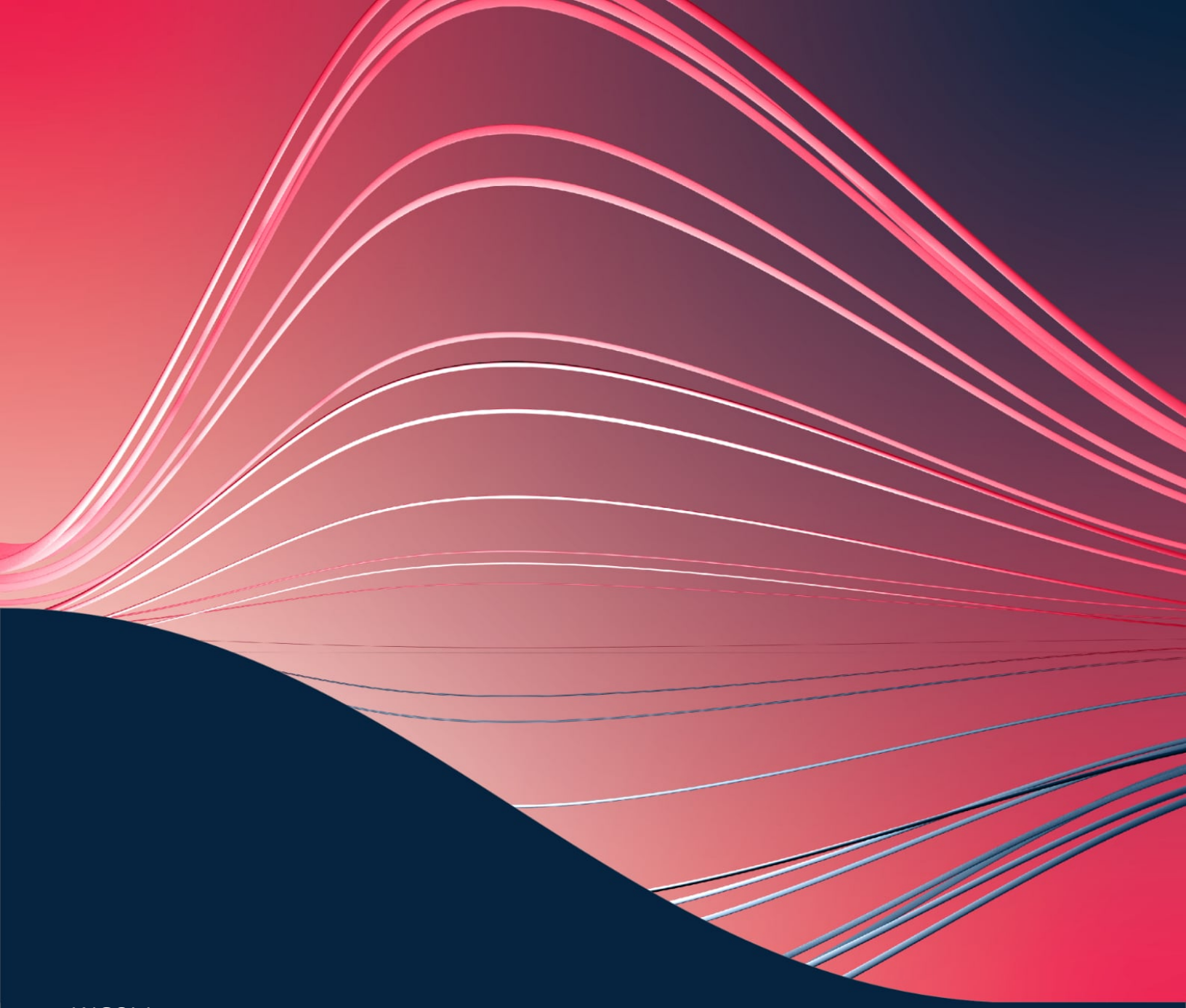

ANGOLA

Data Protection Laws of the World

DLA PIPER

Introduction

Welcome to the 2025 edition of DLA Piper's Data Protection Laws of the World Handbook. Since the launch of our first edition in 2012, this comprehensive guide has been a trusted resource for navigating the complex landscape of privacy and data protection laws worldwide. Now in its fourteenth edition, the Handbook has grown to provide an extensive overview of key privacy and data protection regulations across more than 160 jurisdictions. As we step into 2025, the global landscape of data protection and privacy law continues to evolve at an unprecedented pace. With new legislation emerging in jurisdictions around the world, businesses face a growing need to stay informed and agile in adapting to these changes. This year promises to bring new developments and challenges, making the Handbook an invaluable tool for staying ahead in this ever-changing field.

Europe

Established data protection laws in Europe continue to evolve through active regulatory guidance and enforcement action. In the United Kingdom, the UK government has proposed reforms to data protection and e-privacy laws through the new Data (Use and Access) Bill ("**DUAB**"). The DUAB follows the previous government's unsuccessful attempts to reform these laws post-Brexit, which led to the abandonment of the Data Protection and Digital Information (No.2) Bill ("**DPDI Bill**"), in the run-up to the general election. Although the DUAB comes with some bold statements from the government that it will *"unlock the power of data to grow the economy and improve people's lives"*, the proposals represent incremental reform, rather than radical change.

United States

In the United States, legislation on the federal and in particular state level continues to evolve at a rapid pace. Currently, the US has fourteen states with comprehensive data privacy laws in effect and six state laws will take effect in 2025 and early 2026. Additionally, at the federal level, the new administration has signaled a shift in enforcement priorities concerning data privacy. Notably, there is a renewed focus on the regulation of artificial intelligence (AI), with an emphasis on steering away from regulation and promoting innovation. This includes the revocation of previous executive orders related to AI and the implementation of new directives to guide AI development and use.

In the realm of children's privacy, many of the new administration's supporters in Congress have indicated a desire to make the protection of children on social media a top priority, and new leadership at the Federal Trade Commission (FTC) appears aligned on this goal, albeit with a willingness to take another look at the recently adopted amendments to the Children's Online Privacy Protection Act (COPPA) Rule. Health data

privacy remains a critical concern, with a handful of states following Washington state's lead in enhancing or adopting health data privacy laws. On the international data transfer front, Executive Order (E.O.) 14117 " Preventing Access to Americans' Bulk Sensitive Personal Data and United States Government-Related Data by Countries of Concern" as supplemented by the DOJ's final Rule will impact companies transferring data into certain jurisdictions, such as China, Iran and Russia. Another area of focus for companies with an EU presence will be the Trump administration's approach to the Privacy and Civil Liberties Oversight Board, as it is a critical pillar of the EU/UK/Swiss-US Data Privacy Framework.

Asia, the Middle East, and Africa

Nowhere is the data protection landscape changing faster – and more fundamentally – than in Asia, with new laws in India, Indonesia, Australia and Saudi Arabia, as well continued new data laws and regulations in China and Vietnam. The ever-evolving data laws, as well as the trend towards regulating broader data categories (beyond personal data), in these regions continue to raise compliance challenges for multi-national businesses.

Emerging trends in data governance

Unlocking data, regulating the relentless advance of AI, creating fairer digital markets and safeguarding critical infrastructure against the ever growing cyber threat, continue to impact and overlap with the world of data protection and privacy. Perhaps most notably, the EU have introduced a raft of new laws forming part of its ambitious digital decade, which will bring huge change to businesses operating within the EU. With the rapid adoption of artificial intelligence enabled solutions and functionality, data protection supervisory authorities have been closely scrutinising the operation of AI technologies and their alignment with privacy and data protection laws. For businesses, this highlights the need to integrate date protection compliance into the core design and functionality of their AI systems. In the midst of this, the privacy community found itself at the centre of an emerging debate about the concept of 'AI governance'. This is not a surprising development – AI systems are creatures of data and the principle-based framework for the lawful use of personal data that sits at the heart of data protection law offers a strong starting point for considering how to approach the safe and ethical use of AI. As AI technologies advance, so will regulatory expectations. It is expected that regulatory scrutiny and activity will continue to escalate and accelerate in tandem with the increase in integration of powerful AI models into existing services to enrich data. Whilst privacy professionals cannot tackle the AI challenge alone, expect them to continue to be on the front lines throughout 2025 and beyond.

Disclaimer

This handbook is not a substitute for legal advice. Nor does it cover all aspects of the legal regimes surveyed, such as specific sectorial requirements. Enforcement climates and legal requirements in this area continue to evolve. Most fundamentally, knowing high-level principles of law is just one of the components required to shape and to implement a successful global data protection compliance program.

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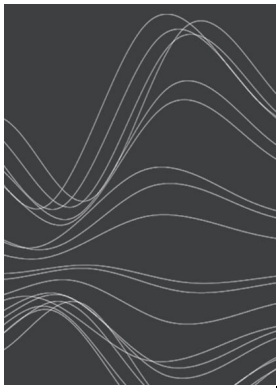

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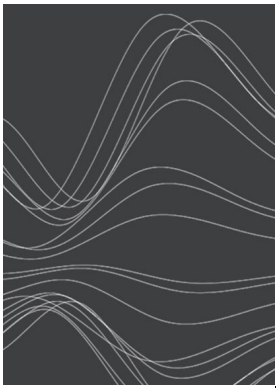

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Angola

LAST MODIFIED 30 DECEMBER 2021

Data protection laws

Angola regulates data privacy and protection issues under the Data Protection Law (Law no. 22/11, 17 June 2011), the Electronic Communications and Information Society Services Law (Law no. 23/11, 20 June 2011) and the Protection of Information Systems and Networks Law (Law no. 7/17, 16 February 2017).

Definitions

Definition of personal data

The Data Protection Law defines personal data as any given information, regardless of its nature, including images and sounds related to a specific or identifiable individual.

An identifiable person is an individual directly or indirectly identified, notably, by reference to his or her identification number or to the combination of specific elements of his or her physical, physiological, mental, economic, cultural or social identity.

Definition of sensitive personal data

The Data Protection Law defines sensitive personal data as personal data related to:

- Philosophical or political beliefs
- Political affiliations or trade union membership
- Religion
- Private life
- Racial or ethnic origin
- Health or sex life (including genetic data)

National data protection authority

The Data Protection Law establishes the *Agência de Proteção de Dados* (APD) as Angola's data protection authority. APD's Organic Statute was stablished by the Presidential Decree 214/2016 of October 10, and it's board currently in office was nominated by the Presidential Decree 277/2019 September 6.

Registration

As provided by Law, entities shall provide prior notice to, or obtain prior authorization from, APD (depending on the type of personal data and purpose of processing) to process personal data. Please note that in the case of authorization, compliance with specific legal conditions is mandatory. APD has authority to exempt certain processing from notification requirements.

Generally, notification and authorization requests should include the following:

- The name and address of the controller and of its representative (if applicable)
- The purposes of the processing
- A description of the data subject categories and the personal data related to those categories
- The recipients or under which categories of recipient to whom the personal data may be communicated and respective conditions
- Details of any third party entities responsible for the processing
- The possible combinations of personal data
- The duration of personal data retention
- The process and conditions for data subjects to exercise their rights
- Any predicted transfers of personal data to third countries
- A general description (to allow APD to assess whether security measures adopted are suitable to protect personal data in its processing)

Data protection officers

There is no requirement to appoint a data protection officer.

Collection and processing

Generally, entities must obtain prior express consent from data subjects and provide prior notice to the APD to lawfully collect and process personal data. However, data subject consent is not required in certain circumstances provided by law.

To lawfully collect and process sensitive personal data, a legal provision must allow for processing and entities must obtain prior authorization from APD (please note that the

authorization may only be granted in specific cases provided by law). If sensitive personal data processing results from a legal provision, APD must be provided with notice.

All data processing must follow these general principles: transparency, legality, good faith, proportionality, truthfulness and respect to private life as well as to legal and constitutional guarantees.

It is also mandatory that data processing is limited to the purpose for which the data is collected and that personal data is not held for longer than is necessary for that purpose.

There are specific rules applicable to the processing of personal data related to the following:

- Sensitive data on health and sexual life
- Illicit activities, crimes and administrative offenses
- Solvency and credit data
- Video surveillance and other electronic means of control
- Advertising by email
- Advertising by electronic means (direct marketing)
- Call recording

Specific rules for the processing of personal data within the public sector also apply.

Transfer

International transfers of personal data to countries with an adequate level of protection require prior notification to the APD. An adequate level of protection is understood as a level of protection equal to the Angolan Data Protection Law. APD decides which countries ensure an adequate level of protection by issuing an opinion to this respect.

International transfers of personal data to countries that do not ensure an adequate level of protection are subject to prior authorization from the APD, which will only be granted if specific requirements are met. For transfers between companies in the same group, the requirement of an adequate level of protection may be reached through the adoption of harmonized and mandatory internal rules on data protection and privacy.

Please note that the communication of personal data to a recipient, a third party or a subcontracted entity is subject to specific legal conditions and requirements.

Security

Data controllers must implement appropriate technical and organizational measures and adopt adequate security levels to protect personal data from accidental or unlawful total or partial destruction, accidental loss, total or partial alteration,

unauthorized disclosure or access (in particular where the processing involves the transmission of data over a network) and against all other unlawful forms of processing.

Such measures shall ensure a level of security appropriate to the risks represented by the processing and the nature of the data to be protected, relative to the entities facilities and implementation costs. Specific security measures shall be adopted regarding certain type of personal data and purposes (notably, sensitive data, call recording and video surveillance).

Under the Protection of Information Systems and Networks Law, service providers, operators and companies offering information society services must: (i) guarantee the security of any device or set of devices used in the storage, processing, recovery or transmission of computer data on execution of a computer program and (ii) promote the registration of users as well as the implementation of technical measures in order to anticipate, detect and respond to risk situations. The Law requires an accident and incident management plan in case of a computer emergency.

Breach notification

There is no mandatory breach notification requirement under the Data Protection Law.

However, pursuant to the Electronic Communications and Information Society Services Law, companies offering electronic communications services accessible to the public shall, without undue delay, notify the APD and the Electronic Communications Authority, *Instituto Angolano das Comunicações*, (INACOM) of any breach of security committed with intent or that recklessly leads to destruction, loss, partial or total modification or non-authorized access to personal data transmitted, stored, retained or in any way processed under the offer of electronic communications services.

Companies offering electronic communications services accessible to the public shall also keep an accurate register of data breaches, indicating the concrete facts and consequences of each breach and the measures put in place to repair or prevent the breach.

The same applies under Protection of Information Systems and Networks Law.

Enforcement

Data protection

As mentioned above, the competent authority for the enforcement of Data Protection Law is the APD. However, considering that the APD was recently created, the level of enforcement is not significant at this stage.

Electronic communications

INACOM regulates and monitors compliance with the Electronic Communications and Information Society Services Law, and issues penalties for its violation. Presently, INACOM's level of enforcement is not yet significant.

Electronic marketing

The dissemination of electronic communications for advertising purposes is generally subject to the prior express consent of its recipient (opt-in) and to prior notification to APD.

Entities may process personal data for electronic marketing purposes without data subject consent in specific circumstances, notably:

- When advertising is addressed to the data subject as representative employee of a corporate person, and
- When advertising communications are sent to an individual with whom the product or service supplier has already concluded a transaction, provided an opportunity to refuse consent was expressly provided to the customer at the time of the transaction at no additional cost.

Online privacy

The Electronic Communications and Information Society Services Law establishes the right of all Citizens to enjoy protection against abuse or violations of their rights through the Internet or other electronics means, such as:

- The right to confidentiality of communications and to privacy and non-disclosure of their data
- The right to security of their information by improvement of quality, reliability and integrity of the information systems
- The right to security on the Internet, specifically for minors
- The right not to receive spam
- The right to the protection and safeguarding of their consumer rights and as users of networks or electronic communications services

In view of the above, entities are generally prohibited from storing any kind of personal data without prior consent of the user. This does not prevent technical storage or access for the sole purpose of carrying out the transmission of a communication over an e-communication network or if strictly necessary in order for the provider of an information society service to provide a service expressly requested by the subscriber or user.

Traffic data

The processing of traffic data is allowed when required for billing and payment purposes, but processing is only permitted until the end of the period during which the bill may lawfully be challenged or payment pursued. Traffic data must be eliminated or made anonymous when no longer needed for the transmission of the communication.

The storage of specific information and access to that information is only allowed on the condition that the subscriber or user has provided his or her prior consent. The

consent must be based on accurate, clear and comprehensive information, namely about the type of data processed, the purposes and duration of the processing and the availability of data to third parties in order to provide value added services.

Electronic communications operators may store traffic data only to the extent required and for the time necessary to market electronic communications services or provide value added services. Prior express consent is required and such consent may be withdrawn at any time.

Processing should be limited to those employees in charge of:

- Billing or traffic management
- Customer inquiries
- Fraud detection
- Marketing of electronic communications
- Services accessible to the public
- The provision of value added services

Notwithstanding the above, electronic communication operators should keep in an autonomous file all traffic and localization data exclusively for the purpose of:

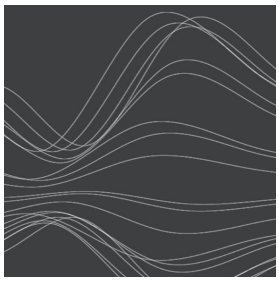
- Investigation
- Detection, or
- Prosecution of criminal offenses on Information and Communication Technologies (ICT)

Location data

Location Data processing is only allowed if the data is made anonymous or to the extent and for the duration necessary for the provision of value added services, provided prior express consent is obtained. In this case, prior complete and accurate information must be provided on the type of data being processed, as well as the purposes and duration of processing and any possibility of disclosure to third parties for the provision of value added services.

Electronic communication operators must ensure that data subjects have the opportunity to withdraw consent, or temporarily refuse the processing of such data for each connection to the network or for each transmission of a communication, at any time. The withdrawal mechanism must be provided through simple means, free of charge to the user. Processing should be limited to those employees in charge of electronic communications services accessible to the public.

Data protection lawyers



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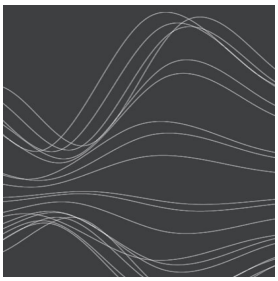

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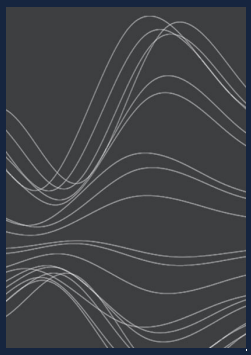

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