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Key contacts



Ijeoma Uju
Partner,
Corporate and Commercial
ijeoma.uju@templars-law.com



Oghomwen Akpaibor
Managing Counsel,
Corporate and Commercial
oghomwen.akpaibor@templars-law.com

Client Alert

Nigerian Data Protection Commission (NDPC) extends deadline for registration of Data Controllers / Processors of Major Importance

The Nigerian Data Protection Commission (the “**NDPC**”) has issued a [public notice](#) extending the deadline for the registration of data controllers and data processors of major importance (“**DCMIs/DPMIs**”), from June 30 2024 to **September 30 2024**.

As you may recall, the NPDC previously issued a [Guidance Notice](#) on February 14 2024, which mandated existing data controllers and processors who met the DCMI/DPMI qualification criteria prescribed therein, to register with the NDPC no later than June 30 2024. DCMIs/DPMIs who failed to register within this deadline would have been deemed in default of the Nigerian Data Protection Act 2023 (the “**NDPA**”) and liable to a penalty as stipulated in the NDPA. However, with the extension of the timeline for registration with the NDPC to September 30 2024, DCMIs/DPMIs are afforded additional time to comply with the registration requirements and avoid the risk of liability for non-compliance.

In the light of this, organizations processing personal data either as data controllers or processors are reminded of the following key points:

a. Registration of Data Controllers and Data Processors of Major Importance

The obligation to register as a DCMI/DPMI is pursuant to the NDPA and the Guidance Notice. More particularly, the Guidance Notice outlines the criteria for designating data controllers or processors as DCMIs or DPIMs. Thus, organizations who meet the prescribed criteria ([see details here](#)) are mandated to register with the NDPC.

b. Registration Fees

The Guidance Notice classifies DCMI/DPMI into 3 categories as follows; i) Major Data Processing-Ultra High Level¹ ii) Major Data Processing-Extra High Level² and iii) Major Data Processing-Ordinary High Level³. The applicable registration fees vary based on the specific category of the DCMI/DPMI and ranges from ₦10,000 (Ten Thousand Naira) to ₦250,000 (Two Hundred and Fifty Thousand Naira).

c. Effect of Non-compliance

A failure to register as a DCMI/DCPMI with the NDPC is a breach of the NDPA and this may attract a fine of up to 2% of the defaulting entity's annual gross revenue in the preceding financial year or ₦10,000,000 (Ten Million Naira), whichever is greater.

DCMI/DCPMIs who are yet to register with the NDPC are enjoined to do so and complete their registration by September 30 2024, or risk being in default of the compliance requirement under the NDPA and liable to the penalties as prescribed therein.

TEMPLARS is a licensed Data Protection Compliance Organisation, and we are available to assist your company with registration as a DCMI/DPMI with the NDPC or other data protection needs, as may be required. We provide a broad spectrum of data protection advisory and compliance services and will handhold your organization in navigating the evolving data protection landscape seamlessly.

¹ This includes commercial banks operating at the national or regional level, telecommunication companies, insurance companies, multinational companies, oil and gas companies, any organisation that processes personal data of over 5,000 data subjects in 6 months etc.

² This includes microfinance banks, higher institutions, hospitals providing tertiary or secondary medical services, mortgage banks any organisation that processes personal data of over 1,000 data subjects within 6 months etc

³ This includes small and medium-scale enterprises, primary and secondary schools; primary health centres, any organisation that processes personal data of over 200 data subjects within 6 months etc