

Breaking Down the Responsibilities of a Data Fiduciary under the Digital Personal Data Protection Act, 2023

Who is a Data Fiduciary?

“Data Fiduciary” means any person who alone or in conjunction with other persons determines the purpose and means of processing of personal data

RESPONSIBILITIES OF A DATA FIDUCIARY



Seek consent for processing of personal data for specific purposes.



When seeking to process children’s personal data, obtain verifiable parental consent to ensure lawful processing under the DPDPA.



Ensure accessibility and readability of your privacy notice to comply with the requirements of informed and unambiguous consent.



Enter contracts or revise existing contracts with data processors to ensure compliance with principles under the DPDPA.



Develop data retention policies after considering the purposes for which each type of personal data is collected and checking retention requirements under the DPDPA and other applicable laws.



Develop internal grievance redressal mechanisms and appoint a point of contact to address complaints and rights requests filed by Data Principals.



Strengthen and improve security safeguards to prevent the occurrence of a personal data breach.



If a personal data breach occurs, provide requisite information to the Data Protection Board and to affected Data Principals.



Explore the campaign for comprehensive information on Data Privacy:

www.dsci.in/content/data-privacy-day-2024

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