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JAMAICA GAZETTE
SUPPLEMENT

PROCLAMATIONS, RULES AND REGULATIONS

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WEDNESDAY, SEPTEMBER 17, 2025

No. 339

No. 402

Extract from the Minutes of the meeting of the Honourable House of Representative held on Tuesday, June 17, 2025:

PUBLIC BUSINESS

The Honourable Matthew Samuda, Minister without Portfolio in the Ministry of Economic Growth and Job Creation, having obtained suspension of the Standing Orders, moved:

THE DATA PROTECTION ACT

THE DATA PROTECTION (DISPOSAL OF PERSONAL DATA) REGULATIONS, 2024,
RESOLUTION

WHEREAS by virtue of section 74(1) of the Data Protection Act (hereinafter referred to as the Act) the Minister may make regulations for giving effect to the provisions of the Act:

AND WHEREAS section 28(1)(b) of the Act provides that the disposal of personal data by data controllers shall be in accordance with regulations made under section 74 of the Act:

AND WHEREAS section 74(3)(g) of the Act provides that regulations mentioned in section 28 of the Act, prescribing methods for disposal of personal data, shall be subject to affirmative resolution:

AND WHEREAS on the 4th day of March, 2024, the Minister made the Data Protection (Disposal of Personal Data) Regulations, 2024:

NOW THEREFORE, BE IT RESOLVED by this Honourable House, as follows:—

1. This Resolution may be cited as the Data Protection (Disposal of Personal Data) Regulations, 2024, Resolution.

2. The Data Protection (Disposal of Personal Data) Regulations, 2024, which was laid on the Table of the House on the 21st day of March, 2024, is hereby affirmed.

Seconded by: Mr. George Wright

Approved

I certify that the above is a true extract from the Minutes.

COLLEEN LOWE, MBA, LLB, PgDip (BPTC), LEC
Clerk to the Houses of Parliament.

No. 403

Extract from the Minutes of the meeting of the Honourable Senate held on Friday, July 19, 2024:

PUBLIC BUSINESS

Senator the Honourable Dana Morris Dixon, PhD, Minister without Portfolio in the Office of the Prime Minister, having obtained suspension of the Standing Orders, moved:

THE DATA PROTECTION ACT

**THE DATA PROTECTION (DISPOSAL OF PERSONAL DATA) REGULATIONS, 2024,
RESOLUTION**

WHEREAS by virtue of section 74(1) of the Data Protection Act (hereinafter referred to as the Act) the Minister may make regulations for giving effect to the provisions of the Act:

AND WHEREAS section 28(1)(b) of the Act provides that the disposal of personal data by data controllers shall be in accordance with regulations made under section 74 of the Act:

AND WHEREAS section 74(3)(g) of the Act provides that regulations mentioned in section 28 of the Act prescribing methods for disposal of personal data, shall be subject to affirmative resolution:

AND WHEREAS on the 4th day of March, 2024, the Minister made the Data Protection (Disposal of Personal Data) Regulations, 2024:

NOW THEREFORE, BE IT RESOLVED by this Honourable House, as follows:—

1. This Resolution may be cited as the Data Protection (Disposal of Personal Data) Regulations, 2024, Resolution.

2. The Data Protection (Disposal of Personal Data) Regulations, is hereby affirmed.

Senator Sophia Frazer-Binns also spoke on the motion.

Seconded by: Senator Lambert Brown

Agreed to

Senator the Honourable Kamina Johnson Smith, Minister of Foreign Affairs and Foreign Trade and Leader of Government Business, commended Parliament's personnel for their efforts in facilitating the Senate and their hard work.

I certify that the above is a true extract from the Minutes.

COLLEEN LOWE, MBA, LLB, PgDip (BPTC), LEC
Clerk to the Houses of Parliament.

THE DATA PROTECTION ACT

THE DATA PROTECTION (DISPOSAL OF PERSONAL DATA) REGULATIONS, 2024

In exercise of the power conferred upon the Minister by section 74 of the Data Protection Act, the following Regulations are hereby made:—

Citation. 1. These Regulations may be cited as the Data Protection (Disposal of Personal Data) Regulations, 2024.

Provisions for ensuring compliance with fifth standard. 2.—(1) For the purposes of securing compliance with the fifth standard stated in section 28 of the Act, a data controller shall—

(a) regularly review all the personal data processed by it, to ensure that all such data that is no longer required—

- (i) for the purpose for which the data was processed;
- (ii) to be retained under sub-paragraph (c) or under the provisions of the Act with respect to the keeping of records and the provision of access to data;
- (iii) for the purpose of the establishment, exercise or defence of a legal claim; or
- (iv) for a legitimate purpose of the data controller, having regard to standards—

(A) applicable to the business sector involved; or

- (B) approved by an entity conferred with, by any law, the power to regulate the business sector involved,

is disposed of in accordance with paragraph (2);

- (b) develop policies, and implement procedures consistent with those policies, governing the retention and disposal of data and specifying the minimum and maximum periods for which personal data shall be kept before being disposed of;
- (c) retain personal data, that has been used to make a decision about a data subject, for such period of time after the making of the decision as may be reasonably required to allow the data subject the opportunity to request access to that personal data.

(2) Personal data disposed of pursuant to the fifth standard shall be disposed of—

- (a) in a manner that ensures that the data can no longer—
 - (i) be further processed; or
 - (ii) identify, or be linked to, the data subject;
- (b) in a manner that ensures the permanence of the disposal, having regard to all reasonably foreseeable technological developments, and, in particular, where the personal data concerned is in electronic form; and
- (c) using a method, process or technology that the data controller considers appropriate to achieve disposal in accordance with paragraphs (a) and (b).

(3) In paragraph (2), “electronic” has the meaning assigned to it in section 2 of the Electronic Transactions Act.

Dated this 4th day of March, 2024.

ANDREW HOLNESS,
Prime Minister.