

INSURANCE CONFERENCE 2022

**STRENGTHENING RESILIENCE IN A CHANGING
ECONOMIC LANDSCAPE – THE CASE OF INSURANCE**

Digital Platforms Legislative & Policy Considerations

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AGENDA



Digital Platforms



Origin and Purpose
of Regulations
(Regulatory Regime)



Regulation of the
Digital Space



Challenges &
Opportunities



Questions &
Discussion

Digital Platforms in Insurance?

1. Operational Systems (Policy Management, Financial Management, AML Screening)
2. Communication Tools (Email, Facebook, Twitter, Instagram)
3. Artificial Intelligence (e.g. Chat Bots)
4. Self-service Online Portals
5. Payment Platforms
6. Apps and USSD Code (using Mobile Phones)



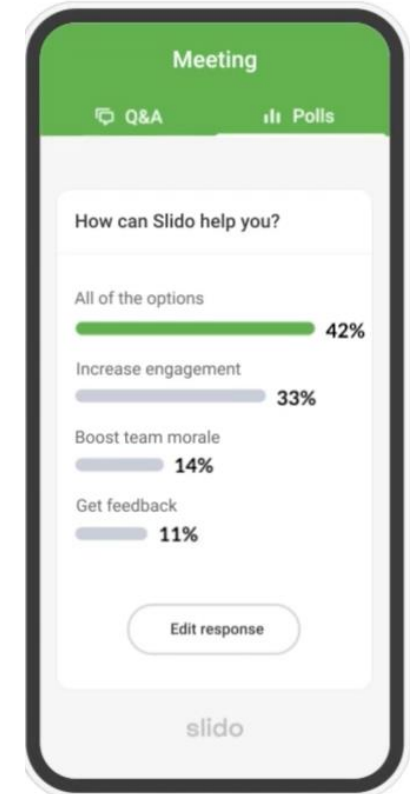
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Digital platforms



Number of Mobile Phone users in Zambia?

- a) Less than 5,000,000
- b) Between 5,000,000 and 15,000,000
- c) Between 15,000,001 and 25,000,000





Source: 2021 ZICTA Annual Report and <https://datareportal.com/reports/digital-2022-zambia>

Vision 2030

“A Prosperous Middle-Income Nation by 2030”

To be a strong, dynamic, competitive and self-sustaining middle-income industrial nation, which is resilient to external shocks and provides opportunities for improving the wellbeing of all

7th National Development Plan (2017-2021)

- (1) Strengthen Legal framework for ICT
- (2) Improve ICT Infrastructure and Delivery
- (3) Provide Electronic Services

8th National Development Plan (2022-2026)

Enhancing Digital Capacity through:

- (1) ICT infrastructure development
- (2) Digital innovation and entrepreneurship development
- (3) Digital skills enhancement
- (4) Digital services promotion

The National Information and Communication Technology Policy of 2006

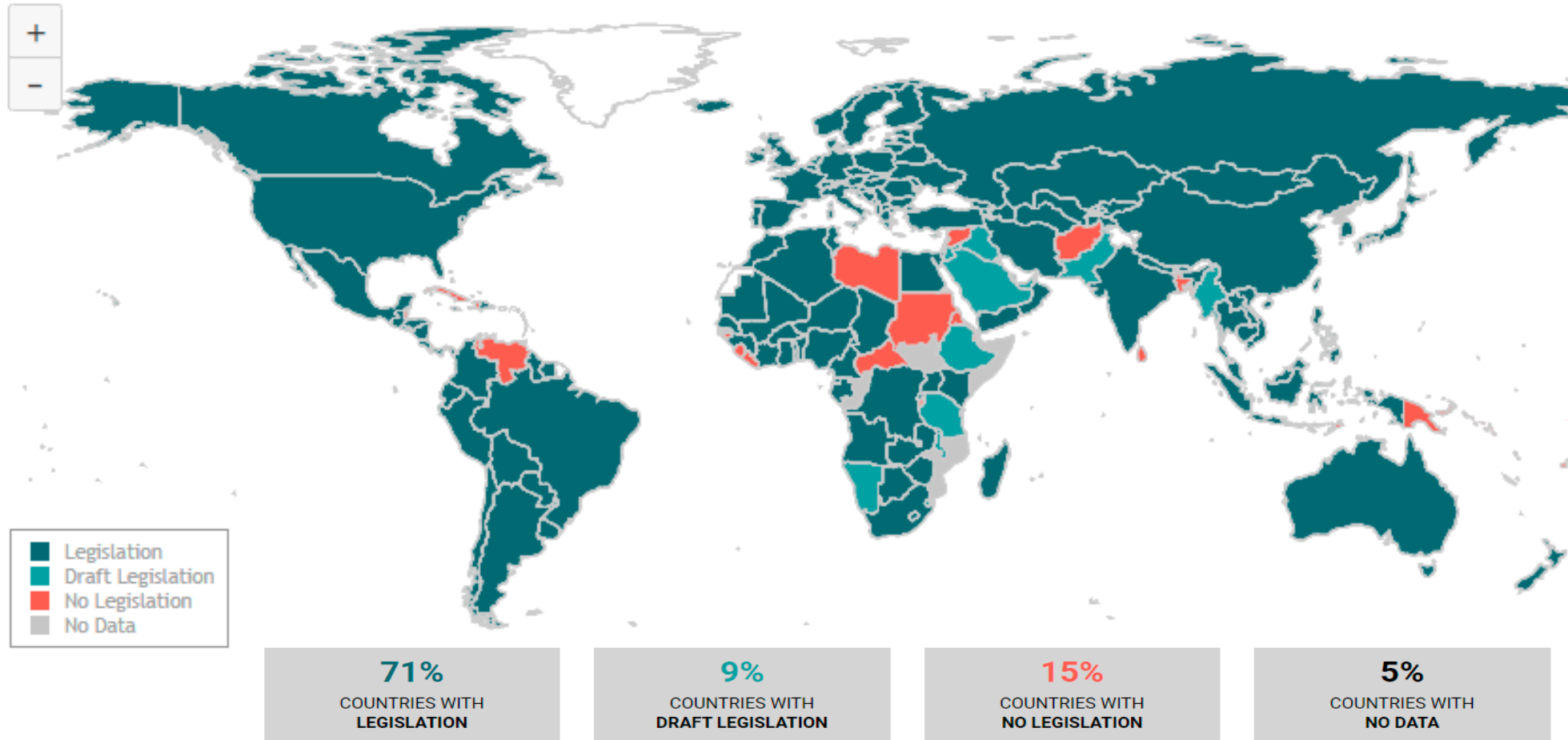
Set-out the framework for Zambia’s participation in the global economy through ICT as an enabler

The National Cyber Security Policy of 2021

overall objective to transform the cyberspace into a safer environment to fully realise the socioeconomic benefits of ICTs

Origin and Purpose of Digital Regulation

Data Protection and Privacy Legislation Worldwide

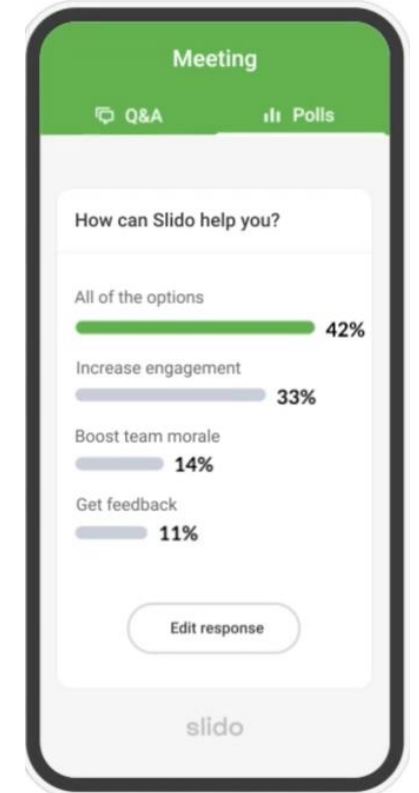


Source: <https://unctad.org/page/data-protection-and-privacy-legislation-worldwide>

Regulation in the Digital Space

Number of laws in Zambia relating to digital technology & data protection?

- a) 2
- b) 3
- c) 4
- d) 5



Constitution

Article 17 provides for the right to privacy

Cyber Security and Cyber Crimes Act, 2021

which provides for
cyber security including
protecting persons and
Critical Information
Infrastructure (CII)
against cyber crime

The Electronic Communications and Transactions Act, 2021

which provides a safe
and effective
environment for
electronic transactions

The Electronic Government Act, 2021

enhance the
management and
promotion of
electronic Government
services and processes

The Data Protection Act, 2021

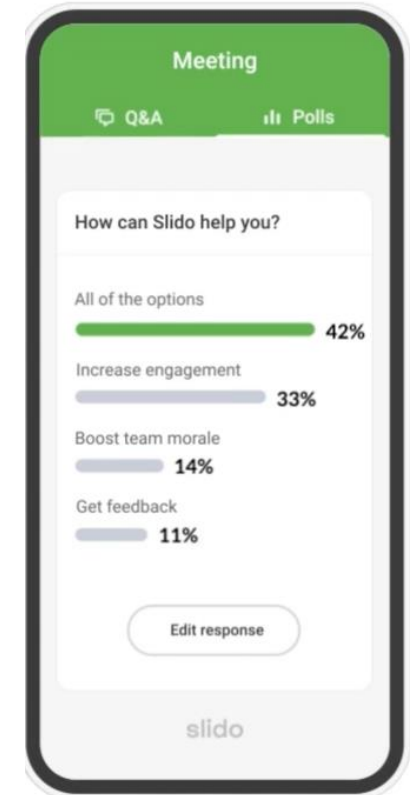
which provides an
effective system for
the protection and
regulation of
personal data

Regulation in the Digital Space



Are we safe? How many cyber attacks were recorded in 2021?

- a) About 10,000
- b) About 100,000
- c) About 10,000,000



Cyber Crime Trends



From January - December 2021, the Zambia Computer Incidence Response Team (ZmCIRT) recorded a cumulative number of attacks amounting to **10,718,002**.



The cyber threats recorded in 2021 included: mobile money reversal scams, social media account hijacking and fake online product promotions and investment schemes.



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Data Protection Act (DPA)

Personal Data Definition

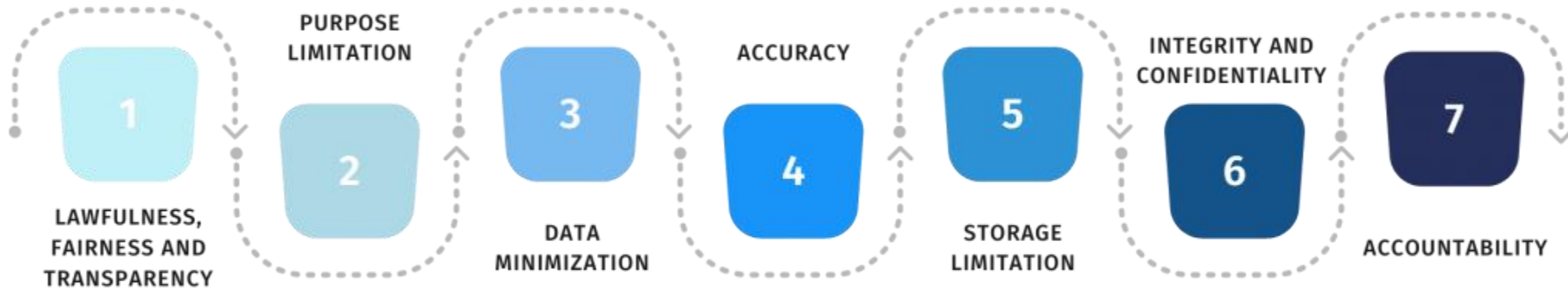
“data which relates to an individual who can be directly or indirectly identified from that data which includes a **name**, an **identification number**, **location data**, an online identifier, or one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity”

Sensitive Personal Data Definition

“means personal data which by its nature may be used to suppress the data subject’s fundamental rights and freedoms and includes;

- (a) the race, **marital status**, ethnic origin or **sex** of a data subject;
- (b) genetic data and biometric data;
- (c) a data subject’s physical or mental health, or **physical or mental condition**”

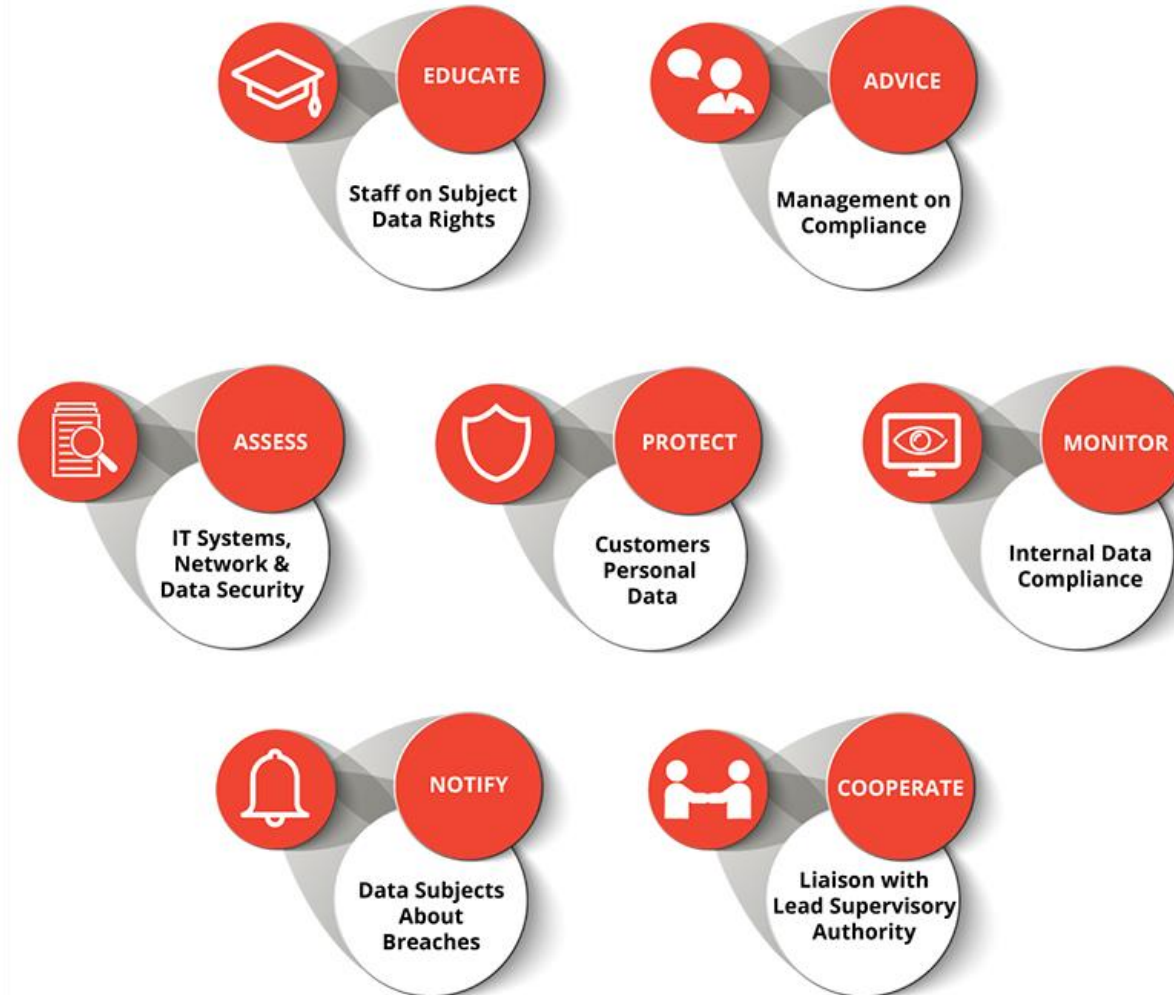
7 Data Protection Principles (s. 12)



Corporate - K30M or 2% Turnover
Individual - K300,000 or 5 years imprisonment (s. 18)


Source: Rezure 2016 - <https://i.pinimg.com/originals/a4/e4/3c/a4e43c164b68d5dab3742f360b2f5e72.png>


Data Protection Officer Duties





Source: <https://www.compliancejunction.com/infographic-gdpr-data-protection-officer-duties/>

Data Subject Rights – Part IX (s58-69)

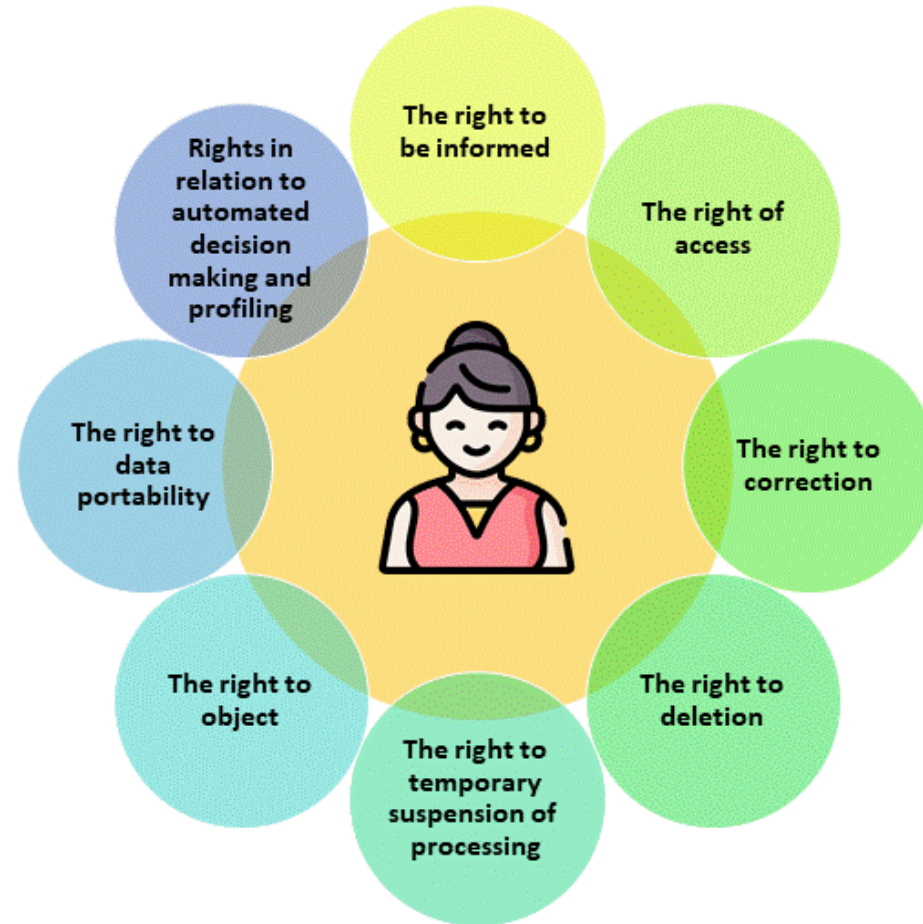
- 


Right to limit processing (in time, for certain data...), storage ok
- 


Right to challenge the legitimacy of the processing
- 


Transmission of personal data in structured, commonly used and machine readable formats
- 


Right to not be evaluated based on automated processing or profiling



- 

Transparency!
Controllers must inform data subjects about data processing
- 

Right a) to know if data is processed and b) to access this data
- 

Controllers must correct incorrect data
- 

„Right to be forgotten“
Deletion of data before their retention period

Source: <https://privacy.web.cern.ch/your-data-subject-rights>

Challenges & Opportunities

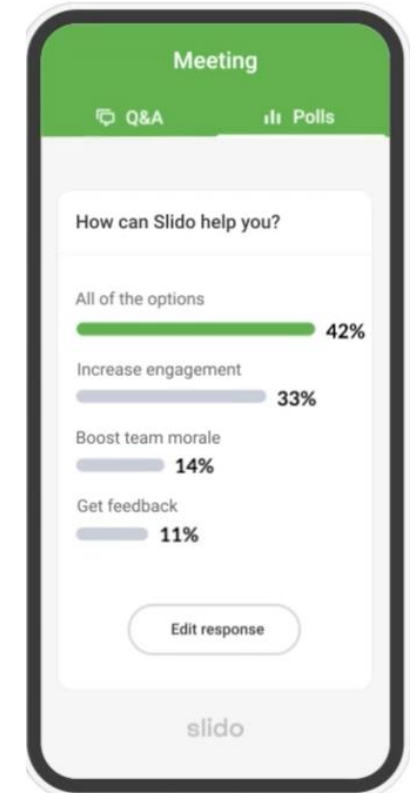
- ✓ Lack of Sensitisation of Stakeholders
- ✓ No Clarity on Key Requirements
- ✓ Regulatory Frameworks not in Place
- ✓ Resources required for Compliance (human & financial)
- ✓ Development required for Security Systems
- ✓ Lack of Policy and Procedures
- ✓ Create Trust as Industry
- ✓ Opportunity to Develop Cyber Insurance Packages

Questions and Discussions



Are you ready for the
DPA”

- (a) Yes
- (b) No





THANK YOU!

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