



GHANA PORTS AND HARBOURS AUTHORITY

Data Privacy Policy for Ghana Ports and Harbours Authority (GPHA)

1. Introduction

The Ghana Ports and Harbours Authority (GPHA), established under the Ghana Ports and Harbours Authority Act (PNDCL 160, 1986), is committed to protecting the privacy and personal data of individuals interacting with us. This includes port users, employees, contractors, vendors, stakeholders, and visitors to our website or facilities.

At GPHA, we recognize privacy as a fundamental human right. Our commitment begins with treating everyone with dignity and respect, and extends to embedding privacy protections into our operations, services, and supply chain. This Data Privacy Policy outlines how GPHA collects, uses, discloses, stores, and protects personal data in compliance with the Data Protection Act, 2012 (Act 843) of Ghana, as well as other relevant laws and best practices. GPHA acts as a Data Controller under the Act.

By engaging with GPHA services, facilities, website i.e. (www.ghanaports.gov.gh), or providing personal data, you consent to the practices described in this policy. We may update this policy periodically; changes will be posted on our website with the revised effective date.

Our Board of Directors has adopted this policy and is responsible for overseeing its implementation. GPHA's Senior Management, including the Data Protection Officer, reports to the Board on progress and significant issues.

2. Definitions

- **Personal Data:** Information relating to an identified or identifiable individual (e.g., name, identification number, location data, contact details). This includes data that does not directly identify you but can reasonably be linked to you, such as aggregated data if it can be used to identify an individual.
- **Processing:** Any operation on personal data, such as collection, storage, use, disclosure, or deletion.
- **Data Subject:** The individual to whom personal data relates.
- Other terms align with the Data Protection Act, 2012 (Act 843).

3. Personal Data We Collect

GPHA collects and processes personal data necessary for our operations, including port management, security, logistics, employment, and stakeholder engagement. We strive to collect only the minimal personal data required to fulfil these purposes. Categories include:

- Identity Data: Name, date of birth, gender, nationality, national ID/Ghana Card number, passport details, photographs, biometric data (e.g., for access control).
- Contact Data: Postal address, email address, telephone numbers.
- Professional/Transactional Data: Employer details, vessel/cargo information, contract details, payment information, port usage records.
- Employment Data (for staff/contractors): CVs, qualifications, references, health records (where required for safety).
- Technical Data (website visitors): IP address, browser type, device information, usage logs.
- Security/Surveillance Data: CCTV footage, access logs for port facilities.
- Location Information: Precise or coarse location data for logistics or security purposes.
- Financial Information: Details such as bank details, income, or assets where relevant to transactions.
- Government ID Data: In certain cases, government-issued IDs for verification or compliance.

We do not collect sensitive personal data (e.g., ethnic origin, health, political opinions) unless necessary and with explicit consent or legal basis. Health or fitness data is only collected if essential for safety (e.g., in high-risk port areas) and handled with heightened protections.

4. How We Collect Personal Data

We collect data through:

- Direct interactions (e.g., forms for port access, registrations, contracts, job applications).
- Automated technologies (e.g., website cookies, CCTV, access control systems).
- Third parties (e.g., shipping agents, government agencies like Ghana Revenue Authority, National Identification Authority, security services, with lawful basis). This includes data shared at your direction (e.g., from partners or carriers) or from Apple-like partners for integrated services if applicable.
- Public sources (where legally permissible).

5. Purposes and Legal Basis for Processing

GPHA processes personal data only for specified, lawful purposes under the Data Protection Act principles (fairness, accountability, accuracy, minimization, etc.). Legal bases include:

- Performance of contracts (e.g., port services, employment).
- Legal obligations (e.g., security compliance, reporting to regulators like Ministry of Transport).
- Legitimate interests (e.g., port safety, operational efficiency, fraud prevention), provided they do not override your rights.
- Consent (where required, e.g., marketing communications).
- Public interest (e.g., national security in port operations).

Specific purposes:

- Providing port facilities and services (e.g., vessel handling, cargo clearance).
- Ensuring security and safety in ports.
- Managing employment, contracts, and vendor relationships.
- Complying with regulatory requirements (e.g., maritime laws, anti-money laundering).
- Improving services through analytics (anonymized where possible).
- Communicating updates, alerts, or promotions (with opt-in consent).

We conduct due diligence to identify and mitigate privacy risks, consulting stakeholders like workers, experts, and government bodies. We will not use data for new purposes without notification and, where required, consent.

6. Data Sharing and Disclosure

Personal data may be shared with:

- Government authorities/regulators (e.g., Bank of Ghana, Ghana Revenue Authority, security agencies).
- Service providers/processors (e.g., IT vendors, security firms) under strict contracts ensuring compliance with Act 843. Providers are bound to use data only for our instructions and must implement equivalent security measures.
- Partners in port operations (e.g., shipping lines, agents) for transactional purposes.
- Law enforcement or courts when required by law.

We do not sell personal data or share it for third-party marketing without your consent.

International transfers (if any) will include safeguards to ensure equivalent protection, such as contractual clauses or adequacy assessments.

7. Data Security

GPHA implements appropriate technical and organizational measures to protect personal data against unauthorized access, loss, alteration, or disclosure. These include encryption, access controls, staff training, and regular audits. We use industry-standard safeguards, considering the nature of the data and risks. In case of a data breach, we will notify the Data Protection Commission and affected individuals as required by law, including details on the breach, risks, and mitigation steps.

8. Data Retention

Personal data is retained only as long as necessary for the purposes collected, or as required by law (e.g., minimum periods for records under maritime or tax regulations). After this, data is securely deleted or anonymized

9. Your Rights as a Data Subject

Under the Data Protection Act, 2012 (Act 843), you have rights including:

- Access to your personal data.
- Correction of inaccurate data.
- Objection to processing or withdrawal of consent.
- Erasure (where applicable).
- Restriction of processing.
- Complaint to the Data Protection Commission.

We may deny requests if legally obligated (e.g., for fraud prevention or compliance), technically impossible, or if we cannot verify your identity. For children's data (under 13 or as per law), we require verifiable parental consent and implement additional safeguards. To exercise rights, contact our Data Protection Officer (details below). We may require identity verification and respond within reasonable time.

10. Cookies and Website Usage

Our website uses cookies for functionality and analytics. Cookies include strictly necessary ones (e.g., for traffic routing) and others (e.g., for user preferences and performance tracking). You can manage preferences via browser settings. We treat data from cookies as personal if linkable to you and combine it with other data only where necessary, treating the result as personal data.

11. Handling Government and Law Enforcement Requests

GPHA will only disclose personal data to government or law enforcement in response to valid legal process (e.g., court orders, warrants) or in emergencies (e.g., imminent harm). Requests are reviewed centrally for validity; unclear or overbroad ones may be challenged. We preserve data temporarily upon valid preservation requests and notify customers of disclosures unless prohibited by law.

12. Transparency and Communication

We track our privacy performance and report publicly on key areas (e.g., via annual updates on our website). We consult stakeholders, including rights groups and experts, to improve. If you have questions, we encourage open dialogue.

13. Contact Us

For questions, requests, or complaints:

Data Protection Officer:

Ghana Ports and Harbours Authority

P.O. Box 150, Tema, Ghana

You may also contact the Data Protection Commission: www.dataprotection.org.gh