

FORM 12

**DECISION OF THE OFFICE ON COMPLIANT CONCERNING INFRINGEMENT OR VIOLATION OF
THE ACT**

TO: UNWANTED WITNESS

Having reviewed your complaint lodged with the Personal Data Protection Office on 18th day of June 2022, concerning the data security breach at the Uganda Securities Exchange and its technology partner, Soft Edge Uganda Limited, the decision of the Office is as follows:

The investigation found that the data security breach was caused by non-compliance with the Information Systems Policies Manual and the Data Protection and Privacy Act and supporting Regulations. The breach was specifically attributed to a change in the firewall configuration that left a port open, which was not in accordance with the established change management procedures.

Furthermore, the Maintenance Agreement between USE and Soft Edge Uganda Limited lacked necessary data protection and privacy clauses. It failed to specify the types of personal data to be shared and the obligations of both parties to ensure data security and privacy. This inadequacy left personal data vulnerable and the parties without clear data protection and privacy responsibilities.

Another significant finding was that both USE and Soft Edge Uganda Limited failed to regularly verify whether the implemented security safeguards were effective. This oversight led to the data security breach going unnoticed for twelve days. Additionally, Soft Edge Uganda Limited, a data processor for USE, was not registered with the PDPO as required by the Act.

We have initiated prosecution against the responsible parties for the breach in accordance with the Data Protection and Privacy Act and supporting Regulations. Please find attached an abridged version of the investigation report, which provides an in-depth analysis of the findings and recommendations.

Date of Decision: **10th July 2023**



Stella Alibateese

National Personal Data Protection Director