SOUTH AFRICA'S NATIONAL DATA AND CLOUD POLICY, 2024 PUBLISHED YESTERDAY

Category: Infrastructure and Telecommunications,IT Law,Privacy Law, Infosec, and POPIA,Technology Law
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What is the National Data and Cloud Policy about?

The South African government's Department of Communications and Digital Technologies ("**DCDT**") published its National Policy on Data and Cloud yesterday ("**National Data and Cloud Policy**"). I like it: it's well-drafted, concise and realistic. It doesn't skirt issues, acknowledging that there are

problems and identifying how to fix them. ⛅

In describing itself, the Policy records that it is "*a framework aimed at efficiently managing and utilizing data through cloud computing technologies. Its primary goals are to enhance government service delivery and foster socio-economic development by promoting data-driven decision making and creating data-based tradable goods and services, thereby supporting an emerging digital economy.*"

What the Policy's key principles?

The National Data and Cloud Policy's key principles include:

✅ Accelerating the rollout of digital infrastructure to ensure fast, secure, and reliable broadband connectivity.

✅ Ensuring data privacy and security.

✅ Promoting open data and data interoperability.

✅ Adopting a cloud-first approach.

In discussing the digital economy, the National Data and Cloud Policy highlights the need for digital and economic inclusion. It recognises that "*the digital economy must be supported by strong, reliable, secure and affordable connectivity to affordable digital infrastructure and device*s."

Importantly, it emphasizes the need for regulatory certainty and energy supply stability. The National Data and Cloud Policy promotes the approach that data centres should ensure their own energy and water self-provisioning (of course, touch wood, it seems that South Africa's energy stability and reliability is heading in the right direction).

What interventions does the it recommend?

The Data and Cloud Policy's policy interventions include:

✅ Galvanising funding, technical and related resources to achieving 100% broadband coverage by 2030;

✅ The State Information Technology Agency ("SITA") sourcing data infrastructure and cloud services for government;

✅ Converting all government data into digital format, developing Open Data and Data for Development Frameworks and enforcing universal service obligations to achieve digital inclusion;

✅ All government technologies incorporating cybersecurity-by-design principles and government prioritising the signing and ratification of "regional, continental, and global treaties and conventions that support collaboration in the pursuit and prosecution of cybercrimes"; and

✅ The requirement that government data "that incorporates content pertaining to the protection and preservation of national security and sovereignty of the Republic shall be stored only in digital infrastructure located within the borders of South Africa."

Where can I get a copy of the National Data and Cloud Policy?

What I've captured here is just a snippet of what the Policy discusses. It makes good sense and, with focus from all key stakeholders, can definitely be implemented. Take some time to read it: I'm sure you will agree. You can access a copy here.