

PUBLIC NOTICE

UNLAWFUL PROCESSING OF PERSONAL DATA

The Malawi Communications Regulatory Authority, in its capacity as the designated Data Protection Authority, has noted with concern the circulation on social media and other online platforms of content depicting individuals in intimate acts. The videos were **recorded, subsequently published and disseminated without the consent of the individuals concerned.**

The Data Protection Act, 2024 protects the privacy and personal data of every individual. The Act defines processing to include operations performed on personal data including **collection, recording, storage and publication.**

The recording, publication, sharing or otherwise dissemination of intimate content depicting an identifiable individual constitutes processing of personal data. Such processing must be undertaken on a lawful basis and in accordance with the requirements of the Data Protection Act.

The Authority therefore hereby warns that any person who, without a lawful basis:

- Records intimate content depicting another person;
- Publishes or uploads such content on any online platform; or
- Forwards, shares, reposts or otherwise disseminates such content.

will be in breach of the Data Protection Act and subject to enforcement action which may include the imposition of administrative penalties of up to K20,000,000.00.

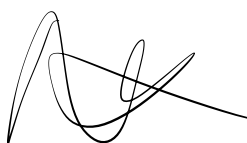
Additionally, section 49 of the Data Protection Act states that any person who is in possession of information which the person knows was obtained in contravention of the Act and proceeds to publish or communicate that information without lawful authority to another person, commits an offense and is upon conviction liable to a fine of up to K20,000,000.00 and imprisonment for up to five years.

Further, the public is informed that it is an offence under section 85(2)(e) of the Electronic Transactions and Cyber Security Act, 2016 to distribute pornographic material through an information system, including electronic and online platforms and any person convicted of such an offence, is liable to a fine of K10,000,000.00 and to imprisonment for fifteen years.

Any person who has posted, uploaded, shared, forwarded or otherwise disseminated the videos aforementioned is hereby strongly urged to immediately remove them **from all platforms and cease any further dissemination.**

The Authority urges members of the public to respect the privacy, dignity and personal data of others and to immediately cease any unlawful processing or dissemination of personal data.

Dated the 18th August 2026.

A handwritten signature in black ink, consisting of a large, stylized 'M' followed by a series of loops and a long horizontal stroke extending to the right.

Mayamiko Nkoloma, PhD
DIRECTOR GENERAL