

Access to information and data protection in Kenya and its impact on provision of information

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The increasing demand for information by citizens and the need to protect individual data has impacted the provision of information across the world. Access to information in libraries and information centres in Kenya is governed by several laws and regulations that provide citizens with unhindered access to information. Data Protection Act provides for the protection of individual data by the entities holding it. This presents a dilemma for libraries and information centres as they must adhere to the two legislations. This paper aims to review the legal framework that governs access to information and data protection in Kenya and how it impacts libraries and information centres. The laws reviewed include the Data Protection Act (2019) which is the legal framework for the protection of personal data, and the Access to Information Act (2016) and the Constitution of Kenya. The specific objectives are To review the legal framework governing access to information and data protection in Kenya, to Assess how this legal framework impacts the provision of information by libraries and information centres, and to recommend improvements in access to information and data protection legal framework in Kenya. A qualitative research methodology with document analysis was used. Data analysis through thematic analysis was used. Findings revealed that Libraries and information centres in Kenya face an increasingly complex legal landscape. They must protect the privacy and data of their patrons, staff and other individuals in accordance with the Data Protection Act while adhering to the dictates of Article 35 of the Constitution of Kenya and the Access to Information Act, 2016, to facilitate public access to information where applicable. Libraries and information centres need to provide information to information users while at the same time ensuring the protection of individual data, which presents a complex landscape for libraries and librarians in Kenya.

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