

Data Protection and the GDPR

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Data Protection Prelims

United Arab Emirates

	UAE	DIFC	ADGM
Data Protection Law	Federal Decree-Law No. 45/2021 on the Protection of Personal Data	DIFC Law No. 5/2020 Data Protection Law	N.A.
Data Protection Regulations	Expected in the coming months.	DIFC Data Protection Regulations 2020	ADGM Data Protection Regulations 2021
Secondary Data Protection Legislation	<ul style="list-style-type: none"> • Federal Decree-Law No. 31/2021 On the Issuance of the Crimes and Penalties Law • Federal Decree-Law No. 34/2021 Concerning the Fight Against Rumors and Cybercrime • Federal Decree-Law No. 3/2003 on Organising the Telecommunications Sector • Federal Decree-Law No. 46/2021 On Electronic Transactions and Trust Services • Federal Law No. 2/2019 on the Use of the Information and Communication Technology (ICT) in Health Fields • Federal Decree-Law No. 14/2018 On the Central Bank and the Organisation of Financial Institutions and Activities • Circular No. 8/2020 Consumer Protection Regulation of the Central Bank of UAE^[1 p.9] 	N.A.	N.A.
National Data Protection Regulatory Body	UAE Data Office (more information expected soon) The Central Bank of the UAE and Telecommunication and Digital Government Regulatory Authority (TDRA) ^{[2 p.9][3 p.9]}	Commissioner of Data Protection ^[5 p.9]	ADGM Office of Data Protection ^[4 p.9]

Saudi Arabia

	Saudi Arabia
Data Protection Law	Saudi Arabia Royal Decree No. M19/1443 on the Approval of the Personal Data Protection Law (Saudi Arabia Cabinet Decision No. 98/1443 on the Approval of the Personal Data Protection Law), amended by Saudi Arabia Cabinet Decision No. 604/1444 On the Approval of the Amendments to the Personal Data Protection Law.
Data Protection Regulations	<ul style="list-style-type: none"> • Saudi Arabia Administrative Decision No. 1516/1445 Approving the Implementing Regulation of the Personal Data Protection Law
Secondary Data Protection Legislation	<ul style="list-style-type: none"> • Saudi Arabia Royal Order No. A90/1412 on the Promulgation of the Basic Law of Governance Law • Saudi Arabia Royal Decree No. M18/1428 Saudi Arabian Electronic Transactions Law (Saudi Arabia Cabinet Decision No. 80/1428 on the Approval of the Electronic Transactions Law) • Saudi Arabia Royal Decree No. M17/1428 Related to the Approval of the Anti-Cyber Crime Law (Saudi Arabia Cabinet Decision No. 79/1428 Approving the Saudi Arabian Anti-Cyber Crime Law) • Saudi Arabia Cabinet Decision No. 592/1443 On the Approval the Communications and Information Technology Law • Saudi Arabia Ministerial Decision No. 13/1444 On the Approval of the Implementing Regulation of the Telecommunications and Information Technology Law • Saudi Arabia Royal Decree No. M59/1426 Related to the Law on Practice Health Professions (Saudi Arabia Cabinet Decision No. 276/1426 Approving the Law on Practice of Health Professions) • Saudi Arabia Cabinet Decision No. 164/1444 On the Approval of the Law on the Use of Security Surveillance Cameras
National Data Protection Regulatory Body	Saudi Arabia Data and Artificial Intelligence Authority (SDAIA) ^[5 p.9]

Qatar

	Qatar	QFC
Data Protection Law	Qatar Law No. 13/2016 on Data Protection	N.A.
Data Protection Regulations	N.A.	QFC Data Protection Regulations 2021
Secondary Data Protection Legislation	N.A.	QFC Data Protection Rules 2021
National Data Protection Regulatory Body	National Cyber Security Agency ^[6 p.9]	QFC Data Protection Office ^[7 p.9]

Oman, Kuwait & Bahrain

	Oman	Bahrain	Kuwait
Data Protection Law	Oman Sultani Decree No. 6/2022 Promulgating the Personal Data Protection Law	Bahrain Law No. 30/2018 Issuing the Law on Personal Data Protection	N.A.
Data Protection Regulations	N.A.	Bahrain Ministerial Decision No. 42/2022 ^[8 p.9] on the Transfer of Personal Data Outside the Kingdom of Bahrain	Kuwait Administrative Decision No. 26 /2024 Concerning the Issuance of the Data Privacy Protection Regulation
Secondary Data Protection Legislation	<ul style="list-style-type: none"> • Oman Sultani Decree No. 6/2021 On the Issuance of the Constitution of the State • Oman Sultani Decree No. 69/2008 on the Promulgation of the Electronic Transactions Law • Oman Sultani Decree No. 12/2011 on Cybercrime Law • Oman Sultani Decree No. 30/2002 Promulgating the Telecommunications Regulatory Law 	<ul style="list-style-type: none"> • Bahrain Ministerial Decision No. 43/2022^[9 p.9] Defining the Requirements to be Met in Technical and Organisational Measures to Protect Personal Data • Bahrain Ministerial Decision No. 48/2022^[10 p.9] On the Rights of Owners of Personal Data • Bahrain Ministerial Decision No. 49/2022^[11 p.9] on the Procedures and Rules for Filing Complaints Against the Violation of the Provisions of the Personal Data Protection Law • Bahrain Ministerial Decision No. 44/2022 On the Rules and Procedures for Submitting a Notification to the Personal Data Protection Authority and an Application for Prior Authorisation for Processing and Deciding Thereon (sets out the rules and procedures for submitting notifications to the PDPA in accordance with article 14 of the PDPL (unless an exemption applies) and requesting prior authorisation in accordance with article 15 for certain types of processing). 	

		<ul style="list-style-type: none"> • Bahrain Ministerial Decision No. 45/2022 Defining the Rules and Procedures for Processing Sensitive Personal Data (sets out the rules and procedures for processing sensitive personal data). • Bahrain Ministerial Decision No. 46/2022 On Data Protection Controllers • Bahrain Ministerial Decision No. 47/2022 Determining the Fees for Registration in the Register of Data Protection Controllers and Registration Renewal, and Cases of Exemption from Fees and Refunds Thereof • Bahrain Ministerial Decision No. 50/2022 Determining the Controls and Guarantees for Maintaining the Confidentiality of Data Related to Filing and Initiating a Criminal Case and to Judgments Issued Therein • Bahrain Ministerial Decision No. 51/2022 On the Conditions for Establishing Publicly Accessible Personal Data Registers 	<ul style="list-style-type: none"> • Kuwait Law No. 20/2014 on Electronic Transactions • Kuwait Law No. 1/1970 on Mail Services • Kuwait Law No. 39/1980 on Evidence in Civil and Commercial Matters • Kuwait Law No. 37/2014 Establishing a Regulatory Authority Governing Telecommunications and Information Technology • Kuwait Law No. 63/2015 On Combating Cyber Crimes (imposes fines and penalties in relation to the illegal dealing or possession of personal and governmental data) • Ministerial Resolution No. 48/2014 Implementing Regulations On Electronic Transactions
National Data Protection Regulatory Body	<u>Ministry of Transport, Communications, and Information Technology</u> ^[12 p.9]	<u>Ministry of Justice and Islamic Affairs (Provisional)</u> ^[13 p.9]	<u>Communication and Information Technology Regulatory Authority (CITRA)</u> ^[14 p.9] <u>Electronic and Cyber Crime Combating Department (ECCCD) – Ministry of Interior</u> ^[15 p.9]

The General Data Protection Regulation

Key principles of the GDPR

The General Data Protection Regulation (the [GDPR](#)^[16 p.9]) (Regulation (EU) 2016/679 on the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC), was published in the Official Journal of the EU on 4 May 2016. Its provisions became directly applicable and fully enforceable in all EU Member States on 25 May 2018.

Article 5.1 of the GDPR outlines the following seven key principles:

Article No.	Principle	Explanation
Article 5(1)(a) of the GDPR	Lawfulness, fairness and transparency	Processing must be lawful, fair, and transparent to the data subject.

Article 5(1)(b) of the GDPR	Purpose limitation	You must process data for the legitimate purposes specified explicitly to the data subject when you collected it.
Article 5(1)(c) of the GDPR	Data minimisation	You should collect and process only as much data as absolutely necessary for the purposes specified.
Article 5(1)(d) of the GDPR	Accuracy	You must keep personal data accurate and up to date.
Article 5(1)(e) of the GDPR	Storage limitation	You may only store personal data for as long as necessary for the specified purpose.
Article 5(1)(f) of the GDPR	Integrity and confidentiality	Processing must be done in such a way as to ensure appropriate security, integrity, and confidentiality (e.g., by using encryption).
Article 5(1)(g) of the GDPR	Accountability	The data controller is responsible for being able to demonstrate GDPR compliance with all of these principles.

GDPR Alignment

Jurisdiction	GDPR	Notes
UAE	Aligned with the GDPR	Federal Decree-Law No 45/2021 broadly mirrors the GDPR, with only a few minor deviations.
DIFC	Aligned with the GDPR	DIFC Law No. 5/2020 is generally consistent with the GDPR.
ADGM	Aligned with the GDPR	ADGM Data Protection Regulations 2021 is generally consistent with the GDPR.
Saudi Arabia	Aligned with the GDPR	While the KSA Data Protection Law contains many similar provisions to the GDPR, there are a number of key differences, for example, in terms of offences and penalties.
Qatar	Aligned with the GDPR	Qatar Law No. 13/2016 was modelled on a number of international policy frameworks, including the 1995 Directive, and by extension, the GDPR.
QFC	Aligned with the GDPR	The QFC Data Protection Regulations are largely inspired by the GDPR.
Kuwait	Aligned with the GDPR	In most material aspects, Kuwait Administrative Decision No. 26/2024 loosely resembles the GDPR.
Oman	Aligned with the GDPR	Oman Sultani Decree No. 6/2022 largely models the best practices of data protection introduced by the GDPR.
Bahrain	Aligned with the GDPR	Bahrain Law No. 30/2018 is heavily based on the GDPR.

Aligned with the GDPR
Partially aligned with the GDPR
Not aligned with the GDPR

Produced by



Saeed Hasan Khan
Director, Bizilance Legal Consultants
saeed.hasan@bizilancelegal.ae
+971 52 914 1118

Biography

Saeed Hasan Khan is taxation, privacy and corporate lawyer having more than 20 years' experience advising clients on taxation, corporate, data privacy, regulatory compliance and contractual obligations, and in representing clients before the authorities. He has developed a keen professional interest in emerging laws on personal data protection, and has gained an understanding of the underlying concepts and principles governing global data protection laws, including the EU's General Data Protection Regulation. He has carried out a great deal of research on personal data protection laws in various jurisdictions in order to compare their core legal principles. He advises clients on compliance framework regarding personal data protection. He is an advocate of the High Court, a member of the Chartered Institute of Arbitrators (UK) and a member of the International Association of Privacy Professionals. He has completed a course from the London School of Economics and Political Science on "Data: Law, Policy and Regulation".



Saifullah Khan
Director, Bizilance Legal Consultants
saifullah.khan@bizilancelegal.ae
+971 58 184 8960

Biography

Saifullah Khan is an international trade, privacy and policy lawyer with more than 20 years of diversified and multi-jurisdictional professional experience serving a large client base in the domestic and international markets. His areas of interest include trade remedy laws of the World Trade Organization, customs law, competition law and data privacy. With respect to emerging discipline of data privacy, he advises clients from different jurisdictions on data privacy compliance and cross-border transfer of data. Additionally, he assists clients in the preparation and review of privacy policies and intra-group agreements concerning cross-border transfer of personal data, etc. He is an advocate of the High Court, a member of the Chartered Institute of Arbitrators (UK) and a member of the International Association of Privacy Professionals. He has completed a course at the London School of Economics and Political Science on "Data: Law, Policy and Regulation".



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Notes

1. ^{^ [p.2]} https://www.centralbank.ae/media/vi1klb11/consumer-protection-regulation_0.pdf
2. ^{^ [p.2]} <https://tdra.gov.ae/en/>
3. ^{^ [p.2] [p.2]} <https://www.tra.gov.ae/en/home.aspx>
4. ^{^ [p.2]} <https://www.adgm.com/operating-in-adgm/office-of-data-protection/overview>
5. ^{^ [p.2]} <https://sdaia.gov.sa/?Lang=en&page=SectionHome#>
6. ^{^ [p.3]} <https://assurance.ncsa.gov.qa/en/contactus>
7. ^{^ [p.3]} <https://www.qfc.qa/en/operating-with-qfc/data-protection>
8. ^{^ [p.4]} https://www.lexismiddleeast.com/law/Bahrain/MinisterialDecision_42_2022
9. ^{^ [p.4]} https://www.lexismiddleeast.com/law/Bahrain/MinisterialDecision_43_2022
10. ^{^ [p.4]} https://www.lexismiddleeast.com/law/Bahrain/MinisterialDecision_48_2022
11. ^{^ [p.4]} https://www.lexismiddleeast.com/law/Bahrain/MinisterialDecision_49_2022
12. ^{^ [p.5]} <https://www.mtcit.gov.om/ITAPortal/Projects/Projects.aspx?svc=657&NID=52&Odt=37>
13. ^{^ [p.5]} <https://www.moj.gov.bh/en/home>
14. ^{^ [p.5]} <https://citra.gov.kw/sites/en/Pages/Home.aspx>
15. ^{^ [p.5]} <https://www.moi.gov.kw/main/sections/cyber-crime?culture=en>
16. ^{^ [p.5]} <https://gdpr.eu/tag/gdpr>
17. ^{^ [p.8]} <https://www.lexisnexis.com/en-us/home.page>
18. ^{^ [p.8]} <https://www.lexisnexis.com/en-us/products/practical-guidance-global.page>