



# Comparison of GDPR v selected Middle East Privacy Laws

*Dear Reader,*

Thank you for downloading this White Paper. Its aim is to help organisations who operate within different GCC jurisdictions in comparing and aligning with different data protection obligations.

**Please note** that various colours have been used to indicate key similarities between chosen data protection laws. The only exception is the **red colour** which highlights major differences that should particularly be taken into account.

|                     | EU                                                                                    | UAE (Federal Law)                                                                                                                                                                                                                                              | DIFC                                                                                     | ADGM                                                                                                                                                                                                                                                                | KSA                                                                                                        | WLC Remarks |
|---------------------|---------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|-------------|
| Name of Legislation | General Data Protection Regulation (GDPR)                                             | UAE Law on the Protection of Personal Data                                                                                                                                                                                                                     | DIFC Data Protection Law                                                                 | Data Protection Regulations 2022<br><br>*Amendments to the law in 2022, 2023, and 2024                                                                                                                                                                              | Personal Data Protection Law (PDLP)                                                                        |             |
| Regulations         | N/A                                                                                   | Executive Regulations                                                                                                                                                                                                                                          | Data Protection Regulations 2020                                                         | N/A                                                                                                                                                                                                                                                                 | Implementing Regulation of the Personal Data Protection Law                                                |             |
| Effective Date      | <b>Came into force:</b><br>24 May 2016<br><br><b>Is enforced from:</b><br>25 May 2018 | <b>Came into force:</b><br>2 January 2022<br><br><b>Is enforced from:</b><br>within 6 months after Executive Regulations are published (the UAE Data Office reserves the right to extend the enforcement date and as of now, they have not yet been published) | <b>Came into force:</b><br>1 July 2020<br><br><b>Is enforced from:</b><br>1 October 2020 | <b>Came into force:</b><br>14 February 2021<br><br><b>Is enforced from:</b><br><ul style="list-style-type: none"><li>for entities incorporated on or after the 14 February 2021 – from 14 August 2021.</li><li>For other entities – from 14 February 2022</li></ul> | <b>Came into force:</b><br>14 September 2023<br><br><b>Becomes fully enforceable:</b><br>14 September 2024 |             |

# Scope

|                           | EU                                                                                                                                                                                                                                             | UAE (Federal Law)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | DIFC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | ADGM                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | KSA                                                                                                                                                                                                                                                                                 | WLC Remarks                                                                                                                                                                                                                                                                       |
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| <b>Territorial Scope</b>  | <p>Applies to a controller or processor that:</p> <ol style="list-style-type: none"> <li>is established in the EU</li> <li>offers goods or services in the EU</li> <li>monitors the behaviour of EU data subjects.</li> </ol>                  | <p>Applies to:</p> <ol style="list-style-type: none"> <li>each data subject residing in the state or having a place of business in it</li> <li>each controller or processor residing in the state and carrying out the activities of processing personal data of data subjects inside and outside the state</li> <li>each controller or processor residing outside the state and carrying out the activities of processing personal data of data subjects inside the state.</li> </ol>                                                                                                                                                                    | <p>Applies to a controller or processor that:</p> <ol style="list-style-type: none"> <li>is established in DIFC regardless where the processing takes place</li> <li>processes personal data in DIFC as part of stable arrangements, other than on an occasional basis (law applies to such processing only).</li> </ol>                                                                                                                                                                                  | <p>Applies to:</p> <ol style="list-style-type: none"> <li>a controller or processor that is established in ADGM regardless where the processing takes place</li> <li>a processor who is processing personal data for a controller outside of ADGM.</li> </ol>                                                                                                                                                                                                         | <p>Applies to a controller or processor that processes personal data related to individuals that takes place in the KSA by any means, including the processing of personal data related to individuals residing in the Kingdom by any means from any party outside the Kingdom.</p> |                                                                                                                                                                                                                                                                                   |
| <b>Material scope</b>     | <p>Applies to the processing of personal data wholly or partly by automated means and to the processing other than by automated means of personal data which form part of a filing system or are intended to form part of a filing system.</p> | <p>Applies to the processing of all or part of the personal data by means of electronic systems which operate automatically, or by other means.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p>Applies to the processing of personal data by automated means, and other than by automated means where the personal data forms part of a Filing System or is intended to form part of a filing system.</p>                                                                                                                                                                                                                                                                                             | <p>processing of personal data wholly or partly by automated means and to the processing other than by automated means of personal data which forms part of a filing system or is intended to form part of a filing system.</p>                                                                                                                                                                                                                                       | <p>Applies to any processing of personal data related to individuals by any means. This includes data of the deceased if it would lead to them or a member of their family being identified specifically.</p>                                                                       | <p>KSA and UAE Federal Law have the broadest scope of application – they apply to any type of processing, and do not narrow down the scope depending on whether personal data is to form part of a filing system.</p>                                                             |
| <b>Notable exemptions</b> | <p>Personal or household activities.</p>                                                                                                                                                                                                       | <ol style="list-style-type: none"> <li>Government Data</li> <li>Governmental entities which control or process personal data</li> <li>Personal data held by the security and judicial authorities</li> <li>A data subject who processes his/her data for personal purposes</li> <li>Personal Health Data that has legislation regulating its protection and processing</li> <li>Personal banking and credit data and information that have legislation regulating their protection and processing</li> <li>Companies and establishments located in free zones in the Country and have special legislations regarding Personal data protection.</li> </ol> | <p>Operations or sets of operations performed on personal data by:</p> <ol style="list-style-type: none"> <li>a natural person in the course of a purely personal or household activity that has no connection to a commercial purpose</li> <li>law enforcement authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including safeguarding against and preventing threats to public security.</li> </ol> | <ol style="list-style-type: none"> <li>Personal or household activities</li> <li>Public authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including the safeguarding against and the prevention of threats to national security</li> <li>Files or sets of files, as well as their cover pages, which are not structured according to specific criteria.</li> </ol> | <p>Personal or family use, as long as the data subject did not publish or disclose it to others.</p>                                                                                                                                                                                | <p>Every single legislation has its own set of exceptions. They are pretty much very similar, but it is crucial to take into account minor differences (for instance, please see the red markings re. personal use, which highlight differences between data protection laws)</p> |

|                                                              | EU                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | UAE (Federal Law)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | DIFC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | ADGM                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | KSA                                                                                                                                                                                                                                                                                                                                                                                                                        | WLC Remarks                                                                                                                                                                               |
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| Definition of personal data (or equivalent term)             | <p>Any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.</p>                                                                    | <p>Any data relating to an identified natural person, or a natural person who can be identified, directly or indirectly, through the linking of data, by reference to an identifier such as his or her name, voice, picture, identification number, electronic identifier, geographical location, or one or more physical, physiological, cultural or social characteristics.</p>                                                                                                                                                                                                                                                                                                                                                                                                           | <p>Any information referring to an identified or identifiable natural person.</p> <p>Identifiable natural person means a natural living person who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to his biological, physical, biometric, physiological, mental, genetic, economic, cultural or social identity (and "identified natural person" is interpreted accordingly).</p> | <p>Any information relating to a data subject.</p> <p>'Data subject' means an identified or identifiable living natural person; an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.</p>              | <p>Any data, regardless of its source or form, that may lead to identifying an individual specifically, or that may directly or indirectly make it possible to identify an individual, including name, personal identification number, addresses, contact numbers, license numbers, records, personal assets, bank and credit card numbers, photos and videos of an individual, and any other data of personal nature.</p> | <p>In every single jurisdiction compared herein, the term is interpreted alike which helps larger organisation to have a uniform baseline and approach under different jurisdictions.</p> |
| Data outside the scope of personal data (or equivalent term) | <p>Anonymous data is information which does not relate to an identified or identifiable natural person of personal data rendered anonymous in such a manner that the data subject is not or no longer identifiable.</p>                                                                                                                                                                                                                                                                                                               | <p>Anonymous data which is processed in a manner that leads to the anonymity of the Data subject, not linking and attributing such data to him/her and the inability to identify him/her in any way whatsoever.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p>Anonymised so that the data is no longer personal data and no Data subject can be identified from the data including where the data is lost, damaged or accidentally released.</p>                                                                                                                                                                                                                                                                                                                                                      | <p>Anonymous data which is no longer personal data and no data subject can be identified from the data.</p>                                                                                                                                                                                                                                                                                                                                                                                                       | <p>Anonymous data is data which does not possess direct and indirect identifiers that would otherwise indicate the identity of the data subject. Anonymisation makes data permanently impossible to identify the data subject.</p>                                                                                                                                                                                         | <p>Under all privacy laws, data that was anonymized should not be considered personal data as it lacks any identifiers that would uncover data subject identity.</p>                      |
| Processing Bases (Regular personal data)                     | <ol style="list-style-type: none"> <li>Consent for one or more specific purposes</li> <li>Processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract</li> <li>Processing is necessary for compliance with a legal obligation to which the controller is subject</li> <li>Processing is necessary in order to protect the vital interests of the data subject or of another natural person</li> </ol> | <ol style="list-style-type: none"> <li>Consent</li> <li>If the processing is necessary to protect public interest</li> <li>If the processing is related to personal data which has become available and known to all by an act of the Data subject</li> <li>If the processing is necessary to initiate any procedures of legal claim or defense of rights or is related to judicial or security procedures</li> <li>If the processing is necessary for purposes of occupational or preventive medicine in order to assess the employees' ability of to work, performing medical diagnosis, providing health or social care, treatment or health insurance services, managing health or social care systems and services in accordance with the legislation in force in the State</li> </ol> | <ol style="list-style-type: none"> <li>Consent</li> <li>Processing is necessary for the performance of a contract to which a data subject is a party, or in order to take steps at the request of a data subject prior to entering into such contract</li> <li>Processing is necessary for compliance with Applicable Law that a controller is subject</li> <li>Processing is necessary in order to protect the vital interests of a Data subject or of another natural person</li> </ol>                                                  | <ol style="list-style-type: none"> <li>Consent</li> <li>Processing is necessary for the performance of a contract to which the Data subject is a party or in order to take steps at the request of the Data subject prior to entering into a contract</li> <li>Processing is necessary for compliance with a legal obligation to which the controller is subject under Applicable Law</li> <li>Processing is necessary to protect the vital interests of the Data subject or of another natural person</li> </ol> | <ol style="list-style-type: none"> <li>Consent</li> <li>If the processing serves actual interests of the Data subject, but communicating with the Data subject is impossible or difficult</li> <li>If the processing is pursuant to another law or in implementation of a previous agreement to which the Data subject is a party</li> </ol>                                                                               | <p>Under each data protection law, the bases for data processing are quite similar – the broadest ones yet stem from UAE Federal Law and might be even extended by Regulations.</p>       |

| EU                                                                                                                                                                                                                                                                                                                   | UAE (Federal Law)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | DIFC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | ADGM                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | KSA                                                                                                                                                                                                                                                                 | WLC Remarks |
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| <p>5. ● <u>Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller</u></p> <p>6. ● <u>Processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party.</u></p> | <p>6. If the processing is necessary to protect public health, including protection from existing diseases and epidemics, or for the purposes of ensuring the safety and quality of healthcare, medicines, drugs and medical devices, in accordance with the legislation in force in the State</p> <p>7. If the processing is necessary for archival purposes or for scientific, historical and statistical studies in accordance with the legislation in force in the State.</p> <p>8. If the processing is necessary to protect the interests of the Data subject.</p> <p>9. If the processing is necessary for the purposes of the controller or Data subject carrying out their obligations and exercising their legally established rights in the field of employment, social security or laws concerned with social protection, to the extent permitted by such Laws.</p> <p>10. ● <u>If the processing is necessary to perform a contract to which the Data subject is a party, or to take measures at the request of the Data subject with the aim of concluding, amending or terminating a contract</u></p> <p>11. ● <u>If the processing is necessary to fulfil specific obligations stipulated in other laws in force in the State for the controller</u></p> <p>12. Any other cases set out in the Executive Regulations of this Decree by Law.</p> | <p>5. ● <u>Processing is necessary for performance of a task carried out by a DIFC Body in the interests of the DIFC; exercise of a DIFC Body's powers and functions; or the exercise of powers or functions vested by a DIFC Body in a Third Party to whom personal data is disclosed by the DIFC Body</u></p> <p>6. ● <u>Processing is necessary for the purpose of legitimate interests pursued by a controller or Third Party to whom the personal data has been made available, subject to Article 13.</u></p> | <p>5. ● <u>Processing is necessary for the performance of a task carried out by a public authority in the interests of ADGM, or in the exercise of (i) ADGM's; (ii) the Financial Services Regulatory Authority's; (iii) the ADGM Court's; or (iv) the Registration Authority's functions or in the exercise of official authority vested in the controller under Applicable Law or</u></p> <p>6. ● <u>Processing is necessary for the purposes of the legitimate interests pursued by the controller or by a Third Party</u></p> | <p>4. ● <u>If the controller is a Public Entity <b>and the processing is required for security purposes or to satisfy judicial requirements</b></u></p> <p>5. ● <u>If the processing is necessary for the purpose of legitimate interest of the controller.</u></p> |             |

Special categories of data

|                                                 | EU                            | UAE (Federal Law)        | DIFC | ADGM | KSA | WLC Remarks                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-------------------------------------------------|-------------------------------|--------------------------|------|------|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Health Data                                     | YES                           | YES                      | YES  | YES  | YES | 1. DIFC law also lists 'communal origin' as a type of sensitive data.<br><br>2. UAE Data Law also lists 'data that reveals a natural person's family' as sensitive data.<br><br>3. UAE Data Laws specifies also 'physical, psychological, mental, genetic or sexual condition' as sensitive data.<br><br>4. KSA Law includes 'data that indicates that one or both of the individual's parents are unknown'.<br><br>5. ADGM refers to this category solely as 'special categories of data, while the other jurisdictions use more commonly the term 'sensitive data'. |
| Genetic Data                                    | YES                           | NOT EXPLICITLY MENTIONED | YES  | YES  | YES |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Biometric Data                                  | YES                           | YES                      | YES  | YES  | YES |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Race or ethnicity                               | YES                           | YES                      | YES  | YES  | YES |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Religious beliefs                               | YES                           | YES                      | YES  | YES  | YES |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Philosophical beliefs                           | YES                           | YES                      | YES  | YES  | YES |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Political opinions                              | YES                           | YES                      | YES  | YES  | YES |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Sex life or orientation                         | YES                           | YES                      | YES  | YES  | YES |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Citizenship or immigration status               | NO                            | NO                       | NO   | YES  | NO  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Offenses and criminal convictions               | NO<br>*some extra rules apply | YES                      | YES  | YES  | YES |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Trade union membership                          | YES                           | YES                      | YES  | NO   | NO  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Precise geolocation                             | NO                            | NO                       | NO   | NO   | NO  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| SSN, driver's license, state ID or passport no. | NO                            | NO                       | NO   | NO   | NO  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Mail, email or SMS content                      | NO                            | NO                       | NO   | NO   | NO  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Children's data                                 | NO                            | NO                       | NO   | NO   | NO  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

## Specific requirements for Sensitive Data

| EU                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | UAE (Federal Law)                                                                                                                                                                | DIFC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | ADGM                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | KSA                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | WLC Remarks                                                                                                                                                      |
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| <p>May not be processed unless one of the exceptions apply:</p> <ol style="list-style-type: none"> <li>● <u>explicit consent</u> from the data subject, unless prohibited by Union or Member State law</li> <li>● <u>processing necessary for employment, social security, or social protection law</u>, with appropriate legal authorization or collective agreements</li> <li>● <u>protection of vital interests of incapable data subjects or others</u></li> <li>● <u>processing by non-profit bodies for their legitimate activities, limited to members or individuals with regular contact, with safeguards and no external disclosure without consent</u></li> <li>● <u>processing of data publicly made by the data subject</u></li> <li>processing necessary for legal claims or judicial proceedings</li> <li>processing for substantial public interest, proportionate to the aim, respecting data protection rights, and with specific safeguards</li> <li>● <u>processing for preventive or occupational medicine, health care provision, or management, subject to legal or contractual conditions and safeguards</u></li> <li>● <u>processing for public health interests, ensuring rights and freedoms of data subjects</u></li> <li>processing for archiving, scientific, historical research, or statistical purposes, in accordance with proportionate Union or Member State law, and safeguarding data subject rights and interests.</li> </ol> | <p><b>Where processing is carried out on a large scale with regard to sensitive personal data, the controller and/or processor must complete a DPIA and designate a DPO.</b></p> | <p>May not be processed unless one of the exceptions apply:</p> <ol style="list-style-type: none"> <li>● <u>explicit consent</u> from the Data subject is obtained for processing Special Categories of Personal data for specific purposes</li> <li>● <u>processing is necessary for fulfilling employment-related obligations and rights</u>, including recruitment, employment contracts, and pension schemes</li> <li>● <u>processing is necessary to protect the vital interests of a Data subject incapable of giving consent</u></li> <li>● <u>non-profit organizations can process Personal data of their members or individuals in regular contact</u>, ensuring data confidentiality</li> <li>● <u>processing relates to Personal data made public by the Data subject</u></li> <li>● <u>processing is necessary for legal claims or court proceedings</u></li> <li>processing is required to comply with specific legal obligations, with notice provided to the Data subject where feasible</li> <li>processing is necessary to comply with anti-money laundering, counter-terrorist financing, or crime prevention laws</li> <li>● <u>processing is needed for healthcare purposes</u>, subject to professional secrecy obligations</li> <li>processing is required to protect the public against misconduct in various service sectors</li> <li>processing is necessary to mitigate potential bias or inaccurate decision-making</li> <li>processing is necessary for substantial public interest reasons, with appropriate safeguards for Data subject rights.</li> </ol> | <p>May not be processed unless one of the exceptions apply:</p> <ol style="list-style-type: none"> <li>● <u>data subject's explicit consent</u> is given for specified purposes</li> <li>● <u>processing is necessary for fulfilling obligations or exercising specific rights under employment law</u>, with an appropriate policy document in place</li> <li>● <u>processing is necessary to protect the vital interests of the data subject or another person incapable of giving consent</u></li> <li>● <u>processing is necessary for health-related purposes, including medical treatment</u>, by health professionals under confidentiality obligations</li> <li>● <u>processing is necessary for public health interests</u>, such as protecting against health threats</li> <li>processing is necessary for archiving and research purposes in compliance with applicable law</li> <li>● <u>processing is for legitimate activities by non-profit bodies, solely for members</u>, with data not disclosed without consent</li> <li>● <u>processing is allowed for data intentionally made public by the data subject</u></li> <li>processing is necessary for contract performance or at the data subject's request</li> <li>● <u>processing is necessary for legal claims or when courts are acting judicially</u></li> <li>processing is necessary for various public interest reasons, with an appropriate policy document in place, covering diverse scenarios as outlined in the Law.</li> </ol> | <p>May only be processed if:</p> <ol style="list-style-type: none"> <li>based on the ● <u>data subject's explicit consent</u></li> <li>if the processing is pursuant to another law or in implementation of a previous agreement to which the Data subject is a party</li> <li>● <u>the processing serves actual interests of the data subject</u>, but communicating with the data subject is impossible or difficult</li> <li>if the controller is a public entity and the processing is required for security purposes or to satisfy judicial requirements.</li> </ol> | <p>Comparing different privacy laws, one can spot that except for UAE Federal Law, none of the laws allows the data to be processed for legitimate interest.</p> |

## Data subjects Rights

|                                                                         | EU                             | UAE (Federal Law)           | DIFC                                                                                         | ADGM                                                                                                       | KSA                                                                               | WLC Remarks                                                                                                                                                                   |
|-------------------------------------------------------------------------|--------------------------------|-----------------------------|----------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Right to be informed                                                    | YES                            | YES                         | YES                                                                                          | YES                                                                                                        | YES                                                                               |                                                                                                                                                                               |
| Right of access                                                         | YES                            | YES                         | YES                                                                                          | YES                                                                                                        | YES                                                                               |                                                                                                                                                                               |
| Right to rectify                                                        | YES                            | YES                         | YES                                                                                          | YES                                                                                                        | YES                                                                               |                                                                                                                                                                               |
| Right to have data erased                                               | YES                            | YES                         | YES                                                                                          | YES                                                                                                        | YES                                                                               |                                                                                                                                                                               |
| Right to restrict                                                       | YES                            | YES                         | YES                                                                                          | YES                                                                                                        | YES                                                                               |                                                                                                                                                                               |
| Right to object                                                         | YES                            | YES                         | YES                                                                                          | YES                                                                                                        | YES                                                                               |                                                                                                                                                                               |
| Right not be subject to a decision based solely on automated processing | YES                            | YES                         | YES                                                                                          | YES                                                                                                        | YES                                                                               | Rather than the right 'not to be subject', UAE Data Law and DIFC Law provide the 'right to object to any decisions resulting from automated processing, including profiling'. |
| Right to appeal decision                                                | YES                            | NO                          | YES                                                                                          | YES                                                                                                        | NO                                                                                |                                                                                                                                                                               |
| Right to data portability                                               | YES                            | YES                         | YES                                                                                          | YES                                                                                                        | YES                                                                               |                                                                                                                                                                               |
| Deadline for response                                                   | 1 month (+2 months extension). | No specific timeline given. | In case of access request, response should be provided within 1 month (+2 months extension). | Without undue delay and in any event within 2 months of receipt of the request (can be extended +1 month). | Without undue delay and within a period of 30 days (can be extended to +30 days). |                                                                                                                                                                               |

# Miscellaneous

|                                          | EU                                                                                                                                                                                                                                                                                                                              | UAE (Federal Law)                                                                                                                                                                                                                                                                                                                                                                                            | DIFC                                                                                                                                                                                                                                                                                                                                                                                                                               | ADGM                                                                                                                                                                                                                                                                                                                                                                                                                                     | KSA                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | WLC Remarks |
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| Special requirements for children's data | A controller must obtain parental consent if relying on consent to process data of children under 13-16 in relation to an offer of information society services directly to the child.                                                                                                                                          | Not specified.                                                                                                                                                                                                                                                                                                                                                                                               | Not particularly addressed. However, the exemptions related to automated decision making, including profiling do not apply if the data subject in question is a minor (by reference to the legal age of majority in the United Arab Emirates from time to time).                                                                                                                                                                   | No specific requirements set to controller, but the law states that processing is lawful only if and to the extent that, among other things, processing is necessary for the purposes of legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests of the data subject which require protection of personal data, in particular where the data subject is a child. | Not specified.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |             |
| PIAs & DPIAs                             | Controllers must conduct data protection impact assessments for processing that is likely to result in a high risk to data subjects' rights and freedoms, including (a) automated decision making, (b) processing of sensitive data on a large scale, (c) systematic monitoring of a publicly accessible area on a large scale. | Organisations must conduct a formal assessment of necessity, proportionality, risks, and risk reduction measures when processing personal data in certain circumstances, especially when:<br><ol style="list-style-type: none"><li>employing technology likely to pose high risks to the privacy and confidentiality of personal data</li><li>processing large volumes of sensitive personal data.</li></ol> | Prior to undertaking high-risk processing activities a controller are under obligation to carry out an assessment of the impact of the proposed processing operations on the protection of personal data, considering the risks to the rights of the data subjects concerned. A controller may also elect to carry out such assessment in relation to the processing of personal data that is not a high-risk processing activity. | Controllers must, prior to processing that is likely to result in a high risk to the rights of natural persons, carry out an assessment of the impact of the envisaged processing operations on the protection of personal data.                                                                                                                                                                                                         | A controller shall conduct an impact assessment of personal data processing in relation to any product or service in the following cases:<br><ol style="list-style-type: none"><li>processing of Sensitive Data</li><li>collecting, comparing, or linking two or more sets of Personal data obtained from different sources</li><li>continuous and large-scale processing of Personal data of individuals lacking legal capacity, or operations requiring continuous monitoring of Data subjects, or processing Personal data using new technologies, or making decisions based on automated processing of Personal data</li><li>providing a product or service involving processing Personal data likely to cause serious harm to the privacy of Data subjects.</li></ol> |             |

|       | EU                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | UAE (Federal Law)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | DIFC                                                                                                                                                                                                              | ADGM                                                                                                                                                                                                                                                                                                                                                                                                                       | KSA                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | WLC Remarks                                                                                                                      |
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| DPA's | <p>● Processing by a processor shall be governed by a <u>contract or other legal act under Union or Member State law</u>, that is binding on the processor with regard to the controller and that sets out the subject-matter and ● <u>duration of the processing</u>, the nature and ● <u>purpose of the processing</u>, ● <u>the type of personal data</u> and ● <u>categories of data subjects</u> ● <u>and the obligations and rights of the controller</u>.</p> | <p>When a processor conducts processing in accordance with the controller's instructions, ● <u>an agreement must be established between them</u>. This agreement should specify the scope, subject, ● <u>purpose</u>, nature, and ● <u>type of Personal data</u>, as well as the ● <u>category of the Data subject</u>.</p> <p><b>If not in place, the processor shall be deemed responsible, jointly with the controller, for the obligations and responsibilities contained in the Law.</b></p> | <p>Where processing is to be carried out on behalf of a controller by a processor, the processing shall be governed by a ● <u>legally binding written agreement between the controller and the processor</u>.</p> | <p>● Processing by a processor <b>must be governed by a contract or other legal act</b>, that is binding on the processor with regard to the controller and that sets out the subject-matter and ● <u>duration of the processing</u>, the nature and ● <u>purpose of the processing</u>, ● <u>the type of Personal data</u> and categories of data subjects and ● <u>the obligations and rights of the controller</u>.</p> | <p>The controller must ensure that any selected processor provides adequate safeguards for safeguarding Personal data. ● <u>The agreement with the processor</u> should cover various aspects, including the ● <u>purpose of processing</u>, ● <u>types of Personal data</u> involved, ● <u>duration of processing</u>, <b>notification procedures for Personal data Breaches, compliance with regulations in other countries, mandatory disclosure requirements under applicable laws, and identification of subcontractors or third parties involved in processing Personal data.</b></p> | <p>Under each data protection law, a DPA is mandatory, but the subtle differences should be in each case taken into account.</p> |

# Data Protection Officer (DPO)

|             | EU                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | UAE (Federal Law)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | DIFC                                                                                                                                                                                                                                                                              | ADGM                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | KSA                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | WLC Remarks                                                                                                                                                                                                                                                                                                                  |
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| Designation | <p>The DPO needs to be appointed in cases where:</p> <ol style="list-style-type: none"> <li>● the processing is carried out by a public authority or body, except for courts acting in their judicial capacity</li> <li>● the core activities of the controller or the processor consist of processing operations which, by virtue of their nature, their scope and/or their purposes, require regular and systematic monitoring of data subjects on a large scale or</li> <li>● the core activities of the controller or the processor consist of processing on a large scale of special categories of data pursuant to <a href="https://gdpr-info.eu/art-9-gdpr/Article 9">https://gdpr-info.eu/art-9-gdpr/Article 9</a> or personal data relating to criminal convictions and offences referred to in Article 10.</li> </ol> | <p>The controller and processor shall appoint a Data Protection Officer in any of the following cases:</p> <ol style="list-style-type: none"> <li>if processing would cause a high-level risk to the confidentiality and privacy of the Personal data of the Data subject as a result of adopting new technologies or with regard to the volume of data</li> <li>if processing would involve a systematic and comprehensive assessment of Sensitive Personal data, including Profiling and Automated processing</li> <li>● if processing would be carried out on a large volume of Sensitive Personal data.</li> </ol> | <p>A DPO shall be appointed by:</p> <ol style="list-style-type: none"> <li>● DIFC bodies, other than the courts acting in their judicial capacity; and</li> <li>a controller or processor performing High risk processing activities on a systematic or regular basis.</li> </ol> | <p>The controller and the processor must appoint a person to perform the tasks listed in section 37 where:</p> <ol style="list-style-type: none"> <li>● the processing is carried out by a public authority, except for courts acting in their judicial capacity</li> <li>● the core activities of the controller or the processor consist of processing operations which, by virtue of their nature, scope and purposes, require regular and systematic monitoring of Data subjects on a large scale</li> <li>● the core activities of the controller or the processor consist of processing on a large scale of Special Categories of Personal data.</li> </ol> | <p>The controller shall appoint one or more individuals to be responsible for the protection of Personal data in any of the following cases:</p> <ol style="list-style-type: none"> <li>● controller is a public entity that provides services involving processing of personal data on a large scale</li> <li>● primary activities of the controller consist of processing operations that require regular and continuous monitoring of individuals on a large scale</li> <li>● core activities of the controller consist of processing sensitive personal data.</li> </ol> | <p>There is a subtle difference regarding appointment obligation in the:</p> <p>KSA, where it does not need to be a large scale processing of sensitive personal data to trigger the appointment obligation.</p> <p>UAE, where the appointment obligation wording is different and focuses more on high-risk activities.</p> |

## Tasks

| EU                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | UAE (Federal Law)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  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                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | KSA                                                                                                                                                                                                                           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| <p>The data protection officer shall have at least the following tasks:</p> <ol style="list-style-type: none"> <li>1. <a href="#">to inform and advise the controller or the processor and the employees who carry out processing of their obligations pursuant to this Regulation and to other Union or Member State data protection provisions</a></li> <li>2. <a href="#">to monitor compliance</a> with this Regulation, with other Union or Member State data protection provisions and with the policies of the controller or processor in relation to the protection of personal data, including the assignment of responsibilities, awareness-raising and training of staff involved in processing operations, and the related audits</li> <li>3. <a href="#">to provide advice where requested as regards the data protection impact assessment and monitor its performance pursuant to Article 35</a></li> <li>4. <a href="#">to cooperate with the supervisory authority</a></li> <li>5. <a href="#">to act as the contact point for the supervisory authority</a> on issues relating to processing, including the prior consultation referred to in Article 36, and to consult, where appropriate, with regard to any other matter.</li> </ol> | <p>The Data Protection Officer shall, in particular, undertake the following tasks and powers:</p> <ol style="list-style-type: none"> <li>1. verifying the quality and correctness of the procedures in place at the controller and the processor</li> <li>2. receiving requests and complaints related to personal data in accordance with provisions of this decree-law and its executive regulations</li> <li>3. <a href="#">providing technical advice on evaluation procedures and periodic examination of personal data protection systems and intrusion prevention systems at the controller and processor, documenting the results of such evaluation and providing appropriate recommendations in this regard, including risk assessment procedures</a></li> <li>4. <a href="#">acting as a link between the controller or the processor, as the case may be, and the bureau regarding the application of personal data processing provisions stipulated in this decree by law</a></li> <li>5. any other tasks or powers which are determined in accordance with the Executive Regulations of this decree by law.</li> </ol> | <p>A DPO shall perform at least the following tasks:</p> <ol style="list-style-type: none"> <li>1. monitor a controller or processor's compliance with: (i) this Law; (ii) any other data protection or privacy-related laws or regulations to which the organisation is subject within the DIFC; and (iii) any policies relating to the protection of Personal data, including the assignment of responsibilities, awareness-raising and training of staff involved in processing operations, and the related audits</li> <li>2. <a href="#">inform and advise a controller or processor and its employees who carry out processing of its obligations pursuant to this Law and to other data protection provisions, including where the organisation is subject to overseas provisions with extra-territorial effect</a></li> <li>3. provide advice where requested in relation to data protection impact assessments undertaken pursuant to Article 20</li> <li>4. cooperate with the Commissioner in accordance with Article 17(3)</li> <li>5. <a href="#">act as the contact point for the Commissioner on issues relating to processing</a></li> <li>6. receive and act upon any relevant findings, recommendations, guidance, directives, resolutions, sanctions, notices or other conclusions issued or made by the Commissioner.</li> </ol> | <p>The tasks of the Data Protection Officer include:</p> <ol style="list-style-type: none"> <li>1. <a href="#">to inform and advise the controller or the processor and the employees who carry out processing of their obligations pursuant to these Regulations and to other data protection provisions under Applicable Law</a></li> <li>2. to monitor compliance with these Regulations, with other data protection provisions under Applicable Law and with the policies of the controller or processor in relation to the protection of Personal data, including the assignment of responsibilities, awareness-raising and training of Staff involved in processing operations, and the related audits</li> <li>3. to provide advice where requested as regards the Data Protection Impact Assessment and monitor its performance pursuant to section 34</li> <li>4. <a href="#">to cooperate with the Commissioner of Data Protection; and</a></li> <li>5. <a href="#">to act as the contact point for the Commissioner of Data Protection on issues relating to processing and to consult with the Commissioner of Data Protection, where appropriate, with regard to any other matter.</a></li> </ol> | <p>The responsibilities include:</p> <ol style="list-style-type: none"> <li>1. <a href="#">monitoring the implementation of the provisions of the Law and its Regulations</a></li> <li>2. overseeing the procedures adopted by the controller</li> <li>3. receiving requests related to Personal data in accordance with the provisions of the Law and its Regulations</li> <li>4. <a href="#">acting as the direct point of contact with the competent authority and implementing its decisions and instructions regarding the application of the provisions of the law and its regulations</a></li> <li>5. <a href="#">supervising the impact assessment procedures, audit reports, and evaluations related to Personal data protection controls, documenting the assessment results, and issuing necessary recommendations accordingly</a></li> <li>6. enabling the Data subject to exercise their rights as stipulated in the Law</li> <li>7. notifying the Competent Authority of Personal data Breach incidents</li> <li>8. responding to requests from data subjects and addressing complaints filed by them in accordance with the provisions of the Law and its Regulations</li> <li>9. monitoring and updating the records of Personal data processing activities of the controller</li> <li>10. handling the controller's violations related to Personal data and taking corrective actions accordingly.</li> </ol> |

## WLC Remarks

# Data Breach

|                    | EU                                                                                                                                                                                            | UAE (Federal Law)                                                                                                                                                                                                                                                                                                                      | DIFC                                                                                                                                                                                          | ADGM                                                                                                                                                                                          | KSA                                                                                                                                                                                | WLC Remarks                                                                                                      |
|--------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| Definition         | A breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed. | Breaching information security and Personal data through illegal or unauthorized access. This includes copying, sending, distributing, exchanging, transferring, circulating or processing it in a way which leads to disclosure of such data to third parties, or destroying or modifying it during storage, transfer and processing. | A breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, Personal data transmitted, stored or otherwise Processed. | A breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed. | Any incident that leads to the disclosure, destruction, or unauthorized access to personal data, whether intentional or accidental, and by any means, whether automated or manual. |                                                                                                                  |
| Deadline to Report | ● <u>72 hours</u> after becoming aware of the incident.                                                                                                                                       | Immediately upon becoming aware of such breach (the period is to be specified in Executive Regulations).                                                                                                                                                                                                                               | As soon as practicable in the circumstances.                                                                                                                                                  | ● <u>72 hours</u> after becoming aware of the incident.                                                                                                                                       | ● <u>72 hours</u> after becoming aware of the incident.                                                                                                                            | Only UAE Federal Law and DIFC don't have specific deadline regarding general obligation to report data breaches. |

# Enforcement

|                         | EU                                                                                                           | UAE (Federal Law)                                                                                                                                                                                                                                                              | DIFC                                                                                                                                                                                                                                                                                                              | ADGM                                                                                                                                                                                                                                                                                                                | KSA                                                                                                                                                                                                                                                                                                                                                                                                     | WLC Remarks |
|-------------------------|--------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| Authorities             | Local authorities in the EU member states; European Supervisory Authority; European Data Protection Board.   | UAE Data Office established under Federal Decree by Law No. (44) of 2021.                                                                                                                                                                                                      | DIFC Commissioner of Data Protection appointed by the President of the DIFC to administer the Law.                                                                                                                                                                                                                | ADGM Office of Data Protection, which includes the Commissioner of Data Protection, any deputy commissioners and other officers or Staff of the Commissioner of Data Protection.                                                                                                                                    | Saudi Authority for Data and Artificial Intelligence                                                                                                                                                                                                                                                                                                                                                    |             |
| Fines                   | 4% global revenue or €20 million, whichever is higher.                                                       | No information (the details is to be specified in Executive Regulations).                                                                                                                                                                                                      | Fines differ, but the maximum is \$100 000, which can be imposed, for example, in case of infringement of data subjects' rights.                                                                                                                                                                                  | Up to \$28 million.                                                                                                                                                                                                                                                                                                 | In case of a disclosure or publication of sensitive personal data, a fine may be issued not exceeding SAR 3 million. In case of violation of requirements with regard to data transfers, a fine may be issued in the amount not exceeding SAR 1 million. For violations of other provisions of the PDPL, penalties are limited to a warning notice or can result in a fine not exceeding SAR 5 million. |             |
| Private right of action | Data subjects may claim compensation for material and non-material damage against controllers or processors. | Individuals can file complaints through the UAE Data Office if they believe that there is a violation of the Law or that the controller or the processor is processing their Personal data in violation of the rules and procedures set by the UAE Data Office in this regard. | A data subject who suffers material or non-material damage by reason of any contravention of the law or the regulations may apply to the court for compensation from the controller or processor in question, in addition to, and exclusive of, any fine imposed on the same parties under article 62 of the Law. | Any person who has suffered material or non-material damage as a result of a contravention of these Regulations is entitled to compensation from the controller or processor for the damage suffered. Any compensation is in addition to, and will not limit, any fine imposed on the same controller or processor. | Data subjects can claim damages for material and non-material loss in relation to breaches of any provisions of the law and/or the Regulations.                                                                                                                                                                                                                                                         |             |