

Jurisdiction	<a href="#">Egypt</a>
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## Questionnaire

### I. Law concerning protection of personal information

- i. Does your country have a general law concerning the protection of personal information in the private sector at the present or in the near future?
- ii. Does your country have a general law concerning protection of personal information in the public sector at the present or in the near future?
- iii. Does your country have laws concerning protection of personal information which apply in individual (specific) sectors at the present or in the near future? (If yes, please describe outline.)

Yes, the Data Protection Law no.151 of year 2020, and the Cybercrime Law no 175 of 2018 the laws regulate all personal data controlling and processing, it imposes licensing requirements for data processing, data control, dealing in sensitive data, electronic marketing, and cross-border transfer of data, it also requires companies operating in such fields to hire a data protection officer. Laws only excludes data held by natural persons for others and for personal use, data processed for official statistics, data processed for media purposes subject to media laws and regulations, data related to judicial reports, investigations and claims, data in possession of the Presidency, the Ministry of Defense, the Ministry of Interior, General Intelligence, and the Administrative Control Authority, and data in possession of the Central Bank of Egypt and banks subject to data protection rules under the banking laws and regulations; and the data of which the disclosure is requested by a competent judicial authorities. The data Protection Law provides that an authority named "The Personal Data Protection Centre" will be established and it shall be the entity responsible for issuing all relevant licenses.

**Where all of the answers to the question of I.(i), (ii) and (iii) is “no”, please skip to IV.**

**II. The basic information of the regulation concerning protection of personal information.**

- i. Please fill in the blanks below about all the law concerning personal information mentioned at I..( please add a reply column as necessary,)

The title of the law : [Data Protection Law no. 151 of year 2020.](#)

URL (please provide the URL officially posted by the government, English page is preferred, if available) : [https://www.cc.gov.eg/legislation\\_single?id=404869](https://www.cc.gov.eg/legislation_single?id=404869)

Effective Date : Not yet enforced (October, 2020. Please note that the law provides for a grace period of one year to start from the date on which the executive regulation is issued; the executive regulation has not been issued to date.) .

① The definition of "Personal Information"	It means any data relating to an identified natural person, or one who can be identified directly or indirectly by way of linking such personal data and other data such as name, voice, picture, identification number, online identifier, or any data which determines the psychological, medical, economic, cultural or social identity of a natural person.
② The scope in which the law applies	The provisions of this law shall apply with regards to the protection of personal data of natural persons partly or fully processed electronically by any holder, controller or processor
③ The territorial scope	The provisions of this law shall apply to any person that commits any of the violations stipulated, if the offender is an Egyptian national inside or outside the Arab Republic of Egypt, or a non-Egyptian residing within the Arab Republic of Egypt, or a non-Egyptian outside the Arab Republic of Egypt provided that the act is punishable in any form in the country where it occurred, and the data subject of the crime belongs to Egyptian nationals or non-Egyptians residing within the Arab Republic of Egypt.

The title of the law : the Cybercrime Law no 175 of 2018

URL (please provide the URL officially posted by the government, English page is preferred, if available) : [https://www.cc.gov.eg/legislation\\_single?id=386006](https://www.cc.gov.eg/legislation_single?id=386006)

Effective Date : 15 August 2018

① The definition of "Personal Information"	Any information relevant to a person who is determined or could be determined by directly or indirectly connecting such information to other information
② The scope in which the law applies	This law applies to all data made, collected, processed, stored, transferred or shared by using any information technology method.
③ The territorial scope	All crimes committed outside of Egypt if the crime is punishable in the country where it has been committed and (a) committed on any means of transportation if such mean carries the Egyptian flag or is registered in

	<p>Egypt; if (b) one or more of the victims(s) is an Egyptian national, (c) the crime has been planned, instructed, monitored or funded in Egypt, (d) if the crime has been committed by an organized criminal group which commits crimes in more than one country including Egypt, (e) if the crime could cause harm to any Egyptian national or resident, or to the safety and benefits of Egypt, (f) if the defendant is present in Egypt after committing the crime and has not been extradited,</p>
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- ii. If there are any special instructions about the laws, please describe them.

### III. OECD Privacy Principles

- i. If there are any provision of law which embody each OECD Privacy Principle in your country, please describe the outlines.

<https://www.oecd.org/sti/ieconomy/oecdguidelinesontheprotectionofprivacyandtransborderflowsofpersonaldata.htm>

At the moment, Data Protection Law no. 151 of 2020 is not in force, however, almost the same principles are applicable by virtue of the Cybercrime Law no. 175 of 2018.

(a) Collection Limitation Principle

- The law provides this principle as the data shall be collected for specific and legitimate purposes announced to the data subject and to obtain the consent of the data subject.

(b) Data Quality Principle

- The law provides this principle as the data collected shall be correct, valid and secured. It shall be processed with legitimate manners.

(c) Purpose Specification Principle

- The law provides this principle as the data collected shall be in compliance with the purposes for which it is collected.

(d) Use Limitation Principle

- The law provides this principle. Personal data may not be processed unless the data subject has given consent and the processing is limited to a specific purpose.

(e) Security Safeguards Principle

- For public authority disclosure purposes, the same shall be issued by competent judicial authorities.

(f) Openness Principle

- This principle is not applicable.

(g) Individual Participation Principle

- This principle is applicable as the data subject has the right to obtain his consent before his personal data is being processed, collected or disclosed by any means.
- To be acknowledged and to review, have access and to obtain his Personal Data, which is held by any Holder, Controller, Processor.
- Reversing the prior consent concerning the retention or processing of their Personal Data.
- Editing, erasing, modifying, adding or updating his/her Personal Data.
- Limiting the processing into a specific scope.
- To be aware of any Personal Data breach in relation to his/her Personal Data and,
- To object to any processing or its results of Personal Data as long as there is a violation which concerns the Data Subject.

(h) Accountability Principle

- This principle is applicable as the data controller and data processor shall be held liable for any data breach.

ii. If there are any sectors in which any laws exclude the application of each OECD Privacy Principle, please describe the outline.

(a) Collection Limitation Principle

The Cybercrime law provides that the public authorities and the national security authorities (Presidency, the Ministry of Defense, the Ministry of Interior, General Intelligence, and the Administrative Control Authority) may request the disclosure of any data and/or technical assistance from data collectors and/or processors.

(b) Data Quality Principle

(c) Purpose Specification Principle

- (d) Use Limitation Principle
- (e) Security Safeguards Principle
- (f) Openness Principle
- (g) Individual Participation Principle
- (h) Accountability Principle

#### **IV. Data Localization and Government Access**

In your country, are there any systems having an impact on the rights of data subjects such as comprehensive government access to personal data or Data Localization? If yes, please describe them.

The provision of the data protection law doesn't apply to the following:

- Personal Data saved by natural person for third party and that is processed solely for personal usages.
- Personal Data being processed for official statistics.
- Exclusively processed for media purposes, provided that said Personal Data is correct and accurate and not to be used for any other purposes without prejudice to any applicable press and media regulations in Egypt;
- Related to judicial seizure warrants, investigations, and lawsuits
- Held by national security authorities; and
- Held by the Central Bank of Egypt and the entities subject to its control and supervision, except for money transfer and foreign exchange companies, provided that they take into account the rules established by CBE regulating Personal Data.

#### **V. The Data Protection Authority**

If there is the data protection authority, please write down the name and address of the authority

The Data Protection Center (not established yet.)