

Jurisdiction	Saudi Arabia
Date	01/04/2022
Law Firm	Omar Alrasheed Law Firm
Title, Name	
Contact Information	

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.)

The Personal Data Protection Law (“**PDPL**”) is the first comprehensive information protection law in the Kingdom of Saudi Arabia. The law aims to protect individual personal information by regulating the collection, processing, disclosure and retention of personal information, and extends beyond the general principles of privacy and individuals’ personal data that are outlined under Sharia law

We note that the PDPL was originally scheduled to go into effect March 22, 2022. However, after responses to the proposed law from various stakeholders – including individuals, and public and private entities that participated in the public consultation on the draft of the Implementing Regulations of the PDPL – one day prior to the effective date, the Saudi Data and Artificial Intelligence Authority (“**SDAIA**”) delayed enforcement until March 17, 2023. It is expected that Implementing Regulations will be issued within 180 days of the issuance of the PDPL.

The PDPL appoints SDAIA as competent authority for a period of two years, after which time supervisory authority may be transferred to the National Data Management Office.

We note that the PDPL provides a one year grace period from the effective date (March 17, 2023) for businesses to achieve compliance. Accordingly, full enforcement has been delayed until March 2024, which should provide time for further amendment to address

business concerns.

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 :

The Personal Data Protection Law (PDPL) was implemented by Royal Decree M/19 of 9/2/1443H (16 September 2021) approving Resolution No. 98 dated 7/2/1443H (14 September 2021). It was published in the Official Gazette on 24 September 2021.

URL:

<https://laws.boe.gov.sa/BoeLaws/Laws/LawDetails/b7cfac89-828e-4994-b167-adaa00e37188/1?ref=twitter>

We note that there is not yet an official English translation of the PDPL.

① The definition of “Personal Information”	Every statement - whatever its source or form - that would lead to a specific person being known, or make it possible to identify them directly or indirectly, including: name, personal identification number, addresses, contact numbers, license numbers, records and personal property, bank account and credit card numbers, still or moving photos of the individual, and other data of a personal nature.
② The scope in which the law applies	The PDPL is designed to protect “personal data”, i.e., any information, in whatever form, through which a person may be directly or indirectly identified. This expressly includes an individual’s name, identification number, addresses and contact numbers, photographs, and video recordings of the person. The PDPL does not apply to the processing of personal data for personal and family use. It also protects “sensitive personal data”, which is data that directly or indirectly reveals the ethnic or tribal origin of a natural person, political or philosophical opinions or religious beliefs, criminal or security records, biometric data, genetic data, health data, credit data, location data and data that indicates that both parents of an individual or one of them is unknown.
③ The territorial scope	The law applies to any processing of personal data related to individuals that takes place in the Kingdom by any means, including processing personal data related to individuals residing in the Kingdom by any means from

	any party outside the Kingdom. This includes the deceased's data if it would lead to him or his family being known specifically.
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The title of the law :

①	The definition of "Personal Information"	
②	The scope in which the law applies	
③	The territorial scope	

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>

(a) Collection Limitation Principle

Stipulated in the above law.

(b) Data Quality Principle

Stipulated in the above law.

(c) Purpose Specification Principle

Stipulated in the above law.

(d) Use Limitation Principle

Stipulated in the above law.

(e) Security Safeguards Principle

Stipulated in the above law.

(f) Openness Principle

Stipulated in the above law.

(g) Individual Participation Principle

Stipulated in the above law.

(h) Accountability Principle

Stipulated in the above law.

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

█

(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 Saudi government has pursued the better integration of government entities and flexibility in sharing data and information, as outlined in the National Transformation Programme (NTP). Accordingly, Saudi Arabia has increasingly supported the practice of data centres and user data being kept and stored in-country to increase security and ensure data ownership, as well as localize information and sensitive data in-country.

V. The Data Protection Authority

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

The Saudi Data & Artificial Intelligence Authority (SDAIA).

Email: info@sdaia.gov.sa

Website: sdaia.gov.sa