



# Data Breach Notification related to Businesses acting as Controllers



	EU Member States (27)	United Arab Emirates (UAE)	DIFC – UAE	Abu Dhabi – UAE	Singapore	Kingdom of Saudi Arabia (KSA)	Bahrain
<b>Legal Instrument</b>	<b>General Data Protection Regulation (“GDPR”)</b>	<b>Federal Decree-Law No. 45 of 2021 (“PDPL”) <sup>1</sup></b>	<b>DIFC Law No 5 of 2020 (“DP Law 2020”)</b>	<b>ADGM Data Protection Regulations 2021</b>	<b>Personal Data Protection Act 2012 (No. 26 of 2012) (“PDPA”) <sup>2</sup></b>	<b>Saudi Arabia’s Personal Data Protection Law (“PDPL”) <sup>3</sup></b>	<b>Personal Data Protection Law (PDPL) No. (30) of 2018</b>
<b>Responsible Authority</b>	Each Member State must provide for one or more independent authorities.	UAE Data Office.	DIFC Data Protection Office.	ADGM Office of Data Protection.	Personal Data Protection Commission Singapore (PDPC).	Saudi Arabia Data Protection Authority.	Bahrain Personal Data Protection Authority.

<sup>1</sup> This Decree-Law is in accordance with the standards and controls set by the Executive Regulations, which are yet expected to be published. Whilst the PDPL provides for an implementation period of six months from the publication of the Executive Regulations, this date may be extended at the discretion of the Cabinet.

<sup>2</sup> This table has been made according to Personal Data Protection (Amendment) Act 2020, which amends the Personal Data Protection Act 2012 (PDPA).

<sup>3</sup> Please refer to the draft version of the executive regulations supplementing the PDPL (‘the Executive Regulations’), which were issued on 10 March 2022, for public consultation and adds significant detail to the law. The PDPL will take effect on 17 March 2023, this period, however, may be delayed for a period of up to five years for entities located outside Saudi Arabia that process the personal data of Saudi residents. On 20 November 2022, the Authority invited all public, private and non-profit entities as well as individuals to express their comments on the proposed amendments. Click the link to see the suggested amendments to the PDPL (<https://istitaa.ncc.gov.sa/en/Transportation/NDMO/PDPL22/Pages/default.aspx>).



# Data Breach Notification



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<b>Timeframe of the Notification to the Commissioner<sup>4</sup></b>	Not later than 72 hours after having become aware of the data breach. [Art.33(1)]	Immediately upon becoming aware of any infringement or breach of the personal data. [Art.9(1)]	As soon as practicable in the circumstances. [Art.41(1)]	Without undue delay and, where feasible, not later than 72 hours after becoming aware of the data breach. [Art.32(1)]	As soon as practicable and no later than three calendar days after the day the organization makes the assessment of a notifiable data breach. [Art.26D(1)]	Not later than 72 hours after having become aware of the data breach. [Art.23(1) of the Draft Executive Regulations]	Within a period not exceeding (72) hours from the date of its data breach discovery. [Art.4(2) Resolution No.43 of 2022]
<b>Timeframe of the Notification to the Data Subject<sup>5</sup></b>	Without undue delay. [Art.34(1)]	More details are expected on the Executive Regulations. [Art.9(2)]	As soon as practicable in the circumstances. [Art.41(1)]	Without undue delay. [Art.33(1)]	After notifying the Commission, the organisation must notify each affected individual affected by a notifiable data breach <sup>6</sup> . [Art.26D(2)]	Immediately upon becoming aware that the impact level of the data breach is significantly high. [Art.24(1) of the Draft Executive Regulations]	-

<sup>4</sup> The notification to the Commissioner is not always required if certain circumstances are not applicable and vice versa.

<sup>5</sup> The notification to the data subject is not always required if certain circumstances are not applicable and vice versa.

<sup>6</sup> The PDPA 2020, as amended, does not specify the exact time of notifying the individual but still requires organizations to notify the data subject in any manner that is reasonable in the circumstances.



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