


DECODING QATAR'S PRIVACY LAW

DATA PROTECTION LAW NO. (13) OF 2016 : QATAR PERSONAL DATA PRIVACY PROTECTON LAW (PDPPL)

APPLICABILITY & SCOPE OF THE LAW

- ▶ Applies to the processing of Personal Data in Qatar by Individuals or Organizations.
- ▶ Applies to the when Personal Data is
 - Electronically Processed
 - Obtained, gathered or extracted for electronic processing
 - A combination of electronic or traditional processing
- ▶ Does not apply when Processed by Individuals within a private or family scope.
- ▶ Does not apply when Data is processed for the purpose of obtaining official statistical data such as census data.



QAR 1,000,000
to
QAR 5,000,000

PENALTIES UNDER PDPPL

- Severe financial penalties are imposed for violations and non-compliance
- No criminal penalties are imposed
- The penalties range from QAR 1,000,000 to QAR 5,000,000 depending on the Articles of the PDPPL has been violated

RIGHTS OF INDIVIDUALS

ARTICLE 5

▶ RIGHT TO WITHDRAW CONSENT

Right to Withdraw Prior Consent at any time for Personal Data Processing

▶ RIGHT TO OBJECT PROCESSING OF PERSONAL DATA

- If Collection of Personal Data is not necessary to achieve the purpose for Data Collection
- If collection of Personal Data is beyond the extent required, discriminatory, unfair or illegal

▶ RIGHT TO OMISSION OR ERASURE OF PERSONAL DATA

Right to omission or erasure if the processing is not necessary or the data is collected through unfair means, or the purpose of the processing ceases to exist

▶ REQUEST CORRECTIONS TO THE PERSONAL DATA

Right to request corrections through verified and accurate request

ARTICLE 6

▶ RIGHT TO ACCESS PERSONAL DATA

Right to request access to the personal data that is collected on them. The PDPPL obligates data controllers to notify the individual about the processing of their personal data or the purpose of processing it and notify of any disclosure of inaccurate personal data

DATA BREACH NOTIFICATION REQUIREMENTS

ARTICLE 13

The Processor shall notify the Controller of the existence of any breach or where any risk threatens the Personal Data

ARTICLE 14

The Controller shall inform the Individual and Competent Department of the occurrence of any breach and if such breach may cause serious damage to Personal Data or individual privacy

72 HOURS TO REPORT

Circumstances that may lead to serious harm to an individual's privacy

PERFORMING AUTOMATED-DECISION MAKING

COLLECTION OF PERSONAL DATA VIA THIRD PARTIES

PROCESSING OF SENSITIVE DATA

PROCESSING OF EMPLOYEES' DATA

CROSS-BORDER TRANSFER

DIRECT MARKETING

GDPR VS QATAR PDPL

PRINCIPLES	QPDPL	GDPR
The degree of implementation and details	Low (can be completed in Min. decision)	HIGH
Biometric and genetic sensitive Data	NO	YES
Data portability and profiling	NO	YES
Threshold for children parental consent (13-16 yrs old)	NO	YES
DPO for companies	NO	YES
Record keeping	Only for MoTC	Both for DPA & companies
DPIA request and privacy by design & default	YES but Not explicitly	YES clearly defined
Threshold for children parental consent (13-16 yrs old)	NO	YES
Electronic communications for direct marketing: prohibited unless prior consent obtained	YES	NO
The degree of implementation and details	YES (unless against the Law & cause harm to Data S.)	YES (more detailed)



CROSS BORDER DATA TRANSFER

Prohibition from taking any measures against the cross-border data transfer that could limit the international data flow

Measures can be taken if the cross-border transfer is in violation of the provisions provided in the PDPPL or the processing of such data may result in serious harm to the personal data or the respective individuals

KEY DEFINITIONS

INDIVIDUAL

A natural person whose Personal Data are processed

CONTROLLER

A natural or corporate person who individually or jointly with others, determines the method and purpose of processing personal data

PROCESSOR

A natural or corporate person who processes personal data for the controller

PERSONAL DATA

Data of an individual whose identity is specific, or reasonably identifiable, either through such data or by combining it with any other data

PROCESSING DATA

One or several processes for personal data such as collecting, receiving, registering arranging saving preparing amending recovering using disclosing publishing transferring blocking deleting or cancelling personal data

REGULATORY AUTHORITY

National Cyber Governance and Assurance Affairs (NCGAA) is empowered by the National Cyber Security Agency (NCSA) for administering and enforcement

It is also empowered with developing controls around its provisions

DATA SECURITY & PRIVACY MEASURES



DATA ENCRYPTION



ACCESS CONTROLS



REGULAR DATA BACKUPS



DATA BREACH NOTIFICATION



PRIVACY BY DESIGN