



هيئة الاتصالات والفضاء والتقنية
Communications, Space &
Technology Commission

General Principles for Personal Data Protection

In the Telecommunications, Space and Information
Technology Sectors

Disclaimer:

English language text is not an official translation and is provided for information purposes only. It confers no rights and imposes no obligation separate from those conferred or imposed by the original Arabic text formally adopted and published. In the event of any discrepancies between the English translation and the Arabic original, the Arabic original shall prevail.

Table of content

TABLE OF CONTENT	3
DISCLAIMER:	2
1. INTRODUCTION:	4
2. DEFINITIONS:	5
3. GENERAL PROVISIONS:	6
4. MAIN PRINCIPLES TO PROTECT CUSTOMERS' PERSONAL DATA:	7
5. SERVICE PROVIDERS OBLIGATIONS:	7
6. CUSTOMERS' RIGHTS REGARDING THEIR PERSONAL DATA PROTECTION:	8

1. INTRODUCTION:

Pursuant to the Communications and Information Technology Commission (CST) ordinance issued by the Council of Ministers Resolution No. 74 dated 05/03/1422 AH (corresponding to 27/05/2001), as amended by the Council of Ministers Resolution No. 133 dated 21/05/1424 AH (corresponding to 21/07/2003). Promulgating that the Communications and Information Technology Commission shall undertake the Information Technology Functions, and the Telecommunications Act issued by the Council of Ministers Resolution No. 74 dated 05/03/1422 AH and its amendments and its implementing regulation (bylaw), and the Council of Ministers Resolution No. 403 dated 12/07/1440 AH which tasked the Communications and Information Technology Commission with the regulatory and supervisory functions of the Postal Sector. Therefore in accordance with CST role towards the protection of customers' personal data in the telecommunications, information technology and postal sectors; CST prepared the document of "General Principles for Personal Data Protection in the Telecommunications, Information Technology and Postal Sectors."

The General Principles for Personal Data Protection in the Telecommunications, Information Technology and Postal Sectors aims at the following:

- Maintaining the privacy of customers' personal data and protecting their rights in accordance with international best practices.
- Increase consumers' trust in ICT and postal services that depend on processing personal data.
- Establishing the principles and the legal foundations that enable the service providers to invest and innovate in services and applications that provide added value to users by utilizing the personal data.

2. DEFINITIONS:

The terms and expressions defined in the Act and the Bylaw shall have the same meaning in this document. In addition, the following terms and expressions shall have the meaning assigned to them hereunder except where the context in this document otherwise requires:

- CST** : The Communications and Information Technology Commission.
- Service Provider** : The service provider of telecommunications or information technology or postal services under CST laws and regulations.
- Customer** : The natural or juridical person, who uses any of the telecommunications, information technology or postal services, provided by the Service Provider.
- Personal Data** : Any information, regardless of its source or form, which would lead to identifying the customer, or that would render the customer identifiable directly or indirectly, including, but not limited to, names, ID numbers, addresses, contact numbers, licenses and registrations numbers and personal properties, bank account numbers and credit cards numbers, customer's photos or videos, as well as any other data of personal nature.
- Personal Data Processing** : All processes performed on personal data by any means, including but not limited to, data collection, transfer, storage, sharing, destruction, analysis, patterns extraction or making conclusions based thereon and integrating them with other data.
- Personal Data Breaches** : Personal Data disclosure, revealing, publishing, acquisition, and authorizing access thereto without a legal basis intentionally or accidentally.

3. GENERAL PROVISIONS:

3-1. These principles apply to all service providers, and they have to comply with these Principles as set forth herein, and submit evidence-substantiating compliance therewith via the mechanisms approved by CST.

3-2. The service provider shall periodically verify compliance therewith by any third parties contracted for personal data processing for purposes specified by the service provider, and the service provider shall submit evidence-substantiating their compliance with these Principles via the mechanisms approved by CST.

3-3. The service provider is prohibited from any practices that would violate these principles. In case of violations, it shall be subject to CST laws and regulations. The service provider shall not be exempted from liability in case of third parties contracts.

3-4. These principles shall not prejudice any regulatory documents issued by CST or by any other relevant authorities providing a higher level of protection of customers' personal data.

4. MAIN PRINCIPLES TO PROTECT CUSTOMERS' PERSONAL DATA:

The following main principles must be complied when processing customers' personal data:

- 4-1. Customers' personal data processing shall be done in a lawful and in a transparent manner. Hence, the results of customers' personal data processing must be fair in order to avert unjustified negative impact on customers' interests.
- 4-2. Customers' personal data shall be processed for specified and clear purposes to the customer.
- 4-3. Customers' personal data shall be collected in adequate and limited to what is necessary, in relation to the purposes for which they are processed.
- 4-4. Customers' personal data shall not be kept in a form that allows the identification of the customer for longer than is necessary to achieve purposes of Personal Data Processing.
- 4-5. Customers' personal data shall be securely protected to ensure its privacy and prevent the unauthorized access thereto or breach or tampering or misuse thereof.

5. SERVICE PROVIDERS OBLIGATIONS:

- 5-1. The service provider shall develop and implement a privacy program to maintain customers' personal data protection, where it should include developing, documenting, implementing, and enforcing policies and procedures for maintaining of customers' personal data privacy. This program should be approved by the head of the service provider or the delegate thereof. In addition, the service provider shall adhere to submit the program's plan to CST before its approval and shall regularly report the program's activities to CST after its approval. Therefore, CST has the right to request any amendments it deems appropriate.
- 5-2. The Service provider shall assign the role and responsibilities of customers' personal data protection to an independent function that established for this purpose and shall provide the proper support for this function in order to enable it to carry out its activities, without prejudice to conflict of interests.
- 5-3. The Service provider shall adhere to develop, approve, and publish a personal data privacy policy, that shall include the types of processed customers' personal data, the purpose of such processing,

whether such personal data will be shared with third parties inside or outside KSA, retention periods, the Protection measures, customers' rights with respect to their personal data, and how such rights can be exercised.

- 5-4. The service provider shall adhere to process customers' personal data inside the KSA, and shall not process such personal data abroad without obtaining CST's written approval.
- 5-5. The service provider shall adhere to keep the customers' personal data for the specified purposes and periods, and in accordance with approved instructions by CST.
- 5-6. The service provider shall notify CST immediately when any breach of customers' personal data occurs, through the mechanisms and procedures approved by CST.

6. CUSTOMERS' RIGHTS REGARDING THEIR PERSONAL DATA PROTECTION:

- 6-1. It is prohibited to process customers' personal data without their explicit consent thereof, and the customers may also withdraw their consent at any time, except in cases where it is required by relevant laws, regulations and instructions.
- 6-2. Customers must be provided by the privacy policy prior to processing their personal data.
- 6-3. Customers must be enabled to access their personal data being processed by the service provider at any time and correct them when there is incorrect or inaccurate data.
- 6-4. Customers must be enabled to obtain a copy of their personal data in electronic format, in accordance with CST's instructions.