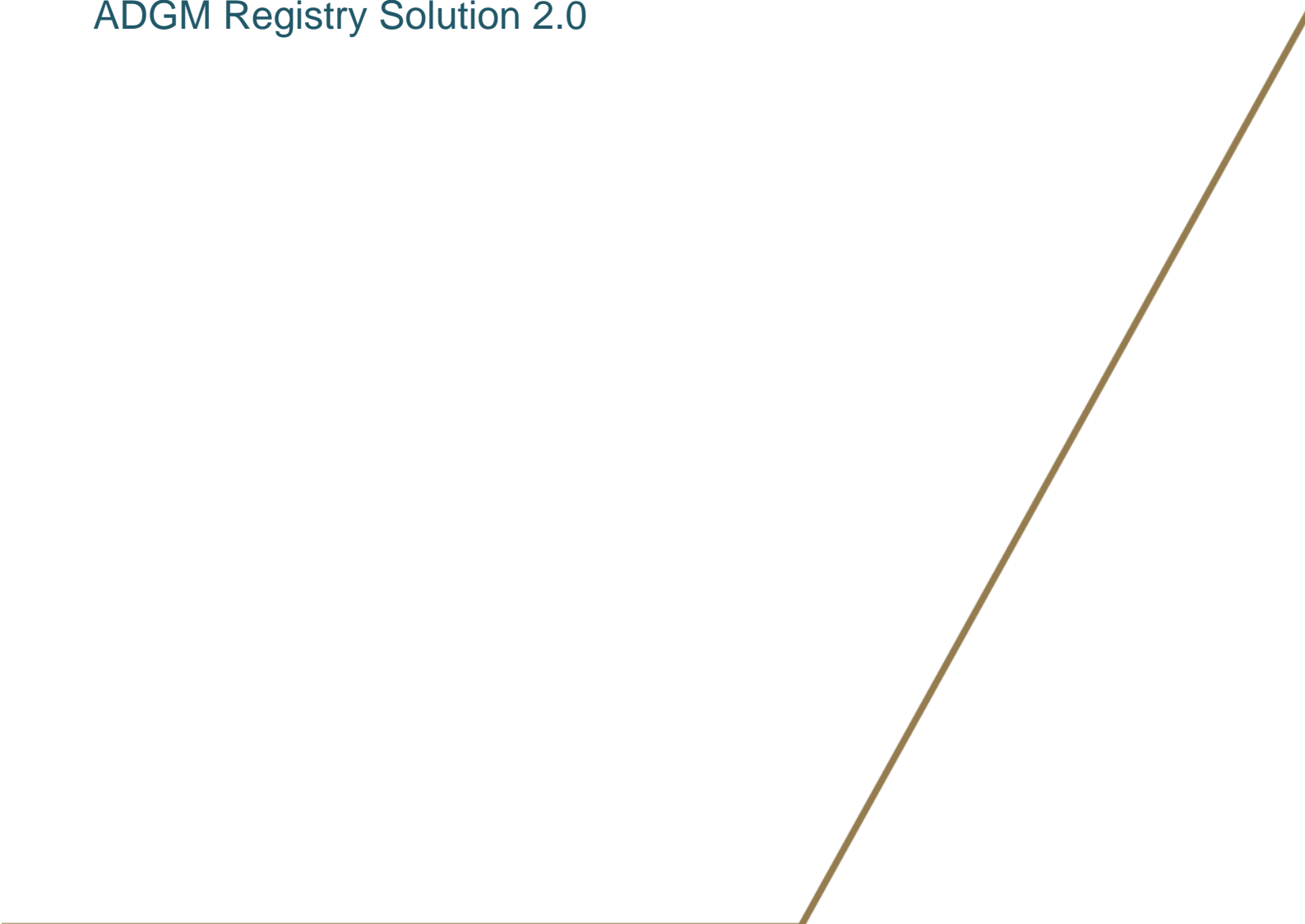




**ABU DHABI  
GLOBAL MARKET**

## **Office of Data Protection**

How to complete the Data Protection Registration in  
ADGM Registry Solution 2.0



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## 1. INTRODUCTION

Abu Dhabi Global Market (ADGM) is a broad-based international financial centre, established pursuant to Abu Dhabi Law No. 4 of 2013 in the Emirate of Abu Dhabi. With its own civil and commercial laws based on the English common law, ADGM offers the local, regional, and international business community a world-class legal system and regulatory regime.

The Office of Data Protection (ODP) is the ADGM's independent data protection authority responsible for regulating and enforcing the ADGM Data Protection Regulations 2021 (DPR 2021).

The ODP is responsible for promoting data protection within ADGM, maintaining the register of Data Controllers, enforcing the obligations upon Data Controllers, Data Processors and upholding the rights of individuals.

Pursuant to Section 24, Data Controllers must provide information to the ODP regarding their processing activities and pay an annual data protection fee.

For more information, please refer to our website: <https://www.adgm.com/operating-in-adgm/office-of-data-protection/overview>.

## 2. PURPOSE

This document is intended to:

- Explain how Data Controllers should fill out the data protection section in the Registry Solution when registering a company in ADGM.
- Explain the steps to follow to renew the Annual Data Protection registration in the Registry Solution.

This guide is not intended to provide legal advice for Data Controllers in relation to the personal data processing activities that they carry out. It rather seeks to explain the information requirements of the Data Protection section when filling out the company registration form in the Registry Solution.

## 3. DATA PROTECTION REGISTRATION

The data protection section is divided into 6 key steps as listed below:

- Data Protection (Data Protection Officer and Data Protection Contact Person)
- Data Processors
- Data Protection – Personal Data
- Data Protection – Sensitive Personal Data
- Data Transfers
- Data Protection Declaration

## Step 1 – Data Protection (Data Protection Officer and Data Protection Contact Person)

Some ADGM entities are required to appoint a ‘Data Protection Officer’ (“DPO”)<sup>1</sup>. The role of the DPO can be fulfilled by a third-party service provider or internally.

To help entities assess whether they are required under the DPR 2021 to appoint a ‘Data Protection Officer’ (“DPO”), the ADGM Office of Data Protection (“ODP”) has made available an assessment [tool](#).

✓ If you answer to the DPO requirement is ‘Yes’ select whether the DPO function will be covered by internal staff or outsourced to a service provider.

Complete the information and upload the supporting documents. No templates are provided for the **Appointment Letter** and/or the **contract** (a contract should be uploaded when the DPO service is outsourced). A DPO Competency Statement<sup>2</sup> template is provided by the ODP under ‘Templates’ at the following link: <https://www.adgm.com/operating-in-adgm/office-of-data-protection/guidance>.

✓ If you answer to the DPO requirement is ‘No’, the Data Protection Contact Person form is displayed. You don’t need to upload any supporting document for the appointment of a Data Protection Contact Person.

The information you will provide at this stage may be edited post-registration.

Either the Data protection Officer or the Data Protection Contact Person do not need to be resident within ADGM.

## Step 2 – Data Processors

Upon entry into force of the DPR 2021 it is no longer mandatory to notify the ADGM Office of Data Protection when using a Data Processor (another company which you contract to process personal data on your behalf). However, you can maintain that information in your company’s page for your ease of reference/internal records.

(!) Upload of supporting documents is voluntary.

## Step 3- Data Protection – Personal Data

This section requires you to provide information on the types of personal data that you process. **All companies registered in ADGM processes personal data** regardless of the amount or type of personal data. The Office of Data Protection has issued [Circular](#)

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<sup>1</sup> For more information on Data Protection Officers according the DPR 2021, you may consult Part 3 of the Guidance published by the ODP available [here](#).

<sup>2</sup> Data Controllers should attest a specific competency statement/declaration to comply with DPO obligations. Article 35(3) of the DPR 2021 states that a DPO must be appointed on the basis of professional qualities and, in particular, expert knowledge of data protection law and practices and the ability to fulfil the tasks referred to in section 37 of the DPR 2021.

[No\(1\) of 2021](#) which clarifies that all entity types established in ADGM are processing personal data<sup>3</sup>.

Choose one or more legal basis for using personal data within your organisation.

**(!) At least one legal basis must be selected.**

### Reasons for Processing of Personal Data

Personal Data may only be processed in accordance with section 2 of the ADGM Data Protection Regulations 2021.

Please choose which of the below types of Personal Data you will keep.

The Data Subject has given his written consent to the Processing of that Personal Data \*

Yes  No

Processing is necessary for the performance of a contract to which the Data Subject is party or in order to take steps at the request of the Data Subject prior to entering into a contract \*

Yes  No

Processing is necessary for compliance with any regulatory or legal obligation to which the Data Controller is subject \*

Yes  No

Processing is necessary in order to protect the vital interests of the Data Subject \*

Yes  No

Processing is necessary for the performance of a task carried out in the interests of the Abu Dhabi Global Market or in the exercise of the Board's, the Court's, the Registrar's or the Regulator's functions or powers vested in the Data Controller or in a Third Party to whom the Personal Data are disclose \*

Yes  No

Processing is necessary for the purposes of the legitimate interests pursued by the Data Controller or by the Third Party to whom the Personal Data are disclosed, except where such interests are overridden by compelling legitimate interests of the Data Subject relating to the Data Subject's particular situation \*

Yes  No

### Type of Data

Please Choose which of the below Personal Data you will keep

Name \*

Yes  No

Address \*

Yes  No

Date of Birth \*

Yes  No

Email \*

Yes  No

Staff ID Number \*

Yes  No

Others \*

Yes  No

At the “Type of Data” section select one or more types of personal data that you will use.

**(!) At least one type of data must be selected.**

<sup>3</sup> All entities are minimally required to process, store and use the personal data of shareholders, directors, former employees, and statutory role holders. This includes maintaining passports and/or other documents to comply with ADGM Laws.

All the information you will provide at this stage may be edited any time post-registration. Changes can be made through filing a “Maintain Data Protection Details” Service Request.

#### Step 4 – Data Protection – Sensitive Personal Data

If responding ‘yes’ to the question ‘do you intend to obtain UAE residence visas’, you will by default process sensitive personal data. Click the help icon for more information on the definition of sensitive personal data under the DPR 2021.

**Data Protection - Sensitive Personal Data**

Sensitive Personal Data is Personal Data revealing or concerning (directly or indirectly) racial or ethnic origin, political opinions, religious or philosophical beliefs, trade-union membership and health or sex life.

Does your entity intend to obtain UAE residence visas? \*

Yes  No

Will you be Processing any Sensitive Personal Data as defined in the Data Protection Regulations 2021? \*

Yes  No

**Reasons for Processing of Sensitive Personal Data**

Sensitive Personal Data shall be processed in accordance with section 3 of the Data Protection Regulations 2021

Please confirm which of the following reasons apply to Processing of the Sensitive Personal Data

**Sensitive Personal Data is Personal Data revealing or concerning (directly or indirectly) racial or ethnic origin, political opinions, religious or philosophical beliefs, trade-union membership and health or sex life. If you plan to recruit staff or intend to obtain a visa, you will be processing information relating to the health of individuals. To obtain a visa, UAE Law requires prospective staff to be screened for certain Health related conditions. Consequently, you must select 'Yes'.**

You must select the type of sensitive personal data that you will use and the appropriate relevant legal basis (one of more)<sup>4</sup>.

Note that some entities may process sensitive personal data other than those intended for UAE residence visa application. In this case, you must provide information also on these sensitive personal data which your entity will use for its business purposes. Select one or more types of sensitive personal data and one or more applicable legal basis.

#### Step 5 – Data Transfers

If your company intends to obtain UAE residence visa/s, an international data transfer will occur by default. The reason being that the application process requires transfer of personal data to onshore UAE, which is a distinct jurisdiction. In addition to being a distinct jurisdiction, note also that onshore UAE is **not** a jurisdiction that provides adequate level of data protection in accordance with the ADGM Data Protection Regulations 2021. UAE will be automatically selected on the next tab.

<sup>4</sup> A company may process sensitive data other than for visa purposes, as part of their business activity. In such case, you need to include those in your responses along with the relevant legal basis.

Will you be transferring data to other jurisdictions? \*

Yes  No

Will you be transferring Personal Data outside the jurisdiction of the ADGM that provides an adequate level of protection? \*

Yes  No

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**Transfer of Personal Data out of the jurisdiction of the ADGM that does not have an adequate level of protection**

A transfer or a set of transfer of Personal Data to a Recipient which is not subject to laws which ensure an adequate level of protection in accordance with the Data Protection Regulations 2021 may only take place on conditions as stated in section 5 of the Data Protection Regulations 2021.

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Will you be transferring Personal Data outside the jurisdiction of the ADGM that does not provide an adequate level of protection? \*

Yes  No

Please list the name of country (ies) where the Personal Data will be transferred out of Abu Dhabi Global Market \*

Available	Chosen
Afghanistan	United Arab Emirates
Aland Islands	
Albania	

If your company transfers personal data to other ‘non-adequate’<sup>5</sup> jurisdictions for its business purposes, you should add one or more such jurisdictions from the drop-down list as shown below.

**Transfer of Personal Data out of the jurisdiction of the ADGM that does not have an adequate level of protection**

A transfer or a set of transfer of Personal Data to a Recipient which is not subject to laws which ensure an adequate level of protection in accordance with the Data Protection Regulations 2021 may only take place on conditions as stated in section 5 of the Data Protection Regulations 2021.

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Will you be transferring Personal Data outside the jurisdiction of the ADGM that does not provide an adequate level of protection? \*

Yes  No

Please list the name of country (ies) where the Personal Data will be transferred out of Abu Dhabi Global Market \*

Available	Chosen
Ecuador	United Arab Emirates
El Salvador	Egypt
Equatorial Guinea	
Eritrea	

Select the relevant legal basis for the transfer to non-adequate jurisdiction/s:

Choose the relevant safeguard/s that you will use for the transfer to non-adequate jurisdiction/s (you must select one mechanism) and upload the supporting document.

If your company transfers personal data to ‘adequate’ jurisdictions for its business purposes, you only need to answer ‘yes’ to the relevant question and select the country/ies from the drop-down list of recognised jurisdictions. No additional information or documentation is required for transfers to ‘adequate’ jurisdictions.

<sup>5</sup> For more information on international transfers, including the definition of ‘adequate’ or ‘non-adequate’ jurisdictions, you may consult Part 6 of the Guidance published by the ODP on DPR 2021 available [here](#). Summarised information is also available in the brochures published by the ODP [here](#).

**Data Transfer Details**

Will you be transferring data to other jurisdictions? \*

Yes  No

Will you be transferring Personal Data outside the jurisdiction of the ADGM that provides an adequate level of protection? \*

Yes  No

Details of jurisdiction \*

Available	Chosen
Andorra	Belgium
Cyprus	
Croatia	

## Step 6 – Data Protection Declaration

Upon accepting the declaration you've reached the final step of the data protection section in the application.

## 4. DATA PROTECTION RENEWAL

**Step 1.** Login to your portal user account for the relevant company here: <https://newreg.adgm.com/s/login/>

**Step 2:** Select your company by clicking 'Entity Profile(s)' and **select your company**.

**Step 3:** Click '**Maintain Company**' and select '**Data Protection Annual Renewal**'.

**Step 4:** Follow the instructions on each page of the Service Request and confirm the accuracy of the data protection filing(s) for your company. Complete the declaration, and the payment and submit the application.

**Step 5:** Check the date of your company's register. The date must be a future date. If it is still not up to date (i.e., multiple years), you must repeat Step 3.

**Note:** You may have missed one or more Annual Renewal payments. Ensure that the Data Protection Registration is valid (i.e. indicating a future date). If the date is not showing a future date, repeat the renewal process as explained above in **Step 3**.

**Example:** Today is 01.02.2024. You are renewing your Data Protection Registration which expired on 01.01.2023. After successful renewal and payment, your Data Protection Registration expiration date now states 01.01.2024. This indicates that you have missed previous Data Protection Renewal payment/s as the Data Protection Registration should show instead a future date, in this case 01.01.2025.



**For more information, you may contact the Office of Data Protection on:**

Telephone No.: 00 971 2 3338888

Email: [Data.Protection@adgm.com](mailto:Data.Protection@adgm.com)

Address: ADGM Building, Abu Dhabi Global Market Square, Al Maryah Island, Abu Dhabi, United Arab Emirates.

Website: <https://www.adgm.com/operating-in-adgm/office-of-data-protection/overview>