

Ministry of Justice, Islamic Affairs and Waqf

Order No. (50) of 2022

Determining the controls and safeguards for protecting the confidentiality of data concerning instituting and pursuing of criminal proceedings, and related judgements

Minister of Justice, Islamic Affairs and Waqf:

After reviewing the penal law issued by Decree Law No. (15) of 1976, and its amendments,

And Criminal procedures law issued by Decree Law No. (46) of 2002, and its amendments,

And Law No. (16) of 2014 Concerning the Protection of State's Information and Documents;

And Law No. (30) of 2018 issuing the Personal Data Protection Law, in particular, Articles (7) therein,

And Decree No. (78) of 2019 Determining the Administrative Entity to Assume the Duties and Powers of Personal Data Protection Authority,

And upon the submission of the Undersecretary of Justice and Islamic Affairs,

The following has been decided upon:

Article (1)

Entities and individuals authorized to process data concerning instituting and pursuing of criminal proceedings, and related judgements in accordance with Article (7) from the Personal Data Protection Law issued by Law No. (30) of 2018, are prohibited from disclosing, transmitting, publishing, broadcasting, circulating, giving, providing or making the data or its content available to any individual or other party not concerned with it, or to anyone other than those who are permitted by law to access it.

This prohibition is applicable to all stages of the criminal case, from the stage of collecting evidence, to the stage of issuing the judgments.

Article (2)

Entities and individuals authorized to process data concerning instituting and pursuing of criminal proceedings, and related judgements, shall appoint one or more individual authorized to process such data prior its commencement. Other than those appointed individuals are prohibited from accessing, viewing or circulating such data, unless the laws permit their access to it. Entities and persons are obliged to process such data for the purposes permitted by law without extending the scope of processing to other purposes.

Article (3)

Entities and individuals authorized to process data concerning instituting and pursuing of criminal proceedings, and related judgements shall use technical systems and modern electronic applications or any appropriate means that ensure an adequate level of protection and privacy during the processing such data, whether the processing is carried out in an automated or non-automated manner, to store it in a way that ensures its confidentiality and protection, and that it is not exposed to or accessible to unauthorized individuals.

Article (4)

The Undersecretary of Justice and Islamic Affairs shall implement the provisions of this Order, and it shall come into effect on the next day following the date of publication in the Official Gazette.

Minister of Justice, Islamic Affairs and Waqf
Khalid bin Ali bin Abdulla Al Khalifa

Issued on: 14 Sha'ban 1443 AH

Corresponding to: Thursday, March 17, 2022 AD

