

Ministry of Justice, Islamic Affairs and Waqf

Order No. (48) of 2022 Regarding the Data Subject's rights

Minister of Justice, Islamic Affairs and Waqf:
After reviewing Law No. (30) of 2018 issuing the Personal Data Protection Law, in particular, Section five 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) Definitions

When implementing the provisions of this Order, the words and expressions therein shall have the meanings stipulated in the Personal Data Protection Law issued by Law No. (30) of 2018, the following words and phrases shall have the meanings set forth, unless the context requires otherwise:

Law: Personal Data Protection Law issued by Law No. (30) of 2018.

Cookies Wall: The practice in the context of information network which requires the users consent prior accessing the website to create a file to analyze and store his information and behavior.

Article (2) Scope of application

The provisions of this Order shall apply to personal data stipulated in article (1) of the Law.

Article (3)
Obligations related to decisions based on automated processing

In the cases referred to in Article (22) of the Law, the Data Controller shall comply with the following:

- 1- Informing the Data Subject of the decision on the automated processing of the data.
- 2- Setting clear procedures in an electronic form or a similar form, that includes the mechanism of raising objections by the Data Subject, the procedures for deciding on it, and the mechanism of informing him of the decision within a reasonable period.

Article (4)
Consent to processing and its scope

Without prejudice to the cases stipulated in Articles (4) and (5) of the Law, the Data Controller is obliged to obtain in writing including in electronic means, the Data Subject's explicit consent in accordance with article (24) of the Law prior processing his data if the data is directly obtained from him.

Article (5)
Unconsidered Consent

The consent issued by the data subject is not considered, if the cookie walls obliges him to provide his consent prior accessing the website.

Article (6)
Request to withdraw consent

In cases where the processing is carried out based on the prior consent of the Data Subject, he shall have the right to withdraw his consent easily at any time, free of charge, and without any responsibility, after proving his identity. The Controller

shall set clear procedures in an electronic form or a similar form to respond to the request within a reasonable period of time.

The Data Subject's withdrawal shall not affect the legality of the processing that took place based on the consent before it was withdrawn.

However, the Data Controller may maintain the data for a period specified by law, taking into account appropriate measures that ensures an adequate level of protection and privacy.

Article (7)

Procedures to file an objection

The Data Controller shall indicate the procedures to enable the Data Subject to submit any objection according to clear and announced procedures, that shall be published in the organization's means of communication.

Article (8)

Entry into force

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**

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Corresponding to: Thursday, March 17, 2022 AD