Resolution No. 113/2009 issuing Regulations on   Protection of the Confidentiality and Privacy of Beneficiary Data

Pursuant to the Telecommunications Regulatory Act issued by the Royal Decree No. 30/2002 and;

The Executive Regulations issued by Resolution No. 144/2008; and

The approval of the Telecommunications Regulatory Authority at its meeting No. 7/2009 on 3rd November 2009;

Based on the exigencies of the public interest;

It is decided:

Article 1	The attached regulations shall be enforced with regard to protection of the confidentiality and privacy of beneficiary's data.
Article 3	This Resolution shall be published in the Gazette and shall become operative from the date following its publication.

Mohammed Bin Nasser Al-Khasibi
Chairman of Telecommunications Regulatory Authority

Issued on: 8th Thu AL-Haja 1430 A.H.
Corresponding to: 25th November 2009 A.D.

Regulations on Protection of the Confidentiality and Privacy of Beneficiary Data

Article 1	The licensee may request the beneficiary to provide his/her personal data, provided that these data are necessary to activate the required service; the Licensee in this case shall keep the beneficiary aware of the purpose for which those data were collected and of the possibility of processing or preserving them.
Article 2	Without prejudice to the licensee's obligations to ensure protection of the confidentiality and privacy of the data obtained from the beneficiary, the licensee shall be abide by the following: a. Process or use beneficiary's data for their specified purpose in such a manner that does not contradict with the provisions of these Regulations. b. Limit the access to the data to the relevant employees. c. Take all technical and professional precautions that are necessary to protect its systems and networks , and to prevent unauthorised access to these data. d. Issue a regulation, approved by the Authority, of the procedures followed to protect confidentiality and privacy of these data. This regulation shall be published on the Licensee's website and the beneficiary shall receive a copy from the Licensee when applying for the service. e. Update the beneficiary's data whenever necessary. f. Inform the beneficiary of the person or entity s/he can obtain his/her information from and of the period of time for keeping such data. g. Keep the beneficiary informed of any breaches or security

	threats affect or probably have a negative impact on the integrity of his/her data or could lead to exposing the data to a third party. h. Permit the Authority to access or disclose the beneficiary's data, if this is required pursuant to the Telecommunications Act. i. Cancel or block any data that are inconsistent with the provisions of these Regulations.
Article 3	Following a written approval of the beneficiary, the Licensee is permitted to publish or exchange the beneficiary`s data with any of its subsidiaries or with any other companies. In such case the licensee is obliged to guarantee not to use these data for any purpose other than the specified purposes and within the permissible limits.
Article 4	The beneficiary may, in order to ensure protection of the confidentiality and privacy of his/her data, take the following measures: a. Access his/her data from the directory or the website and request amendment or cancelation of these data. b. Appeal to the Authority in case the Licensee is in breach of these Regulations.
Article 5	The Licensee shall not: a. Lease or sell the beneficiary's data to any person or entity that is not engaged in providing the services required by the beneficiary. b. Require the beneficiary to provide data that are not relevant to the provision of services. c. Without prejudice to any obligations on the Licensee according to its license, retain the beneficiary's data for a period exceeding three months from the date of expiry of the contract. Upon the expiry of the aforementioned period, such data shall be stored in databases that are not accessible by the licensee. The Authority shall determine the party that may access these data. The Authority may extend that period if it is satisfied that the licensee's application is grounded, provided that the beneficiary is informed. d. Exchange beneficiary's data across borders with any person, firm

	or subsidiary of the licensee or with others who may access these data in another country for the purpose of providing the telecom services required by the beneficiary, unless the Authority's approval is obtained. The Authority shall respond to the licensee's application and determines whether to approve or decline the application within 90 days from the date of receipt of the application. The reasons for the decision to decline the application must be stated. .
Article 6	Without prejudice to the beneficiary's right to ask for compensation, the licensee shall be liable for any actions, breaches by its subsidiaries and others whom it exchanges the beneficiary's data with according to these Regulations.