



# Personal Data Protection Policy

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## **Introduction**

Countries around the world are seeking to exploit the value of data as an economic resource that drives innovation, supports economic transformations, and enhances the competitive factors of countries. At the national level, government entities collect and process huge amounts of data that can be utilized to contribute to economic growth and elevate the Sultanate of Oman to leadership in data-based economic resources. In view of the 2040 Vision, the Sultanate of Oman is pursuing a new era that enhances the performance of government entities, increases their level of transparency and responsibility, and promotes economic diversification and the utilization of data-driven services.

Therefore, when handling personal data, the government entities should act as custodians of such data, manage it and ensure its security in line with relevant laws and policies. They shall also develop rules for its secure exchange within them and among each other.

## **Terms and Definitions**

**Ministry:** Ministry of Transport, Communications and Information Technology

**Units of the State's Administrative Apparatus:** As defined in Royal Decree No. 75 /2020 regarding the Administrative Apparatus of the State, hereinafter referred to as the Control Unit and Processing Unit.

**Control Unit:** This unit determines the purpose of processing personal data and the methods for carrying out that processing, whether the data processing is conducted by this unit or by the Processing Unit

**Processing Unit:** The unit responsible for processing personal data on behalf of the Control Unit.

**Third-Party:** An entity operating under the supervision of either the Control Unit or the Processing Unit authorized to process data on behalf of the Control Unit or Processing Unit with its headquarters located in the Sultanate of Oman.

**Personal data:** Data that identifies or makes a natural person identifiable, directly or indirectly through one or more identifiers, including, but not limited to, name, civil number, electronic identifiers, electronic data, spatial data, and one or more factors related to genetic, physical, mental, psychological, social, cultural, or economic identity.

**Personal Data Subject:** A natural person who can be identified by their personal data.

**Processing:** Any operation conducted on personal data using any means, either manual or automated, including, but not limited to, the following operations: collection, registration, analysis, organization, storage, alteration, retrieval, review, coordination, combination, blocking, deletion, cancellation, and disclosure, including sending, distributing, transferring, or otherwise making it available..

**Personal Data Breach:** Unauthorized access to personal data that results in unlawful destruction, alteration, disclosure, or unauthorized processing.

**Disclosure:** Allowing individuals, other than the Control Unit, to obtain, use or access Personal Data by any means and for any purpose whatsoever.

**Destruction:** Any action that leads to the removal of Personal Data, rendering it inaccessible or irretrievable.

**Cross-Border Data Transfer:** Making personal data available, displaying, using, publishing, exchanging, storing, recording, retrieving, receiving or sending personal data across the borders of Oman Sultanate of Oman.

## **Objectives**

**This policy aims to achieve several objectives, including:**

- Leveraging the value of data as an economic resource that fosters innovation and supports economic transformations .
- Enhancing the data subject's trust in the capacity of government entities to manage personal data by ensuring compliance with relevant laws and policies .
- Adopting best global practices in personal data protection policies and controls, and maximizing the value of personal data to enhance performance, productivity, and the efficiency of public service delivery.
- Establishing a framework that balances individuals' rights to protect their personal data while permitting the processing and retention of data within the context of cyberspace and the growth of big data and artificial intelligenc.

## **Purpose**

This policy aims to establish a comprehensive set of controls for the protection of personal data, including its processing, storage, disclosure, access, modification, and review .

## **Scope of Implementation:**

This Policy apply to the units of the State's Administrative Apparatus.

## **Policy Terms:**

### **1. Control Unit Obligations**

**1.1** To achieve the objectives of this policy, the Control Unit is committed to protecting all personal information and data in its possession, including information and data received from or disclosed to other units.

**1.2** In processing personal data, the Control Unit shall consider the following:

- Data must be collected through lawful and fair means and must be limited to what is necessary to meet its legal obligations or related to its core business activities
- Data processing must be conducted fairly and lawfully .
- Data must be correct and accurate, and must be updated as necessary .
- Data must not be retained in a form that allows the identification of the data subject once the purpose for which it was collected or subsequently processed has been achieved .

**1.3** To carry out its duties, the Control Unit shall request the minimum data and documents from the data subject to complete service transactions if the information is not available electronically or cannot be exchanged electronically with any other government unit.

**1.4** The Control Unit must ensure that the data subject is informed and has provided consent for the processing of their data through a statement indicating that by applying for the service, they consent to the processing or disclosure of their data to other governmental units within the Sultanate of Oman to fulfill their current and future requests for government services.

**1.5** The Control Unit must implement security and organizational measures to safeguard the data from accidental or unauthorized destruction, accidental or unauthorized destruction, loss, alteration, disclosure, hacking, or any other unauthorized processing.

**1.6** The Control Unit must establish appropriate security measures for all systems and storage media involved in data handling to prevent any potential breach.

**1.7** When assigning the Processing Unit or any third party to process personal data, the Control Unit must ensure that appropriate safeguards are in place:

- Ensure that the Processing Unit or third party provides sufficient assurances regarding the implementation of technical and organizational measures for data processing, and take necessary steps to verify their compliance.
- Conduct the Processing in accordance with a written contract between the Control Unit and the Processing Unit /third party that processes the data on its behalf or under its supervision.
- Include clear provisions in the contract that specify conditions for data retention periods and arrangements for the deletion of any data sent or received.
- Include clear provisions in the contract regarding the Control Unit's right to audit the security measures implemented by the Processing Unit or the third party to protect personal data.

1.8 The Control Unit must disclose the acquired or generated data to the Processing Unit or third party – provided there is a clear and valid purpose for the disclosure - in compliance with legal obligations and privacy considerations.

1.9. The Control Unit must publish the Privacy Statement on its websites as an attachment.

1.10. The Control Unit must establish mechanisms to ensure the secure destruction of personal data to prevent unauthorized access.

1.11. The Control Unit must notify the Cyber Defense Center in the event of any leakage, loss, or breach of personal data

1.12 The Control Unit must process personal data within the geographical boundaries of the Sultanate of Oman to ensure the maintenance of national sovereignty over such data while protecting the privacy of data subjects. Personal data may not be transferred or processed outside the Sultanate except in the following cases:

- Executing a contract to which the data subject is a party.
- Initiating procedures to assert and defend legal rights.
- Protecting the vital interests of the data subject.



1.13 The Control Unit shall obtain the approval of the Cyber Defense Center before transferring personal data outside the geographical boundaries of the Sultanate of Oman for processing.

## **2- Obligations of the Processing Unit/Third Party**

In order to achieve the objectives of this Policy, the Processing Unit/Third Party must comply with the following:

- 2.1 Protect all personal information and data in its possession, including data received from or disclosed to other units.
- 2.2 It shall not carry out any processing except as instructed by the Control Unit.

## **Document Management**

1. This Policy is owned by the Ministry of Transport, Communications and Information Technology and will be subject to review whenever necessary.
2. The Policy shall be adopted after 24 months from the date of its approval and circulation by the Ministry of Transport, Communications and Information Technology.

## **Policy Compliance**

1. The Ministry of Transport, Communications and Information Technology is responsible for monitoring the Compliance of the State's Administrative Apparatus Units with the Policy and presenting the results of compliance and commitment to the Council of Ministers.

## **Relevant Publications**

- Personal Data Protection Law (2022)
- Open Data Policies (2020).



(Attachment)

**Privacy Notice**

A privacy notice that aims to inform personal data subjects shall include the purpose for which their personal data is being processed (e.g.: the Human Resources Department collects CVs of potential candidates for job roles in the Entity. The specific purpose is to examine whether the new candidates are suitable for the required job roles in the Entity), in addition to the following information:

- 1- The purpose for which his personal data is collected, whether all or part of it is mandatory or optional, and informing him that his data shall not be subsequently processed in a manner inconsistent with the purpose for which it is collected.
- 2- The types of personal data that shall be collected.
- 3- The means used to collect, process, store and destroy personal data.
- 4- Identity of the collector of his personal data.
- 5- The unit or units to which the personal data shall be disclosed, its description, and whether the personal data shall be transferred, disclosed or processed outside the Sultanate of Oman.
- 6- The potential consequences and risks of not completing the personal data collection procedure.
- 7- The rights of the data subject are as follows:
  - The right to be knowledgeable, including being informed of the purpose for which his data is being collected.
  - The right to access his personal data available to the Control Unit in accordance with the relevant regulations and policies.
  - The right to request to receive his personal data available with the Control Unit in a legible and clear format.
  - The right to request correction, completion or updating of his personal data that is available with the Control Unit.