SmartSuite

Framework / Privacy / Global Privacy Regulations

Saudi Arabia Personal Data Protection Law (PDPL) – 2021

The Saudi PDPL (Royal Decree M/19, amended by M/148) governs personal data processing in the Kingdom and of its residents from abroad, enforced by SDAIA since 14 September 2023.



What it is

The Personal Data Protection Law (PDPL) is Saudi Arabia's law on the processing of personal data, approved by Royal Decree M/19 of 9/2/1443H (16 September 2021). It was amended by Royal Decree M/148 of 5/9/1444H (27 March 2023) and has been in force since 14 September 2023, 720 days after its Official Gazette publication on 24 September 2021 (Article 43). The Royal Decree gave controllers one further year, to 14 September 2024, to comply (item Third). It applies to any processing of personal data carried out in the Kingdom and to processing of the data of residents of the Kingdom by any party outside it (Article 2). The Saudi Data and Artificial Intelligence Authority (SDAIA) is the Competent Authority (Council of Ministers Decision 98, item Second).

At a glance

PUBLISHER Saudi Data and Artificial Intelligence Authority (SDAIA)	TYPE Framework	VERSION Royal Decree M/19 (2021), amended by M/148 (2023)
EFFECTIVE September 14, 2023	DOMAIN Privacy	FAMILY Global Privacy Regulations
REGION Saudi Arabia	ADOPTION MODEL Regulatory Compliance	IMPLEMENTATION COMPLEXITY High

Source: sdaia.gov.sa/en/SDAIA/about/Documents/Personal%20Data%20English%20V2-23April2023-%20Reviewed-.pdf

Why it matters

- **Scope reaches outside the Kingdom** Article 2 covers processing in the Kingdom by any means and processing of residents' data by any party outside the Kingdom, and Article 33(4) tells the Competent Authority to set the tools for monitoring and enforcing against controllers and processors abroad; only personal and family use that is not published or disclosed is excluded.
- **Consent that cannot be bundled** Consent is the default basis (Article 5), may be withdrawn at any time (Article 5(2)), may not be made a condition of a service unless the service directly relates to the processing (Article 7), and must be explicit in the cases the Regulations name; marketing requires data collected directly from the data subject with consent and never sensitive data (Article 26), and advertising messages need prior consent and an opt-out mechanism (Article 25).
- **Breach notification runs to the regulator and the individual** Article 20 requires the controller to notify the Competent Authority upon knowing of any breach, damage or illegal access to personal data, and to notify the data subject where the incident would damage their data or prejudice their rights and interests, in the manner the Regulations set.

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How SmartSuite supports Saudi PDPL

Records of Processing Activities (Article 31)

Keep one record per processing activity with the six minimum fields the law names: controller contact details, purpose, categories of data subjects, recipients, transfers or disclosures outside the Kingdom and expected retention period, ready for the Competent Authority on request.

Privacy Policy and Collection Notices (Articles 12 and 13)

Hold the current privacy policy and each collection notice as versioned records with the Article 13 elements, so the legal basis, mandatory and optional fields, recipients and cross-border statement can be shown for every form and channel.

Rights Requests (Articles 4, 9 and 21)

Log requests to be informed, access, obtain a copy, correct or destroy data, apply any Article 9 limitation with its reason, track the Regulations' response period and record the onward notification of corrections required by Article 17.

Breach Register and Notifications (Article 20)

Record every breach, damage or illegal access with the date known, the notification to the Competent Authority, the assessment of damage or prejudice to data subjects and the notices sent to them.

Impact Assessments and Retention (Articles 22 and 18)

Run the impact assessment for each product or service in Privacy Management and attach retention and destruction decisions, including any legal basis or court case that requires retention past the original purpose.

Processors and Transfers (Articles 8 and 29)

Use Third Party Risk Management to document processor guarantees and compliance monitoring, and record each transfer outside the Kingdom against its Article 29 purpose and the three conditions, with the Competent Authority's adequacy assessment where relied on.

Common framework mappings

APPI | GDPR | ISO 27701 | LGPD | NIST Privacy Framework v1.0 | Singapore PDPA

Official resources

Saudi Arabia Personal Data Protection Law (PDPL)

Provides the official framework outlining the regulations on personal data protection in Saudi Arabia.

sdaia.gov.sa/en/SDAIA/about/Documents/Personal%20Data%20English%20V2-23April2023-%20Reviewed-.pdf

Frequently asked questions

Who does the Saudi PDPL apply to?

Article 2 applies the law to any processing of personal data of individuals carried out in the Kingdom by any means, and to processing of the personal data of individuals residing in the Kingdom by any party outside it, including data of deceased persons where it would identify them or a family member. Controllers and processors can be public entities, natural persons or private legal persons (Article 1). The only exclusion is processing by an individual for personal or family use that is not published or disclosed (Article 2(2)).

What rights do data subjects have under the PDPL?

Article 4 gives five rights: to be informed of the legal basis and purpose of collection, to access personal data held by the controller, to obtain it in a readable and clear format, to request correction, completion or updating, and to request destruction when the data is no longer needed. Article 21 requires the controller to respond within the period and in the manner the Regulations set, and Article 9 allows access to be limited to protect the data subject or others, or for a public entity's security, legal or judicial reasons.

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When must a controller notify a data breach under the PDPL?

Article 20 requires the controller to notify the Competent Authority upon knowing of any breach, damage or illegal access to personal data, in accordance with the Regulations, and to notify the data subject of any such incident that would damage their data or prejudice their rights and interests. The law itself sets no number of hours; the timing, content and method of both notifications are left to the Implementing Regulations.

Can personal data be transferred outside Saudi Arabia?

Yes, under Article 29. A controller may transfer or disclose personal data outside the Kingdom to perform an obligation under an agreement to which the Kingdom is a party, to serve the Kingdom's interests, to perform an obligation to which the data subject is a party, or for other purposes set out in the Regulations, provided the transfer does not prejudice national security or vital interests, the receiving country offers protection at least equivalent to the law according to the Competent Authority's assessment, and the data is limited to the minimum needed. The adequacy and minimization conditions do not apply in cases of extreme necessity to protect life or health (Article 29(3)), and the Regulations may set exemptions (Article 29(4)).

What are the penalties for violating the PDPL?

Article 35 makes it a criminal offense to disclose or publish sensitive data in violation of the law with the intent to harm the data subject or to gain a personal benefit, punishable by imprisonment of up to two years, a fine of up to SAR 3 million, or both, prosecuted by the Public Prosecution. Article 36 covers every other violation with a warning or a fine of up to SAR 5 million imposed by a committee of the Competent Authority, doubled for repeat violations and appealable to the competent court. Article 38 allows confiscation of proceeds and publication of the judgment, and Article 40 lets anyone harmed claim compensation.

License included / downloadable: Yes The Personal Data Protection Law is Saudi legislation published in the Official Gazette; SDAIA publishes an English translation and the Bureau of Experts at the Council of Ministers publishes the official Arabic text, which prevails.

Full framework page and mappings: smartsuite.com/frameworks/saudi-arabia-personal-data-protection-law-pdpl-2021