In the name of the People
The President of the Republic
The Parliament has resolved and issued the following Law:

Article (1)

The provisions of this law and the accompanying law shall apply with regards to the protection of personal data of natural persons partly or fully processed electronically by any holder, controller or processor.

Article (2)

The provisions of this law shall apply to any person that commits any of the violations stipulated in the accompanying law, if the offender is an Egyptian national inside or outside the Arab Republic of Egypt, or a non-Egyptian residing within the Arab Republic of Egypt, or a non-Egyptian outside the Arab Republic of Egypt provided that the act is punishable in any form in the country where it occurred, and the data subject of the crime belongs to Egyptian nationals or non-Egyptians residing within the Arab Republic of Egypt.

Article (3)

The provisions of the accompanying law do not apply to the following:

1. Personal data of third parties retained by natural persons and processed for personal use.
2. Personal data processed for the purpose of obtaining official statistical data, or pursuant to a legal provision.

3. Personal data processed exclusively for media purposes, provided that it is true and accurate, and not used for any other purpose, without breaching the laws governing the press and media.

4. Personal data related to judicial records, investigations and judicial proceedings.

5. Personal data held by national security authorities, and at their discretion for other considerations.

The Center shall notify the controller or processor upon the request of National Security Authorities, to edit, erase, hide, grant access to, or circulate personal data within a specified period, according to national security considerations. The controller or processor shall comply with the notification within the specified period.

6. Personal data held by the Central Bank of Egypt and entities subject to its control and supervision, with the exception of money transfer companies and currency exchange companies, provided that they observe the rules established by the Central Bank of Egypt regarding handling personal data.

Article (4)

The Minister responsible for telecommunication and information technology shall issue the executive regulation of the accompanying law within six months from its effective date.

Article (5)

The Economic Courts shall have jurisdiction over violations committed in accordance with the provisions of the accompanying law.

Article (6)
The parties addressed by this law shall comply with the provisions of the accompanying law and its executive regulations within one year from the date of issuance of the executive regulations.

**Article (7)**

This law shall be published in the Official Gazette and shall come into force after three months from the following day of its publication.

This law shall be stamped with the seal of the state, and enforced as one of its laws.
In the application of the provisions of this Law, the following terms shall have the meaning given to them below:

**Personal Data:** any data relating to an identified natural person, or one who is identifiable, directly or indirectly, by reference to such data and to other data such as a name, a voice, a photograph, an identification number, an online identity identifier, or any data referring to the person’s psychological, medical, economic, cultural or social identity.

**Sensitive Data:** data disclosing psychological, mental, physiological, or genetic health, biometric or financial data, religious beliefs, political opinions, or security standing and, in all cases, data relating to children is considered to be sensitive data.

**Data Subject:** any natural person to whom electronically processed personal data is attributed which identifies them legally or factually and enables their identification from any other person.

**Holder:** any natural or juristic person legally or factually holding and retaining personal data in any manner, or by any means of storage, regardless of whether that person held such data initially or was transferred such data by any means of transfer.

**Controller:** any natural or juristic person who has - by virtue of the nature of his activities - the right to obtain Personal Data and to specify the method and criteria of retaining, processing or controlling such
data according to a specific purpose or to his activities.

**Processor:** any competent natural or juristic person by virtue of the nature of his work, to process Personal Data for his benefit or for the benefit of the Controller by way of an agreement with the Controller and in accordance with his instructions.

**Grant Access:** any means which serve to disclose Personal Data to others such as by way of viewing, circulating, publishing, transferring, using, displaying, sending, receiving or disclosing Personal Data.

**Data Security:** technological and organizational procedures and operations with the purpose of protecting the privacy, secrecy, unity and completeness of personal data.

**Personal Data Breach:** any unauthorized or illegal access to Personal Data, or any other illegitimate operation to reproduce, transmit, distribute, exchange, transfer, or circulate which aims to expose or disclose such Personal Data, or damage or edit it while it is being stored, transferred or processed.

**Cross Border Movement of Personal Data:** to transfer, grant access, record, store, circulate, publish, use, display, send, receive or retrieve Personal Data or process such data from inside the geographic borders of the Arab Republic of Egypt to outside of those borders or the opposite.

**Electronic Marketing:** sending any message, statement, advertisement, or advertisement or marketing content, by any technological means, which directly or indirectly aims to promote goods, services or commercial, political, social, or charitable requests, aimed at specific persons.

**License:** an official document issued by the Center to juristic person granting him the right to collect, store, transfer or process personal data electronically.
or to partake in Electronic Marketing activities, or all of the previously mentioned activities. The License determines the obligations of the licensee in accordance with the rules, conditions, procedures and technical criteria specified in the executive regulations. The license is issued for a period of three years, which can be renewed for a similar period.

**Permit:** an official document issued by the Center to natural or juristic person granting him the right to practice the activity of collecting, storing, transferring or processing personal data electronically or to partake in Electronic Marketing activities, or all of the above or to carry out a specific task or specific tasks. Such document determines the obligations of the permit holder in accordance with the rules, conditions, procedures and technical criteria specified in the executive regulations. The permit is issued for a temporary period not exceeding one year, which can be renewed for more periods.

**Certification:** a certificate issued from the Center indicating that the natural or juristic person has satisfied all technical, legal and organizational requirements specified in the executive regulations of this law, qualifying him to provide consultancy services in the field of data protection activities.

**Competent Minister:** the competent minister in the field of telecommunication and information technology.

### Chapter Two

**Rights of the Data Subject and the Conditions for the Collection and Processing of the Data**

**Article (2)**

Personal Data may not be collected, processed, disclosed or revealed by any means except with the explicit consent of the Data Subject or in cases permitted by law.

The Data Subject shall have the following rights:

1. Having knowledge of, reviewing, accessing and obtaining Personal Data belonging to them which is held by any Holder, Controller or Processor;
2. Reversing the prior consent concerning the retention or Processing of their Personal Data;
3. Rectifying, editing, erasing, adding or updating his Personal Data;

3. التصحيح أو التعديل أو الحذف أو الإضافة أو التحديث للبيانات الشخصية.

4. Limiting the Processing to a limited scope;

4. تخصيص المعالجة في نطاق محدود.

5. Having knowledge of any Personal Data Breach in relation to his Personal Data; and

5. الاعترض على معالجة البيانات الشخصية أو نتائجها من تجاوز حقوق البيانات.

6. Objecting to the processing of Personal Data or its results whenever the same contradicts with the fundamental rights and freedoms of the Data Subject.

6. الاعتراض على معالجة البيانات الشخصية أو نتائجها ملائمة للأهداف الأساسية للشخص المعني بالبيانات والتحليظ.

With exception to item (5) of the previous paragraph, the Data Subject shall pay the consideration for the service offered by the Controller or the Processor with respect to the exercise of their rights. The Center shall issue decisions specifying such consideration which shall not exceed twenty thousand Egyptian pounds.

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Article (3)

The following conditions shall be fulfilled in order to collect, Process and retain Personal Data:

1. Personal Data shall be collected for specific legitimate purposes announced to the Data Subject.

1. أن تجمع البيانات الشخصية لأغراض مشروعة ومحددة ومعلنة للشخص المعني.

2. It shall be correct, valid and secured.

2. أن تكون صحيحة وسليمة ومعمونة.

3. It shall be processed in a legitimate manner and in compliance with the purposes for which it is collected.

3. أن تعالج بطريقة مشروعة وملائمة للأغراض التي تم تجميعها من أجلها.

4. It shall not be retained for a duration longer than that necessary for the fulfilment of the purpose therefrom.

4. ولا يتم الاحتفاظ بها لمدة أطول من المدة اللازمة للوقوف بالкрас المحدد.

The Executive Regulations shall specify the policies, procedures, regulations and standard criteria for the collection, Processing, retention and security of such data.

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Chapter Three

Obligations of the Controller and the Processor

First: Controller's Obligations
Without prejudice to Article (12) of this law, the Controller shall adhere to the following:

1. Acquiring or receiving Personal Data from the Holder or entities competent to provide such data, as the case may be, after obtaining the consent of the Data Subject or in the cases permitted by law;

2. Ensuring the validity, conformity and sufficiency of the Personal Data with the purpose of its collection;

3. Setting forth the method, manner and standards for Processing pursuant to the designated purpose, unless the Processor has been delegated in this respect pursuant to a written contract;

4. Ensuring the applicability of the designated purpose for the collection of the Personal Data for Processing purposes;

5. Undertaking or refraining from a task that would result in Granting Access to the Personal Data except in the cases permitted by the law;

6. Taking all technical and regulatory procedures and applying the standard criteria necessary for the protection and security of Personal Data to ensure its confidentiality non-breach, hacking, alteration or manipulation through any illegal procedure;

7. Erasing any Personal Data at the Controller’s Possession upon the satisfaction of the designated purpose. In case of retention of such data for any legitimate reason after the satisfaction of such purpose, the data shall be retained in a form that does not allow for identification of the Data Subject;

8. Rectifying any error in the Personal Data immediately upon being informed or having knowledge of such error;

9. Maintaining records relating to Personal Data including the description of the categories of Personal Data held and determining persons to whom such data shall be disclosed or with access to the data along with the basis, duration, restrictions, scope of such disclosure or availability as well as the mechanism set for erasing or editing.

مع مراعاة أحكام المادة (12) من هذا القانون، يلتزم المتحكم بما يلي:

1. الحصول على البيانات الشخصية أو تلقيها من الجنين أو من الجهات المختصة بتوزيعها بها بنفس الأحوال بعد موافقة الشخص المعني بالبيانات، أو في الأحوال المصرح بها قانونا.

2. التأكد من صحة البيانات الشخصية واتفاقها وكفايتها مع الغرض المحدد لجمعها.

3. وضع طريقة وأسلوب ومعايير المعالجة طبقا للغرض المحدد، ما لم يقرر تنويع المعالج في ذلك بموجب تعاقد مكتوب.

4. التأكد من أنطباق الغرض المحدد من جمع البيانات الشخصية لأغراض معالجتها.

5. القيام بعمل أو الامتناع عن عمل يكون من شأنه إثارة البيانات الشخصية إلا في الأحوال المصرح بها قانونا.

6. اتخاذ جميع الإجراءات التقنية والتنظيمية وتطبيق المعايير القانونية اللازمة لحماية البيانات الشخصية وتأمينها حفاظاً على سريتها، وعدم إفصاحها، أو تغييرها، أو العبث بها قبل أي إجراء غير مشروع.

7. محو البيانات الشخصية لديه فور انتهاك الغرض المحدد منها، أما في حال الاحتفاظ بها لأي سبب من الأسباب المشروعة بعد انتهاء الغرض فيجب أن تبقى في صورة تسمح بتحديد الشخص المعني بالبيانات.

8. تصحيح أي خطا بالبيانات الشخصية فور إبلاغه أو علمه به.

9. إسالة مجل خاص للبيانات، على أن يتضمن وصف فئات البيانات الشخصية لديه، وتحديد من سيفصح لهم عن هذه البيانات أو يتبعهما لهم ومنسوبيه والمدن الرسمية وقيودها وشروطها وآليات محو البيانات الشخصية لديه أو تعديلها، وأي بيانات
the Personal Data held, or any other relevant data related to the Cross Border Movement of Personal Data. The record shall also include description of the technical and regulatory procedures for Data Security:

10. Obtaining a License or Permit from the Center to handle Personal Data;

11. Controllers outside of the Arab Republic of Egypt are required to appoint a representative in the Arab Republic of Egypt in accordance with the Executive Regulations; and

12. Providing the means necessary to prove the Controller’s commitment to implementing the provisions of this Law and enabling the Center to conduct inspections and supervision to ensure the commitment to such undertaking.

In case there is more than one Controller, each one shall abide by all the obligations stipulated in this Law, and the Data Subject shall exercise their rights towards each Controller separately.

The Executive Regulations shall specify the policies, procedures, regulations and technical criteria for such obligations.

Second: The Obligations of the Processor

Article (5)

Without prejudice to Article (12) of this law, the Processor of the Personal Data shall adhere to the following:

1. Conducting and implementing the processing pursuant to this Law and its Executive Regulations and in accordance with the legitimate and legal cases and based on the written instructions from the Center or the Controller or from any relevant person as the case may be, and in particular, with respect to the scope of the Processing activity, its subject, nature, and the type of Personal Data and its conformity and sufficiency with respect to the designated purpose;

أخرى متعلقة بنقل تلك البيانات الشخصية عبر الحدود، ووصف الإجراءات التقنية والتنظيمية الخاصة بأنشطة البيانات.

الحصول على ترخيص أو تنصيص من المركز للتعامل مع البيانات الشخصية.

يتزامن المتحكم خارج جمهورية مصر العربية بتعيين ممثل له في جمهورية مصر العربية وذلك على النحو الذي تبينه اللائحة التنفيذية.

توفير الإمكانيات اللازمة لإثبات التزامه بتطبيق أحكام هذا القانون وتمكين المركز من التفتيش والرقابة للتأكد من ذلك.

وفي حال وجود أكثر من متحكم يلتزم كل منهم بمجموعة الالتزامات المنصوص عليها في هذا القانون، والشخص المعني ممارسة حقوقه تجاه كل متحكم على حدة.

وتحدد اللائحة التنفيذية لهذا القانون السياسات والإجراءات والضوابط والمعايير الفنية لتلك الالتزامات.

ثانيا: التزامات المعالج

مع مراعاة أحكام المادة (12) من هذا القانون، يلزم معالج البيانات الشخصية بما يأتي:

1. إجراء المعالجة وتفعيلها طبقاً لقواعد المنظمة لننكل بهذا القانون ولائحته التنفيذية ووفقاً للوائح الشروط والقانونية وبناءً على التعليمات المكتوبة الوديعة إليه من المركز أو المتحكم أو من أي ذي صفة يحبس الأحوال، وصيغة خاصة فيما يتعلق ب نطاق عملية المعالجة ووضوحها وطبيعتها، ونوع البيانات الشخصية، واتفاقياً وكفاءتها مع الغرض المحدد له.
2. The purpose of the Processing and the practice thereof is legitimate and does not violate the public order or morals;

3. Not exceeding the purposes of Processing and its duration. The Controller, the Data Subject or each relevant person, as the case may be, shall be notified of the duration necessary for Processing;

4. Erasing the Personal Data following the lapse of the Processing duration or the delivery of the data to the Controller;

5. Undertaking a task or refraining therefrom, the purpose of which is to Grant Access to the Personal Data or the Processing results, except in the cases where it is permitted by the law;

6. Refraining from undertaking any processing of Personal Data that contradicts the purpose or the activity of the Controller unless such processing is for a statistical or educational purpose that is non-for-profit and without prejudice to the [Data Subject's] right to privacy;

7. Protecting and securing the activity of Processing, the mediums and the electronic devices used in Processing, as well as the Personal Data included thereon;

8. Avoiding any direct or indirect violation to the Data Subject.

9. Preparing a record designated for the Processing activities that take place, provided that it includes the Processing categories undertaken on behalf of any Controller, their contact details and their Data Protection Officer, the duration of Processing, its restrictions, scope and the mechanisms set for erasing or editing the Personal Data, as well as a description of the technical and organizational procedures related to the Data security and the Processing activities;
10. Providing the means necessary to prove the Processor’s commitment to implementing the provisions of this Law upon the request of the Controller and enabling the Center to conduct inspections and to supervise in order to ensure the commitment to such undertaking.

11. Obtaining a License or a Permit from the Center in order to handle Personal Data.

12. Processors outside of the Arab Republic of Egypt are required to appoint a representative in the Arab Republic of Egypt in accordance with the Executive Regulations.

If there is more than one Processor, each Processor shall abide by all the obligations stipulated under this Law, if there is no agreement to specify the obligations and liabilities of each Processor clearly.

The Executive Regulations shall specify the policies, procedures, regulations, conditions and technical criteria for such obligations.

Third: Conditions of Processing

Article (6)

Electronic Processing shall be considered legitimate and legal in the following cases:

1. If the Data Subject consents to the Processing for the achievement of one or more specific purpose(s).

2. If the Processing is necessary and essential for the performance of a contractual obligation, a legal action, the execution of an agreement for the benefit of the Data Subject or the undertaking of any procedure with respect to claiming or defending the Data Subject's legal rights.

3. If the Processing is necessary and essential for the performance of the data controller’s obligations or any relevant person to practice his legitimate rights unless such matter contradicts the basic rights and freedoms of the Data Subject.

4. Allowing the Controller to perform his obligations or any relevant person to practice his legitimate rights unless such matter contradicts the basic rights and freedoms of the Data Subject.

5. If the Processing is necessary and essential for the performance of the data controller’s obligations or any relevant person to practice his legitimate rights unless such matter contradicts the basic rights and freedoms of the Data Subject.

6. If the Processing is necessary and essential for the performance of the data controller’s obligations or any relevant person to practice his legitimate rights unless such matter contradicts the basic rights and freedoms of the Data Subject.

7. If the Processing is necessary and essential for the performance of the data controller’s obligations or any relevant person to practice his legitimate rights unless such matter contradicts the basic rights and freedoms of the Data Subject.

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10. If the Processing is necessary and essential for the performance of the data controller’s obligations or any relevant person to practice his legitimate rights unless such matter contradicts the basic rights and freedoms of the Data Subject.

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45. If the Processing is necessary and essential for the performance of the data controller’s obligations or any relevant person to practice his legitimate rights unless such matter contradicts the basic rights and freedoms of the Data Subject.

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48. If the Processing is necessary and essential for the performance of the data controller’s obligations or any relevant person to practice his legitimate rights unless such matter contradicts the basic rights and freedoms of the Data Subject.

49. If the Processing is necessary and essential for the performance of the data controller’s obligations or any relevant person to practice his legitimate rights unless such matter contradicts the basic rights and freedoms of the Data Subject.

50. If the Processing is necessary and essential for the performance of the data controller’s obligations or any relevant person to practice his legitimate rights unless such matter contradicts the basic rights and freedoms of the Data Subject.
Fourth: The Obligation to Notify and Inform

Article (7)

Each of the Controller and the Processor shall, as the case may be, and upon their knowledge of the occurrence of breach to Personal Data handled by them, inform the Center within seventy-two hours. In the event that this breach or violation relates to national security protection considerations, the notification shall be immediate. In all cases, the Center shall immediately notify the National Security Authorities and provide them, within seventy-two hours from the date of knowledge, with the following:

1. A description of the nature of the breach, its form, reasons and the approximate number of Personal Data affected and their records;
2. The information of the relevant Data Protection Officer;
3. The potential consequences of the breach;
4. A description of the procedures taken or proposed to be taken in order to address the breach and limit its negative consequences;
5. Documenting any breach or violation of Personal Data and the rectification procedures undertaken to address the breach;
6. Providing any documents, information or data requested by the Center.

In all cases, the Controller and the Processor shall, as the case may be, notify the Data Subject, within three days from the date of notification, with the procedures undertaken in relation to the Personal Data Breach.

The Executive Regulations of this Law shall determine the procedures relating to the obligation to notify and inform.

Chapter Four

The Data Protection Officer

مسؤول حماية البيانات الشخصية

رابعاً: الالتزام بالإخطار والإبلاغ

مادة (7)

يلتزم كل من المتحكم والمعالج، بحسب الأحوال، حال علمه بوجود خرق أو انتهاك للبيانات الشخصية لديه بإبلاغ المركز خلال الاثنين وسبعين ساعة. وفي حالة كان هذا الخرق أو الانتهاك متعلقاً بالاعتبارات حماية الأمن القومي، فيكون الإبلاغ فورياً، وعلى المركز وفي جميع الأحوال إخطار الجهات الأمن القومي بالواقعة فوراً. كما يلتزم بمواجهته خلال الاثنين وسبعين ساعة من تاريخ علمه بما يأتي:

1. وصف طبيعة الخرق أو الانتهاك، وصورة وأسبابه والعدد التقريبي للبيانات الشخصية وسجلاتها.
2. بيانات مسئول حماية البيانات الشخصية لديه.
3. الأثار المحتملة لحادث الخرق أو الانتهاك.
4. وصف الإجراءات المتخذة والمقترح تنفيذها لمواجهة هذا الخرق أو الانتهاك والتقليل من آثار السلبية.
5. توقيع أي خرق أو انتهاك للبيانات الشخصية، والإجراءات التصحيحية المتخذة لمواجهته.
6. أي وثائق أو معلومات أو بيانات يطلبها المركز.

وفي جميع الأحوال يجب على المتحكم والمعالج، بحسب الأحوال، إخطار الشخص المعني بالبيانات خلال ثلاثة أيام عمل من تاريخ الإبلاغ وما تم اتخاذه من إجراءات ومهمة تنفيذ هذه القانون الإجراءات الخاصة بالإبلاغ والمخاطر.
First: Appointment of the Data Protection Officer

Article (8)

The Center shall create a record for the information of Data Protection Officers. The Executive Regulations shall specify the conditions and procedures for registration and the mechanisms thereof.

The legal representative of the juristic person, with respect to any Controller or Processor, shall appoint within its legal entity and its personnel structure, a competent employee to be responsible for the protection of Personal Data, by registering such employee in the record designated for the Data Protection Officers held at the Center and shall announce the same.

Natural persons who are Controllers or Processors who is a natural person, shall be responsible for the application of the provisions of this Law.

Second: The Obligations of the Data Protection Officer

Article (9)

The Data Protection Officer shall be responsible for the enforcement of the provisions of this Law, its Executive Regulations, and the decisions of the Center, as well as monitoring the procedures applicable within its relevant legal entity and supervising the application of such procedures thereof, in addition to receiving requests related to Personal Data, as per the provisions of this Law:

The Data Protection Officer shall, in particular, undertake the following:

1. Perform a regular evaluation and inspection of the Personal Data protection system and prevent its breach as well as certify the results of such evaluation and issue the necessary recommendations for its protection.

2. Work as a direct contact point with the Center and implement its decisions, with respect to the application of the provisions of this Law.
3. Allow the Data Subject to practice its rights as stipulated in this Law.

4. Notify the Center of the occurrence of any Personal Data Breach.

5. Respond to the requests presented from the Data Subject or any relevant person and respond to the complaints they may submit to the Center in accordance with this Law.

6. Monitor the registration and the updating of Personal Data record held by the Controller, or the Processing activities record held by the Processor, to guarantee the accuracy of the data and information recorded therein.

7. Eliminate any transgressions related to Personal Data within its entity and undertaking the related rectification procedures related.

8. Organize the necessary training programs for the employees of the relevant legal entity for their qualifications to be in conformity with the requirements of this Law.

The Executive Regulations of this Law shall specify the obligations, procedures, and other tasks that the Data Protection Officer shall perform.

Chapter Five
(The Procedures of Granting Access to Personal Data)

Article (10)

The Controller, Processor or Holder shall, upon request, grant access to the Personal Data under the following procedures:

1. The request shall be in written form and submitted by a relevant person or according to a legal deed.

2. Examine the documents necessary to be submitted to be granted access to the Personal Data and retain such documents.
A decision shall be made in relation to the request and its supporting documents within six working days as of the date of its submission. The lapse of the mentioned period without any decision shall be considered a rejection.

Article (11)

Digital evidence derived from Personal Data pursuant to the provisions of this Law, shall have the same evidential weight as evidence derived from written data and information, provided that it fulfils the criteria and technical conditions mentioned in the Executive Regulations.
Chapter Six
Sensitive Data

Article (12)

The Controller or the Processor whether, a natural or juristic person, is prohibited from collecting, transferring, storing, saving, Processing Sensitive Personal Data, or Granting Access to such Personal Data except by virtue of a License issued from the Center.

With exception to the cases authorized by Law, the Controller or the Processor must obtain the explicit written consent of the Data Subject.

In case of undertaking any of the above activities in relation to children data, the legal guardian's consent is required.

The participation of a child in a game, competition or any other activity shall not be conditioned on the submission of the child's Personal Data in excess of that which is required for participation therein.

This Article shall be applied in accordance with the criteria and regulations specified by the Executive Regulations.

Article (13)

In addition to the obligations mentioned in Article (9) of this Law, the personnel in charge of securing the Personal Data held by the Controller or the Processor shall follow and implement the security policies and procedures necessary for avoiding any breach or violation of Sensitive Data.

Chapter Seven
Cross Border Movement of Personal Data

Article (14)

Transferring or sharing, or storing of Personal Data that is collected or prepared for Processing, to a foreign country, shall be prohibited unless such country guarantees a level of protection of Personal Data, that does not fall below that which is stipulated in this Article.
under this Law, and subject to obtaining a relevant License or Permit from the Center.

The Executive Regulations of this Law shall specify the policies, criteria, regulations and rules necessary for transferring, sharing, Processing or Granting Access to Personal Data across borders and its security thereof.

Article (15)

Notwithstanding Article (14) of this Law, in the event the direct consent of the Data Subject or his representative is obtained, transferring, sharing, circulating or Processing Personal Data to a country that does not offer the level of Protection stipulated in the previous article, may take place in the following cases:

1. To protect the life of the Data Subject and provide them with medical care or treatment or the operation of health services.
2. To perform obligations in order to prove the existence of a legal right or to exercise or defend such right before the judiciary.
3. To fulfill or execute an agreement entered into or, to be entered into, between the Processor and third parties, for the benefit of the Data Subject.
4. To perform a procedure relating to international judicial cooperation.
5. When necessary, or required by law, in order to protect the public interest.
6. To transfer money to another country pursuant to laws of that country which are specific and in force.
7. If the transfer or circulation is pursuant to a bilateral or multilateral international agreement that Egypt is a party thereto.

Article (16)

The Controller or the Processor may, as the case may be, Grant Access to Personal Data to another Controller or Processor outside the Arab Republic of Egypt by virtue of a License from the Center provided that the following conditions have been met:
1. If there is conformity between the nature of work of either of the Controllers or Processors, or unity between the purpose for which they obtain the Personal Data.

2. If either of the Controllers or Processors, or the Data Subject, have a legitimate interest in the Personal Data.

3. The level of legal and technical protection of the Personal Data offered by the Controller or Processor abroad shall not fall below the level of protection provided in the Arab Republic of Egypt.

The Executive Regulations of this Law shall specify the necessary conditions, procedures, safeguards, criteria and rules.

Chapter Eight
Electronic Marketing

Article (17)

Any electronic communication for the purpose of direct marketing to the Data Subject shall be prohibited unless the following conditions are met:

1. Obtaining the consent of the Data Subject.

2. The communication shall include the identity of its creator and sender.

3. The sender shall have a valid address in order to be reached.

4. The communication must indicate that its purpose is direct marketing.

5. Setting clear and uncomplicated mechanisms to allow the Data Subject to refuse electronic communication or to withdraw his consent to receiving such communication.
Article (18)

The sender of any electronic communication for the purpose of direct marketing shall undertake the following:

1. Specifying a defined marketing purpose.
2. Not disclosing the contact details of the Data Subject.
3. Maintain electronic records evidencing the consent of the Data Subject to receive Electronic Marketing communication and any amendments thereof, or their non-objection to its continuity for a duration of three years from the date the last communication has been sent.

The Executive Regulations shall set forth the necessary rules, conditions, and regulations related to direct Electronic Marketing.

Chapter Nine
Personal Data Protection Center

Article (19)

A public economic authority, named the "Personal Data Protection Center" shall be established under the authority of the Competent Minister and shall have a legal personality, and its headquarters shall be in Cairo or one of its neighboring governorates. Such authority shall aim to protect Personal Data and regulate the activities of Processing and Granting Access to such Personal Data. It shall practice all the competences stipulated in this Law for the purpose of achieving its objectives. Particularly, such authority has the right to the following:

- Setting and developing the policies and strategic plans as well as the programs necessary for protecting Personal Data and their execution thereof.
- Unifying the policies and plans to secure and Process Personal Data within the Arab Republic of Egypt.
- Setting and applying the decisions, regulations, safeguards, procedures and criteria related to the protection of Personal Data.
- وضع وتطبيق القرارات والضوابط والتدابير والإجراءات والمعايير الخاصة بحماية البيانات الشخصية.
- Setting a guidance framework for the behavior blogs related to the protection of Personal Data and the approval of the behavior blogs of different entities.
- وضع إطار إرشادي لمدونات السلوك الخاصة بحماية البيانات الشخصية، واعتماد مدونات السلوك الخاصة بالجهات المختلفة.
- Organizing and cooperating with all the entities, governmental and non-governmental bodies in guaranteeing Personal Data protection procedures and communicating with all related initiatives.
- التنسيق والتعاون مع كافة الجهات والأجهزة الحكومية وغير الحكومية في ضمان إجراءات حماية البيانات الشخصية، والتواصل مع كافة المبادرات ذات الصلة.
- Supporting the development of the competence of the personnel working in all the governmental and non-governmental entities that work on the protection of Personal Data.
- دعم تطوير كفاءة الكوادر البشرية العامة في كافة الجهات الحكومية وغير الحكومية لحماية البيانات الشخصية.
- Issuing licenses, permits, certifications and various measures related to the protection of personal data and apply the provisions of this Law.
- إصدار التراخيص أو التصاريح والموافقة والتدابير المختلفة المتعلقة بحماية البيانات الشخصية وتطبيق أحكام هذا القانون.
- Accrediting entities or individuals and granting them permits to provide consultation in relation to Personal Data protection measures.
- اعتماد الجهات أو الأفراد، ومنحهم التصاريح التي تتيح لهم تقديم الاستشارات في إجراءات حماية البيانات الشخصية.
- Receiving complaints and communications related to the provisions of this Law and issuing the necessary related decisions.
- تلقي الشكاوى والبلاغات المتعلقة بأحكام هذا القانون، وإصدار القرارات اللازمة.
- Commenting on various draft laws and international agreements that relate to, regulate, or the provisions of which directly or indirectly have an effect on, Personal Data.
- إبداء الرأي في مشروعات القوانين المختلفة والاتفاقيات الدولية التي تنظم أو تتعلق أو تعكس نصوصها بصورة مباشرة أو غير مباشرة عليها.
- Controlling and investigating the addressees of the provisions of this Law, and take the necessary legal procedures.
- الرقابة والتفتيش على المخاطبين بأحكام هذا القانون، واتخاذ الإجراءات القانونية اللازمة.
- Verifying the conditions of Cross Border Movement of Personal Data and taking decisions governing such movements.
- التحقق من شروط حركة البيانات عبر الحدود، واتخاذ القرارات المنظمة ليا.
- Organizing conferences, workshops, training and educational courses and issuing publications to raise awareness and to educate individuals and entities about their rights in relation the Personal Data.
- تنظيم المؤتمرات وورش العمل والدورات التدريبية والتنقية، وإصدار المطبوعات لنشر الوعي والتنقية للأفراد والجهات حول حقوقهم فيما يتعلق بالتعامل على البيانات الشخصية.
- Providing all types of expertise and advice related to the protection of Personal Data, in particular to investigative authorities and the judiciary.

- Entering into agreements and memorandums of understanding, coordination, cooperation, and knowledge exchange agreements, with international entities which are relevant to the Center's work, and in accordance with the rules and regulations set forth in this regard.

- Issuing circulars which update the Personal Data protection measures, in accordance with the activities of different sectors and with the Center's recommendations.

- Preparing and issuing an annual report on the status of protection of Personal Data in the Arab Republic of Egypt.

Article (20)

The Center shall have a board of directors chaired by the Competent Minister and a member of each of the following:

1. A representative of the Ministry of Defense chosen by the Minister of Defense.

2. A representative of the Ministry of Interior chosen by the Minister of the Interior.

3. A representative of the General Intelligence Service chosen by the Head of the Agency.

4. A representative of the Administrative Control Authority selected by the Chairman of the Authority.

5. A representative of the Information Technology Industry Development Authority chosen by the Chairman of the Board of Directors of the Authority.

6. A representative of the National Telecommunications Regulatory Authority chosen by the Chairman of the Authority.

7. The Center's Chief Executive Officer.

8. Three experts chosen by the Competent Minister.
The board of directors’ membership shall be of a term of three years, subject to renewal. A Decree from the Prime Minister shall establish the board of directors and determine the financial treatment of its members.

The board of directors may form amongst its members, one or more committees assigned to them on a temporary basis, and may delegate the Chairman of the Board or the Chief Executive Officer of the Center in some of its competencies.

Article (21)

The Center's board of directors shall be the dominant authority over its affairs, It may take whatever decision it deems necessary in pursuance of the purposes of the Center, the Law and its Regulations, and in particular the following:

- Adopting the necessary policies, strategic plans and programs for the protection of Personal Data.
- Approving the regulations, controls, measures and standards for the protection of Personal Data.
- Approving international cooperation and knowledge exchange plans with international entities and organizations.
- Approving the organizational structure, the financial and administrative regulations, the human resources and the annual budget of the Center.
- Approving the establishment of the Center's offices or branches all over the Republic.
- Accepting grants, funds and donations necessary to achieve its purposes after obtaining the approvals required by law.

Article (22)

The board of directors of the Center shall meet upon the invitation of its Chairman at least once every month, and whenever necessary. The meeting shall be valid in the event the majority of board members attend. Resolutions shall be issued by a two thirds majority of the members in attendance. The
Chairman may invite any person to attend the meeting without exercising a right to vote.

**Article (23)**

The Center shall have a chief executive officer who shall be appointed and whose financial treatment shall be determined by a decree of the Prime Minister, upon the proposal of the Competent Minister, for a term of four years, open to renewal once.

The chief executive officer shall be responsible in front of the board of directors for the technical, administrative and financial dealings of the Center, and shall represent the Center in its dealings with third parties and before the judiciary.

The chief executive officer, enjoys in particular the following competencies:

1. Supervising the implementation of the board of directors' resolutions.
2. Managing and supervising the work of the Center, and its dealings.
3. Submitting periodic reports to the board of directors on the Center's activity, work progress, and in relation to what has been achieved in accordance with the objectives, plans, and programs developed, and identify the obstacles to performance, and the solutions proposed to address them.
4. Exercising other competencies determined by the Center's regulations.
5. Taking all necessary actions to enforce all the functions and competences of the Center mentioned in Article (21) of this Law.

The Chief Executive Officer shall be assisted by a sufficient number of experts, technicians and administrators in accordance with the organizational structure of the Center.

**Article (24)**

The members of the board of directors of the Center and its employees shall be prohibited from disclosing any of the provisions of this Law, Documents, or data
relating to cases monitored or examined by the Center, or which are submitted or circulated during the examination or issuance of decisions thereto. This obligation shall remain in force after the termination of the relationship with the Center.

In all cases, the information, records, documents and data referred to may only be disclosed to the investigating authorities and judicial authorities.

Article (25)
The Center, in coordination with the competent authorities, may cooperate with its counterparts in foreign countries, within the framework of international, regional and bilateral cooperation agreements or ratified cooperation protocols or in the application of the principle of reciprocity, in order to protect Personal Data and verify the extent of compliance with the law by Controllers and Processors outside Egypt. The Center shall operate to exchange data and information in a manner that will ensure the protection of Personal Data and the non-violation thereof, as well as assisting in the investigation of violations and relevant crimes and tracking the perpetrators.

Chapter 10
Licenses, Permits and Certifications
First: Types of Licenses, Permits and Certifications

Article (26)
The Center shall issue Licenses, Permits or Certifications as follows:

1. The Center shall classify and determine the types of Licenses, Permits and Certifications, and establish conditions for each type thereof, in accordance with the provisions of the Executive Regulations.

2. Issuing the License or Permit for the Controller or Processor to perform data safeguarding, handling and Processing operations in accordance with this Law.
3. Issuing Licenses or Permits for direct Electronic Marketing.

4. Issuing Licenses or Permits for Processing of Personal Data undertaken by associations, unions or clubs for the members of these entities and in the framework of their activities.

5. Issuing Licenses or Permits for means of visual surveillance in public places:

6. Issuing Licenses or Permits for the control and processing of Sensitive Data.

7. Issuing Permits and Certifications for individuals and entities to allow them to provide consultancy services on procedures for the protection of Personal Data and compliance procedures.

8. Issuing Licenses and Permits for the Cross-Border Movement of Personal Data.

The executive regulations shall specify the types, specifications, levels, Permits, Licenses, Certifications, procedures and conditions of issuance and forms used, and this in return for no more than two million pounds for issuance of the License, and no more than five hundred thousand pounds for issuance of a Permit or Certification.

Second: The Procedures of Issuance of Licenses, Permits and Certifications

Article (27)

Applications for Licenses, Permits And Certifications shall be submitted on the forms produced by the Center attaching all supporting documents and information requested to be submitted, with proof of the applicant’s financial ability and his ability to implement the requirements and technical standards stipulated, a decision shall be taken in relation to the request within a period not exceeding ninety days from the date of completing all the documents and information. If such period is exceeded, the request shall be considered rejected.

The Center may request other data, papers or documents to take a decision in relation to the request, and has the right to request the submission of the following documents:

- Supporting documents
- Proof of the applicant's financial ability
- Proof of the ability to implement the requirements and technical standards

Second: إجراءات إصدار التراخيص والتصاريح والاعتمادات

مادة (٢٧)

تقدم طلبات التراخيص والتصاريح والاعتمادات على النماذج التي يضعها المركز مشفوعة بجميع المستندات والمعلومات التي يحددها. مع تقديم ما يثبت قدرة المتقدم المالية وقدرته على توفير وتنفيذ المتطلبات والمعايير الفنية المحددة، ويتطلب في الطلب خلال مدة لا تتجاوز سبعين يوما من تاريخ استيفائه لجميع المستندات والمعلومات وإلا اعتبار الطلب مرفوضا.

ويجوز للمؤسسات والأفراد الراغبون أو المستفيدين المختلفة في الطلبات أن يطلبوا معلومات إضافية لحماية البيانات.
Third: Amendments of the License and Permit Conditions

Article (28)

In accordance with public interest considerations, the Center may amend the License or the Permit conditions after its issuance in any of the following cases:

1. Respond to relevant international, regional or national laws.
2. At the request of the licensee.
3. The merger of the Controller or the Processor with others inside or outside the Arab Republic of Egypt.
4. If the amendment is necessary to achieve the objectives of this Law.

Fourth: Cancellation of the Licenses, Permits and Certifications

Article (29)

The Center may cancel the License, Permit or Certification after its issuance in one of the following cases:

1. Breach of the License, Permit or Certification.
2. Non-payment of the License, Permit or Certification renewal fees.
3. Repeated non-compliance with the Center’s decisions.
4. Assignment of the License, Permit or Certification to others without the Center’s approval.
5. Issuance of a bankruptcy judgment in relation to the Controller or the Processor.

Fifth: Administrative Sanctions

Article (30)

Without prejudice to civil and criminal liability provisions under the law, the Center’s chief executive officer shall send the violator a warning and grant him a period to stop the violation and remove its causes and effects. If the period lapses without the violator abiding by the contents of the warning, the Center’s board of directors shall issue a reasoned decision of the following:

1. A warning of the partial or total suspension of the License, Permit or Certification for a specified period.
2. Suspension of the License, Permit or Certification in part or in whole.
3. Cancellation or revocation of the License, Permit or Certification in part or in whole.
4. Publishing a statement of the violations proven against the violator in one or more media means with a far-reaching audience, the cost of which shall be borne by the violator.
5. Subjecting the Controller or the Processor to the Center’s technical supervision to ensure the protection of Personal Data at his own cost, as applicable.

Chapter 11

The Budget and the Financial Resources of the Center

Article (31)

The Center has a special budget that is prepared based on the model of economic authorities in accordance with the rules determined by the Center’s regulations and following the rules of the standardized accounting system, without being subject to governmental rules or systems. The Center's fiscal year starts and ends with the state's fiscal year. The Center has its own bank account at the Central Bank of Egypt in which its funds are deposited. The Center may open an account in any commercial bank after the approval of the Minister of Finance. The Center's budget surplus shall be transferred on a year-to-year
Disbursement of the Center's funds shall be made in accordance with the financial regulations and in the areas determined by its board of directors, and its sources of funding consist of the following:

1. Its allocated share from the budget of the Information Technology Industry Development Agency.
2. One third of the proceeds of fines imposed in the application of the provisions of this Law.
3. The cost of the services provided by the Center.
4. Issuance fees for Licenses, Permits and Certifications and the value of financial settlements.
5. Return on the Center's invested capital.
6. Grants, donations and gifts accepted by the board of directors.

Chapter 12
Requests and Complaints

First: Requests

Article (32)
The Data Subject and any relevant person may submit a request to any Holder, Controller or Processor to exercise his rights stipulated by this Law and the party receiving such request is committed to replying within six working days from the date of submission.

Second: Complaints

Article (33)
Without prejudice to the right initiate judicial proceedings; the Data Subject and any relevant person has the right to submit a complaint in any of the following cases:

1. Infringement or breach of the right to the protection of Personal Data.
2. Failure to enable the Data Subject to exercise his rights.
3. In relation to the decisions issued by the Data Protection Officer for the Personal Data held by the Processor or the Controller in relation to the requests submitted thereunder.

The complaints are submitted to the Center who has the right to take the necessary investigative actions. The decision shall be issued within thirty working days from the day of submission. The person submitting the complainant and the counterparty shall both be notified with the decision.

The person against whom the complaint was submitted shall execute the Center's decision within seven working days from the notification date and notify the Center of such execution.

Chapter 13
Judicial Seizure

Article (34)

The Center's employees, selected by a decision of the Minister of Justice upon the proposal of the Competent Minister, shall have powers of judicial seizure in relation to violations of this Law.

Chapter 14
Crimes and Sanctions

Article (35)

Without prejudice to any sanctions mentioned under any other law and without prejudice to the injured party's right to seek damages, the following articles stipulate the sanctions for violations under this Law.

Article (36)

Anyone, who collected, Processed, disclosed, Granted Access or circulated Personal Data by any means except in the cases authorized by law, or without the consent of the Data Subject, shall be penalized with a fine not less than one hundred thousand Egyptian Pounds and not exceeding one million Egyptian Pounds.
The Penalty shall be imprisonment for a period not less than 6 months, and a fine not less than two hundred thousand Egyptian Pounds and not exceeding two million Egyptian Pounds in the event that the above is committed in exchange for obtaining a material or moral benefit or with the intention of exposing the Data Subject to danger or harm.

Article (37)

Each Holder, Controller or Processor who refused without legal justification, to let the Data Subject exercise his rights, stipulated in Article (2) of this Law, shall be sanctioned with a fine not less than hundred thousand Egyptian Pounds and not exceeding one million Egyptian Pounds.

Anyone who collected Personal Data without the complying with provisions stipulated in Article (3) of this Law shall be penalized with a fine not less than two hundred thousand Egyptian Pounds and not exceeding two million Egyptian Pounds.

Article (38)

Each Controller or Processor who did not perform his obligations under articles (4,5,7) of this Law shall be sanctioned with a fine not less than three hundred thousand Egyptian Pounds and not exceeding three million Egyptian Pounds.

Article (39)

Each legal representative of a juristic person who did not adhere to their obligations under Article (8) of this Law shall be penalized by a fine not less than two hundred thousand Egyptian Pounds and not exceeding two million Egyptian Pounds.

Article (40)

Each Data Protection Officer responsible for the protection of Personal Data who did not abide by his job requirements stipulated in article (9) of this Law shall be penalized by a fine not less than two hundred thousand Egyptian Pounds and not exceeding two million pounds Egyptian Pounds.
If a violation occurs as a result of the negligence of the Data Protection Officer, the penalty shall be a fine not less than fifty thousand Egyptian Pounds and not exceeding five hundred thousand Egyptian Pounds.

Article (41)

Each Holder, Controller or Processor who collected, divulged, disclosed, stored, transmitted, saved, or Granted Access to Sensitive Data without the consent of the Data Subject or in cases other than the ones authorized by law, shall be sentenced to imprisonment for a duration not less than three months and a fine not less than five hundred thousand Egyptian Pounds and not exceeding five million Egyptian Pounds or by either of these penalties.

Article (42)

Each person who violates the conditions of Cross Border Movement of Personal Data stipulated under Articles (14, 15, and 16) shall be sentenced to imprisonment for a period not less than three months and a fine not less than five hundred thousand Egyptian Pounds and not exceeding five million Egyptian Pounds or by either of these penalties.

Article (43)

Each person who violates the Electronic Marketing provisions stipulated under Articles (17 and 18) of this law shall be penalized by a fine not less than two hundred thousand Egyptian Pounds and not exceeding two million Egyptian Pounds.

Article (44)

Each member of the board of directors or one of the Center's employees who violates the obligations stipulated under article (24) of this law shall be penalized by a fine not less than three hundred thousand Egyptian pounds and not exceeding three million Egyptian Pounds.

Article (45)
Each person who violates the provisions relating to Licenses, Permits or Certifications stipulated under this Law shall be penalized by a fine not less than five hundred thousand Egyptian Pounds and not exceeding five million Egyptian Pounds.

Article (46)

Each person who prevents any of the Center’s employees who has police powers from performing his work shall be sentenced to imprisonment for a duration not less than six months and a sanction not less than two hundred thousand pounds and not exceeding two million pounds or by one of those two sanctions.

Article (47)

The de facto manager of the violating juristic person shall be penalized with the same sanctions stipulated for violations of this Law, if it is proven that the manager knew about the juristic person violation of the Law and if his breach of the duties imposed by the juristic person contributed to the violation.

The juristic person is jointly responsible for the payment of damages, if the violation is committed by one of its employees, under its name and for its account and benefit.

Article (48)

In all cases, and in addition to penalties set forth under this Law, the court stipulates that the conviction be published in two widely published newspapers and on the internet at the expense of the convict.

In case of recidivism, the sanctions stipulated in this chapter will be doubled with their minimum and maximum limits.

The attempt to commit violations under this Law is sanctioned with half the prescribed sanctions.

Settlement

Article (49)
At any stage of the criminal proceedings and before the issuance of a final judgment, the defendant may evidence the settlement with the claimant, his representative or his general successor with the Center’s approval before the public prosecutor’s office or the competent court in respect of the violations stipulated under articles (35, 36, 37, 38, 39, 40, 41 and 43) of this Law.

Settlement with relation to the violations stipulated under articles (42, 44 and 45) of this Law may be reached with the Center at any stage of the proceedings.

In all cases, the defendant who seeks settlement before the initiation of criminal proceedings, shall pay an amount equivalent to half of minimum fine set forth for the violation.

The defendant who seeks settlement after the initiation of criminal proceedings and before the issuance of a final judgment, shall pay half of the maximum fine set forth for the violation or the adjudicated fine, whichever is higher.

The payment shall be made to the competent Court’s treasurer, the public prosecutor’s office or the Center, as the case may be.

Settlement entails the lapse of criminal proceedings without any effect on the rights of the victim of the violation.