



**SDAIA**

الهيئة السعودية للبيانات  
والذكاء الاصطناعي  
Saudi Data & AI Authority

# Draft Rules Governing the Issuance of Accreditation Certificates for Personal Data Protection

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Draft for Public Consultation

# Rules Governing the Issuance of Accreditation Certificates for Personal Data Protection

## Chapter One: Definitions, Scope, and Objectives

### Article 1: Definitions

The Terms and Phrases set forth in these Rules shall bear the meanings assigned to them in Article (1) of the Personal Data Protection Law issued pursuant to Royal Decree No. (M/19), dated 9/2/1443 AH, and its amendments, as well as Article (1) of the Implementing Regulation of the Law and the Regulation on Personal Data Transfer Outside the Kingdom. Unless the context requires otherwise, the following terms and expressions, wherever mentioned in these Rules, shall have the meanings expressed herein.

1. **The Rules:** The rules governing the issuing of accreditation certificates.
2. **The Licensee:** The entity authorized by the Competent Authority to engage in the activity of issuing accreditation certificates to applicants.
3. **Applicant:** A Controller or Processor—operating either within or outside the Kingdom—that submits an application for an accreditation certificate to a licensee.
4. **Accreditation Certificates:** Certificates issued by the Licensee to the Applicant, confirming that the practices and procedures followed by the

Applicant in processing personal data comply with the provisions of the Law, the Regulations, and the requirements provided for in these Rules.

5. **Evaluation Report:** A report prepared by the Licensee that includes the results of the evaluation of the practices and procedures followed by the Applicant in processing personal data pursuant to the provisions of the Law and the Regulations.
6. **Competent Authority Platform:** An electronic platform affiliated with the Competent Authority aims to provide services that support the application of the provisions of the Law and regulations.

## **Article 2: Scope and Objectives:**

The Rules shall apply to entities subject to the provisions of the Personal Data Protection Law that submit an application for accreditation certificates to the Licensee. The objectives of these Rules are to:

1. Enhance the performance of entities subject to the Law in aspects related to practices and procedures for personal data protection.
2. Build trust among data subjects in the practices and procedures adopted by Controllers and Processors when handling personal data.

## **Chapter Two: Requirements for Obtaining Accreditation Certificates**

### **Article 3: General Requirements for Accreditation Certificates**

**The Applicant shall meet the following requirements:**

1. The Applicant's practices and procedures for personal data processing activities shall comply with the provisions of the Law and the Regulations. This shall be determined by an evaluation conducted by the Licensee as per the instructions issued by the Competent Authority.
2. The Applicant shall disclose any prior complaints filed against them pursuant to the application of the provisions of the Law and the Regulations and shall certify that no complaints are currently pending at the time of submitting the accreditation application.
3. The Applicant shall disclose any violations of the provisions of the Law previously identified by the Competent Authority.

The Competent Authority is entitled to undertake all necessary measures to verify compliance with the requirements provided for in this Article and shall ensure that no ongoing evidence-gathering proceedings exist regarding any alleged violations of the provisions of the Law by the Applicant.

#### **Article 4: Requirements for Obtaining Accreditation Certificates**

**An Applicant shall have the following in place:**

1. The technical tools necessary to perform personal data processing and protection activities in compliance with the provisions of the Law and the Regulations. These activities shall be carried out by personnel who are legally and technically qualified, with a minimum of five (5) years of professional experience in such fields.

2. Duly approved documentation detailing the organizational, administrative, and technical measures, procedures, and practices followed when processing personal data, including the measures to ensure the security of personal data.
3. Requirements prescribed by the Licensee, aligned with the provisions of the Law and the Regulations, in addition to any requirements issued by the Competent Authority regarding the compliance with the provisions of the Law and the Regulations.

## Chapter Three: Application Procedures for Accreditation

### Certificates

#### Article 5: Application for Accreditation Certificates

1. The Applicant shall verify the list of Licensees published on the Competent Authority's platform.
2. A copy of the supporting documents demonstrating compliance with the requirements provided for in Articles (3) and (4) of these Rules shall be submitted.
3. The Applicant shall fulfill any additional requirements related to the application submission process, including approved methods and channels, as determined by the Competent Authority in accordance with the provisions of the Law and the Regulations.

#### Article 6: Evaluation of the Application for Accreditation Certificates

1. The Licensee shall evaluate the application in accordance with the

requirements provided for in Articles (3) and (4) of these Rules. The application shall be reviewed, and the evaluation report issued within a maximum of ninety (90) business days from the date of receipt. The Applicant shall be notified of the evaluation result, which shall be presented in documented form along with its justifications.

2. If the application is rejected, the Applicant may submit a subsequent application upon addressing the issues that led to the rejection of their prior application.
3. Upon approval of the application, the Licensee shall issue the accreditation certificate and provide the Applicant with a copy of the report detailing the evaluation results.

#### **Article 7: Technical Elements of the Accreditation Certificate**

The accreditation certificate shall include, at a minimum, the following technical elements:

1. The accreditation certificate number.
2. Information about the entity to which the accreditation certificate is issued, including its contact details.
3. The date of issuance of the accreditation certificate and the duration of its validity.
4. Information about the Licensee authorized to issue the accreditation certificate, including its contact details.

The Competent Authority has the right to require additional elements for the issuance of the accreditation certificate.

### **Article 8: Obligations of the Parties**

1. The entity that received the accreditation certificate shall ensure the continuous training and development of personnel involved in personal data processing, in accordance with the provisions of the Law and the Regulations. The entity shall also support its personnel in obtaining relevant professional certifications to enhance their competencies.
2. The entity that received the accreditation certificate shall notify the Licensee if it becomes unable to comply with any provisions of the Law, the Regulations, or the requirements set forth in Articles (3) and (4) of these Rules. Upon such notification, the Licensee shall reassess the entity's eligibility to retain the accreditation certificate.
3. If the accreditation certificate is issued to an entity located outside the Kingdom, the entity shall notify the Licensee of any changes in the regulatory requirements or practices within its jurisdiction that conflict with the requirements set forth in Articles (3) and (4) of these Rules.
4. The Licensee shall conduct audits and assessments at least once annually, or as deemed necessary, to ensure that the entity holding the accreditation certificate remains compliant with the provisions of the Law, the Regulations, and the requirements set forth in Articles (3) and (4) of these Rules.

5. The Competent Authority may instruct the Licensee to reassess the validity of the accreditation certificate if the entity holding the accreditation certificate is found to be in violation of any provisions of the Law, the Regulations, or the requirements set forth in Articles (3) and (4) of these Rules.
6. A Processor located outside the Kingdom and holding an accreditation certificate under these Rules shall cooperate fully with the Competent Authority and the Licensee regarding any requests under the Personal Data Protection Law, its Implementing Regulations, and these Rules.

## **Chapter Four: Duration, Renewal, or Revocation of Accreditation Certificates**

### **Article 9: Duration of the Accreditation Certificate**

The accreditation certificate shall be issued by the Licensee for a duration of two (2) years, starting from the date of issuance.

### **Article 10: Renewal of the Accreditation Certificate**

The entity holding the accreditation certificate may submit a renewal application to the Licensee no less than thirty (30) business days prior to its expiration date. Renewal shall be approved upon verification of compliance with the requirements set forth in Articles (3) and (4) of these Rules. The duration of the renewed accreditation certificate shall be equivalent to its original duration of validity.

## Article 11: Revocation or Cancellation of Accreditation Certificates

1. The Licensee may revoke the accreditation certificate in any of the following circumstances:
  - a. Failure of the entity holding the accreditation certificate to comply with the requirements set forth in Articles (3) and (4) of these Rules, the provisions of the Law and the Regulations, or any instructions issued by the Competent Authority or the Licensee regarding the accreditation certificate.
  - b. If the entity holding the accreditation certificate provides false information to the Licensee or fails to disclose information that it is obligated to provide for the purpose of obtaining the accreditation certificate.
2. The Competent Authority may notify the Licensee to revoke the accreditation certificate if it is determined that the entity holding the accreditation certificate has violated any of the provisions set forth in subparagraph (a) of paragraph (1) of this Article.
3. The Licensee shall notify the entity whose accreditation certificate has been revoked of the reasons for the revocation. The entity may, within thirty (30) business days from the date of revocation, either object to the Licensee's decision or rectify its status and submit evidence thereof, provided the revocation was made in accordance with subparagraph (a) of paragraph (1) of this Article.

4. The entity whose accreditation certificate has been revoked shall immediately cease its use and shall implement a plan to address all consequences arising therefrom.
5. Accreditation certificates issued to any entity under these Rules shall be deemed void in the following circumstances:
  - a. Transformation of the legal entity into a public entity.
  - b. The dissolution of the company in accordance with the provisions of the Companies Law.
  - c. The transformation, merger, or division of the company in accordance with the provisions of the Companies Law.

## Chapter Five: General Provisions

### Article 12: Conflict of Interest

Employees of the Licensee shall disclose any actual or potential conflict of interest with the Applicant.

### Article 13: Publication

The Competent Authority and the Licensee shall publish on their official websites a list of entities that have received accreditation certificates, including the duration of validity for each certificate and the official contact details of the certified entities.

### Article 14: Review and Amendment

The Competent Authority may, when deemed necessary, review these Rules and make any amendments or updates thereto.

## **Article 15: Entry into Force**

These Rules, along with any amendments or updates made thereto, shall enter into force on the date of their publication on the official website of the Competent Authority.

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