



GPA Global Privacy and Data Protection Awards 2024

Entry Form

To submit an entry to the GPA Global Privacy and Data Protection Awards please complete and email this form to secretariat@globalprivacyassembly.org **no later than 17 June 2024**.

Note: GPA member authorities can submit as many entries as they wish, but a separate form should be used for each different entry, submitted by the deadline above.

Languages: The GPA documentation Rule 6.2¹ applies.

1. CONTACT DETAILS FOR THIS ENTRY

Privacy/Data Protection

Authority: Dubai International Financial Centre

Person completing this form: Lori Baker
First name Last name

Job title: Director of Data Protection

Email address: lori.baker@difc.ae

2. ELIGIBILITY

By submitting this entry, I confirm that (*please tick all boxes to confirm*):

- The Authority is a member of the Global Privacy Assembly
- The initiative described in this entry was undertaken since January 2022 (2023?).
- I am aware that the information in the entry (other than the contact details in 1(a) above) will be publicised by the GPA Secretariat.

3. CATEGORIES

Please indicate which category you wish to enter.

*Please tick **one**; please use a separate form for each category you wish to enter:*

- Education and Public Awareness
- Accountability
- Dispute Resolution and Enforcement
- Innovation
- People's Choice

¹ [GPA Rules and Procedures](#), Rule 6.2 'Assembly documents':

Without prejudice to section 4.2, Assembly documents, including accreditation and observer applications may be submitted in English or in another language. In the latter case, the documents shall be accompanied by an English version. Members with the ability and the resources to do so are encouraged to translate proposed resolutions and other Assembly documents such as the Assembly Rules and Procedures.

4. DESCRIPTION OF THE INITIATIVE

a. Please provide a brief summary of the initiative (no more than 75 words)

Interoperability and Innovation – Regulation 10 and Advisory Committee

DIFC’s risk and outcomes-based approach to regulation provides a safe and collaborative environment for building innovative x-tech.

Innovation requires a progressive support framework, and related regulations must be administered in a mature yet flexible regime. Regulation 10, enacted September 1, 2023, and its supporting advisory committee create a platform for interoperability between the growing international landscape of AI laws and policies applicable controllers and processors.

b. Please provide a full description of the initiative (no more than 350 words)

Applying Regulation 10 requirements to AI systems should serve as further organisational measures to integrate into a robust data protection compliance program vis a vis the DIFC DP Law. The Commissioner’s objectives in issuing regulations, conducting use case testing and developing detailed guidance will better protect the Personal Data that forms the core of most processing operations. Further, these things protect the rights of data subjects to understand and, to the extent possible, control how their data is processed.

For instance, Regulation 10 activates a key protection provided for in the DP Law 2020 that until now has had limited exposure – that is, Article 29(1)(h)(ix), which states that where advanced technology is deployed that does not permit the exercise of data subjects’ rights the deployer / controller must provide sufficient notice in that regard and satisfy itself that the data subjects understand the impact. The regulation also requires evidence of privacy by design in such systems, and demonstrating accountability when a system is deployed.

Another key feature of Regulation 10 is that it creates space for DIFC to be a platform for interoperability of guidelines and principles in an environment where national governments and organisations are developing their own. Regulation 10 allows for a “plug and play” environment, where any template principles or frameworks, within reason and subject to consultation if requested by the Commissioner, can form the basis of generative technology development.

Regulation 10, is outcomes based, and looks to practical risk prevention procedures to safeguard Personal Data. Inherent in this approach is that a Deployer, Operator or Provider in its capacity as a Controller must by law assess whether it is conducting High Risk Processing even before the system has a chance to see the light of day, and take appropriate actions to:

- control the processing environment locally and internationally
- apply additional safety measures
- appoint a Autonomous Systems Officer
- assess ongoing risks of processing in such Systems

The advisory committee was established to provide best practice recommendations to the Commissioner for improvements in the Regulation and associated guidance.

c. Please explain why you think the initiative deserves to be recognised by an award
(no more than 200 words)

Regulation 10 marks a pivotal moment in data protection as it creates a unique platform to encourage interoperability among the diverse guidelines and principles issued by sovereign governments and NGO's. It aims to promote responsible and ethical personal data processing within AI and autonomous systems.

Regulation 10 is the first of its kind to address processing personal data in AI systems, an approach many governments and NGOs are taking now. The Advisory Committee is made up of experts from all fields, including other GPA members, CIPL, FPF and IAPP, and will set a high bar for accountability of the Commissioner in administering the Regulations.

One example of the Committee's work is establishing a governance framework and a robust accreditation and certification process applied where a System is used to engage in High Risk Processing Activities as per the DIFC DP Law. It will help to develop the obligations and "job description" of the Automated Systems Officer. Finally, Reg 10 will be the springboard for establishing an "accelerator" to review privacy by design built into a system. The accelerator will be compatible with any sandbox environment.

It is a forward thinking, innovative and interoperable piece of legislation supported by trusted advisors.

d. Please include a photograph or image, if you wish *(This will be published with your entry on the GPA website. The image can be pasted into the box below, be sent as an attachment or a link may be provided)*



e. Please provide the most relevant link on the authority's website to the initiative, if applicable *(The website content does not need to be in English)*

<https://www.difc.ae/business/registrars-and-commissioners/commissioner-of-data-protection/Regulation-10>

f. Please provide any other relevant links that help explain the initiative or its impact or success (e.g. links to news reports or articles):

Regulations:

https://edge.sitecorecloud.io/dubaiintern0078-difcexperie96c5-production-3253/media/project/difcexperiences/difc/difcwebsite/documents/laws--regulations/data_protection_regulations_final_2023.pdf

Guidance:

<https://www.difc.ae/business/registrars-and-commissioners/commissioner-of-data-protection/guidance> (please go to the “Lawful Processing” heading for guidance and FAQs on Reg 10 guidance)

News:

<https://www.difc.ae/whats-on/news/difc-enacts-amended-data-protection-regulations>

<https://www.edgemiddleeast.com/emergent-tech/dubai-difc-implements-regions-first-ai-data-regulation>