

Date: 20 December 2020

To: All ADGM Data Controllers.

OFFICE OF DATA PROTECTION CIRCULAR NO (3) OF 2020: CONFIRMS THE INVALIDATION OF EU-US PRIVACY SHIELD AS A PERSONAL DATA TRASFER MECHANISM.

The purpose of this circular is to update you that ADGM invalidated the EU-US privacy shield and remove it from the schedule (3), Data Protection Regulations 2015.

Following the Court of Justice of the European Union ruling in the Schrems II case on 16th of July 2020, has invalidated Privacy Shield as a legitimate transfer mechanism between the US and the EU / EEA.

The Office of Data Protection (ODP) confirms that the Abu Dhabi Global Market (ADGM) will not continue to recognise the EU-US Privacy Shield as a legitimate transfer mechanism for transferring personal data from ADGM jurisdiction to US. Consequently, ODP omit the EU-US Privacy shield from schedule (3), Data Protection Regulations 2015.

In accordance with Section 4 of the ADGM Data Protection Regulations 2015, the transfer of Personal Data to a recipient located in a jurisdiction outside ADGM may take place only if that jurisdiction is deemed to have an adequate level of protection for that personal data.

The Office of Data Protection (ODP) maintains [the list of Adequate Jurisdictions](#).

For all ADGM Data Controllers that transfer personal data to the US, please consider reviewing the transfer made by your entity outside of the ADGM to ensure they are compliant with Section 4 of the ADGM Data Protection Regulations 2015.

For more information about data protection in the ADGM, visit our [guidance notes page](#).

About the Office of Data Protection

The ODP is the independent data protection body responsible for promoting data protection within ADGM. The ODP maintains the register of Data Controllers, enforces the obligations upon Data Controllers and upholds the privacy rights of individuals (Data Subjects).

Yours Sincerely,

Office of Data Protection

REGISTRATION AUTHORITY
سلطة التسجيل