

DATA SUBJECT RIGHTS – RESTRICTIONS

May 2025

Are there any restrictions or limitations that apply to data subject rights?

Individuals whose personal data is collected, stored, processed, or shared are called Data Subjects. Under the ADGM Data Protection Regulations 2021, these individuals are provided certain rights which they may exercise against Controllers or Processors. However, the rights of the Data Subject are not absolute. Controllers and Processors do not need to abide by certain Data Subject rights nor comply with certain requests of the Data Subject if any of the Restrictions in Article 21 of the DPR 2021 apply.

In what scenarios is a Controller not required to comply with Data Subject requests and rights?



If complying would likely to prejudice the prevention, detection, or prosecution of a crime



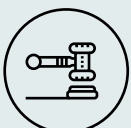
If complying would likely hinder ADGM's ability to meet its international obligations



If complying would likely prejudice public functions that protect the public from dishonesty, malpractice, financial loss caused by insolvency, and business conduct that adversely affects the public



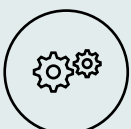
If complying would likely prejudice the public functions aimed securing workers' health, safety, and welfare and the protection of the public from adverse business practices



If complying would requires the non-disclosure of information that is required to be disclosed by Applicable Law, such as by court order or during legal proceedings



If complying would likely require the disclosure of information the disclosure of which would be prohibited or restricted by the Applicable Law



If complying would likely compromise audit functions that supervise the quality of public accounting and financial reporting by a public authority



If complying would likely compromise regulatory functions or judicial appointments, independence, or proceedings

In what other scenarios is a Controller not required to disclose information to a Data Subject?

A Controller is not obliged to disclose information to the Data Subject if doing so would reveal details about another individual who could be identified as a result of it, unless:

- ▶ The third-party individual has **consented** to the disclosure
- ▶ disclosure of the information without consent would be reasonable

When is a Controller not required to inform a Data Subject upon collection of data, or upon request to access?



If it relates to information with legal professional privilege or a duty of confidentiality by a professional legal advisor to their client



If doing so would likely prejudice a person's ability to protect themselves from self-incrimination, exposing them to prosecution for committing an offense



If doing so would likely prejudice the Controller's intentions regarding any negotiations with the Data Subject



If doing so would likely affect the price of a financial instrument or adversely affect the orderly functioning of financial markets



If doing so would likely prejudice management forecasting or planning in relation to business or other activity



If it relates to confidential references for the education, training, or employment or appointment and retirement of the Data Subject

What Data Subject rights may potentially be restricted when processing is for Archiving and Research purposes?

- Right of access by the Data Subject
 - Request to provide copy of personal data
 - Right to rectification of inaccurate personal data
 - Right to restriction of Processing
 - Notification obligation regarding rectification or erasure of personal data or restriction of processing
 - Right to receive the personal data that is held by, or on behalf of, the Controller concerning the Data Subject
 - Right to object processing of personal data
- These restrictions apply only the extent that the application of rights would prevent or seriously impair the achievement of those purposes
 - Furthermore the restriction can be applied only to research purposes where the results of the research or any resultant statistics are not made available in a form which identifies a Data Subject