Rights Relating to Automated Individual Decision-Making Including Profiling

What rights do individuals have?

An individual has the right not to be subjected to a decision based exclusively on automated processing, including profiling.

Automated processing is processing that is carried out solely by automated means with no human involvement.

Any processing that involves the automated use of personal data to assess certain aspects of an individual's life, such as their financial condition, health status, economic condition, online behavior, or location fall under this category.
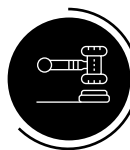
If any of your processing falls under "Automated individual decision-making, including profiling" ensure to:

give individuals information about the nature of the processing

provide individuals an easy way to request human intervention, appeal decisions, opt out, or otherwise object to processing
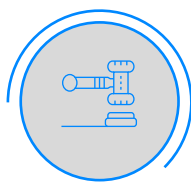
keep the data and your systems accurate and up-to-date by carrying out regular checks

You can only carry out automated decision-making where the decision:

is associated with the performance or entry into a contract

is authorized by UAE law applicable to the Controller (other conditions apply)

is based on explicit consent provided by the individual

Example of Automated Decision-Making

A loan company based in ADGM has developed a system of determining whether or not an individual is eligible for a loan by evaluating their financial situation. If the tool automatically determines that they are not a suitable candidate for a loan, then there would be a significant effect on the individual (i.e. they would not have access to the credit they were seeking). This meets the criteria for automated decision-making.

Example of Profiling

A bank collects data from various public and private sources to develop profiles on the individuals and places them into segments. The issuer carries out automatic profiling by placing a person into a certain category according to their levels of financial activity, and only sends out automatic communications regarding pre-approved credit card offers if they fit a specific profile. This meets the criteria for automated decision-making including profiling.