

Compliance with ADGM Data Protection Regulations 2021 (DPR2021)

What is the New Data Protection Law?

Organisations operating in, or with connections to, the Abu Dhabi Global Markets (ADGM) have until 11th February 2022 to comply with ADGM's new Data Protection Law.

- ADGM Data Protection Regulations 2021 which came into force on the 11th February 2021, replacing the ADGM Data Protection Regulations 2015.
- The law brings ADGM into line with GDPR, CCPA and the DIFC Data Protection Law 2020 with the intent to ensure strong alignment through enhanced governance and transparency.
- Applies to the Processing of Personal Data in the context of the activities of an Establishment of a Controller or a Processor in ADGM, regardless of whether the Processing takes place in ADGM or not.
- Applies to individuals regardless of nationality or place of residence.
- The law provides enhanced standards and controls for the processing and free movement of personal data by controllers or processors, protecting fundamental rights of data subjects.
- When personal data is being transferred outside of the ADGM (or the 43 jurisdictions granted adequacy), data transfer control mechanisms such as standard contractual clauses or Binding corporate Rules can be leveraged.
- Controller or processor are to cooperate with any investigation of the commissioner in relation to a data breach.
- Maximum administrative fine of up to \$28 million USD for an act that is prohibited or which the controller or processor has omitted to do. Additionally Data subjects can claim unlimited compensations for material or nonmaterial damages as a result of contravention of these regulations.
- Data Protection Officers are now a mandatory function for certain activities and business activities.

What are the Key Changes?

Greater Accountability Requirements

Firms are expected to have an adequate compliance programme with appropriate staffing, oversight and technical controls to protect personal data. Maintain a processing register, conduct data protection impact assessments (DPIAs) and appropriate oversight such as a Data Protection Officer (DPO) where required.

High Risk Processing Activities

Large scale processing, automated processing, special categories of sensitive personal data.

Data Breach Notifications

The need to notify within 72 hours. The Commissioner has the discretion to impose fines.

Consent Changes

Organisations that rely on consent will need to demonstrate that it is freely given, a clear affirmative action and unambiguous.

Data Export Restrictions

More detailed guidance provided for expatriation of data, including options for recommended transfer.

Obligations on Data Processors

Data processors have new obligations when processing activities on behalf of the controller including being subject to fines, establish contractual agreements between controllers & processors.

Data Subject Rights

Expanded rights including ability to withdraw consent, data portability, object or restrict processing or automated profiling agreements between controllers & processors.

How Does This Affect Me?

Accountability

Register with commissioner, update your compliance programme to ensure lawful and transparent processing of data, clearly defined purpose limitations for data usage, and updated organisational and technical measures to be in line with the law.

Data Audit and Mapping

Review existing and future data processing activities to identify what personal data is collected, purpose and legal basis for processing, including consent, where relevant, remain valid on an ongoing basis. Map personal data being processed across the data supply chain and create an appropriate record of processing register.

DPO

Determine whether you need to appoint a Data Protection Officer (DPO). DPO and other privacy positions should be assimilated into broader privacy governance structure with clear roles and responsibilities. Where there is limited expertise or resource constraints, consider engaging external experts as DPOs with practical experience with data protection.

Policies and Procedures

Update your policies & procedures to ensure they reflect the latest ADGM requirements, with clear role & responsibilities, with practical and specific instructions for staff to follow; Update SDLC process to align to privacy by design requirements and conduct DPIAs for high risk processing activities.

Notices and Consent

Ensure privacy notices and consent meet the elevated standard, including tools and processes to track consent validity on an ongoing basis.

Contracts & Third Parties

Review and amend contracts with 3rd party suppliers to ensure required data protection commitments are in place between controller and processor. This includes the ability for the controller to audit the processor. Where data is transferred outside of ADGM (including the rest of the UAE), appropriate safeguards must be put into place if the jurisdiction has not been granted adequacy.

Breach Protocol

Update & align data breach policy, processes and workflows to ensure that notifications are made to the commissioner and data subject (as required), in a timely manner in accordance with the DP Law;

Data Subject Rights

Review and update business processes, data management capabilities to respond and manage data subject right requests and employee consent management technologies to enable ongoing compliance.

How FTI Consulting Can Help

Rapid Assessment

Understand current state and the effort required to comply with the ADGM DP law. Perform gap analysis to comply with ADGM position; Identify & prioritise data protection programme activities to mitigate risk.

Accelerated Compliance

Accelerated programme to design & implement updated policies, processes and privacy enabling tooling to demonstrate ongoing compliance. Perform rapid AI powered review to extract relevant data protection and breach clauses from contracts and legal agreements.

Data Protection Managed Services

Leverage independent and pragmatic data protection experts with global data protection experience to navigate compliance requirements cost-effectively. FTI's data protection experts can provide strategic and operational support for programme development, on call breach support, M&A data protection due diligence, DSR response and fulfilment.

Communications Advisory & Change Management

Stakeholder management with clients, employees, suppliers and regulator. Change management to embed

FTI Consulting has extensive data protection regulatory experience. Our global team is adept at designing and building regulatory requirements across markets (North America, EMEA, APAC) under tight timelines. FTI Consulting's team are comprised of expert data protection professionals, former data protection regulators, Chief Privacy Officers and consultants with significant experience in leading assessments, privacy transformation programmes with hands-on technical experience. We have advised on high profile privacy matters involving large scale breaches. We have field experience building global privacy programmes and solutions around diverse privacy regulations including DIFC Data Protection law, GDPR, ePrivacy, EU member state regulations, Brazil LGPD, California Consumer Privacy Act of 2018 (CCPA), HIPAA, HiTECH, GLBA, 23 NYCRR 500, PIPEDA and more. FTI delivers tangible results in the context of investigations, litigation, mergers and acquisitions, regulatory issues, reputation management and restructuring. We would welcome a meeting to discuss further your firm's plans to address the new legislative requirements.

Sonia Cheng

Senior Managing Director
+44 79 7750 0709
sonia.cheng@fticonsulting.com

Craig Earnshaw

Senior Managing Director
+44 7894 093 762
craig.earnshaw@fticonsulting.com

The views expressed herein are those of the author(s) and not necessarily the views of FTI Consulting, Inc., its management, its subsidiaries, its affiliates, or its other professionals. FTI Consulting, Inc., including its subsidiaries and affiliates, is a consulting firm and is not a certified public accounting firm or a law firm.

FTI Consulting is the leading global expert firm for organisations facing crisis and transformation.

FTI Consulting is dedicated to helping organisations manage change, mitigate risk and resolve disputes: financial, legal, operational, political and regulatory, reputational and transactional. FTI Consulting professionals, located in all major business centres throughout the world, work closely with clients to anticipate, illuminate and overcome complex business challenges and opportunities.

© 2026 FTI Consulting, Inc. All rights reserved. [fticonsulting.com](https://www.fticonsulting.com)