



JAMHUURIYADDA SOMALILAND
Wasaaradda Isgaadhsiinta
& Tiknoolajiyadda

XEERKA ILAALINTA **XOGTA ELEKTAROONIGA AH**

(DATA PROTECTION ACT)

Xeer Lr. XX/2023



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<p style="text-align: center;">CUTUBKA 1-AAD</p> <p style="text-align: center;">QODOBO HORDHAC AH</p> <p style="text-align: center;">Qodobka 1-aad</p> <p style="text-align: center;">Magaca Xeerka</p> <p>Xeerkan waxa loogu yeedhayaa, Xeerka Ilaalinta Xogta Elektaroonigga ah, Xeer Lr. XX/2023</p> <p style="text-align: center;">Qodobka 2-aad</p> <p style="text-align: center;">Erey-bixin</p> <p>Ereyadan soo socda ee xeerka ku jira, haddii aanu qodobku u qeexin si ka duwan waxa ay la micno noqonayaan sidan:</p> <ol style="list-style-type: none"> Adeegsasho: waxa loo la jeedaa hawl kasta oo xogta elektarooniga ah ee Cidi leedahay lagu qabtay, sida: <ol style="list-style-type: none"> uruurin, duubis iyo qaabayn kaydin, diris, faafin, bandhigid wax ka baddel, ku darid, tirtirid gorfayn, lafa-gur Adeegsadaha Xogta: waxa loo la jeedaa qof, hay'ad dawladeed, mid 	<p style="text-align: center;">CHAPTER 1</p> <p style="text-align: center;">PRELIMINARY PROVISIONS</p> <p style="text-align: center;">Article 1</p> <p style="text-align: center;">Short Title</p> <p>This Act may be cited as Electronic Data Protection Act, Act no. XX/2023.</p> <p style="text-align: center;">Article 2</p> <p style="text-align: center;">Interpretation</p> <p>In this Act, unless the context otherwise requires—</p> <ol style="list-style-type: none"> Processing: means any operation or set of operations performed on Electronic Data or sets of Electronic Data, whether or not performed automatically, such as <ol style="list-style-type: none"> collecting, recording, organizing, and structuring. storage, send, disseminate, disclose. modification, erasure. review, analyse Data Processor: means a natural or legal person, public authority,
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<p>ganacsi ama urur, ama ciddii kale ee adeegsata xogta elektarooniga ah ah iyadoo matalaysa Maamulaha -Xogta.</p> <p>3. Agaasimaha Waaxda Xogta: waxa loo la jeedaa Agaasimaha Waaxda Ilaalinta Xogta ee Wasaaradda Isgaadhsiinta iyo Tiknoolajiyadda.</p> <p>4. Agaasime Guud: waxa loo la jeedaa Agaasimaha Guud ee Wasaaradda Isgaadhsiinta iyo Tiknoolajiyadda.</p> <p>5. Caruur: waxa loo la jeedaa qof da'diisu ka yar tahay shan iyo toban sano</p> <p>6. Dalka: waxa loo la jeedaa Jamhuuriyadda Somaliland.</p> <p>7. Diiwaan: waxa loo la jeedaa diiwan lagu kaydiyo xogta elektarooniga ah ka ah ee qofka iyo qaabka loo adeegsanayo xogta.</p> <p>8. Hantiilaha-Xogta: waxa loo la jeeda qof, hay'ad dawladeed, mid gacansi, urur la xaqiijiyay ama la xaqiijinkaro oo ah cida xogta elektarooniga ah leh.</p> <p>9. Xadidaada Adeegsiga Xogta: waxa loo la jeedaa koobista adeegsiga Xogta elektaroonigga ka ah.</p> <p>10. Oggolaansho: waxa loo la jeedaa wax kasta oo muujin kara in Hantiilaha xogtu si cad oo aan shaki lahayn</p>	<p>agency, or other body that processes Electronic Data on the controller's behalf.</p> <p>3. Department Director: means the Director of Data Protection Department, Ministry of ICT.</p> <p>4. Director General: means the Director General of the Ministry of ICT.</p> <p>5. Child: means a person whose age is less than fifteen years old.</p> <p>6. Country: means the Republic of Somaliland.</p> <p>7. Register: means the register that keeps Electronic Data and data processing operations.</p> <p>8. Data Subject: means a natural person who is identified or identifiable as the subject of Electronic Data.</p> <p>9. Restriction of processing: means the marking of stored Electronic Data in order to limit their future processing.</p> <p>10. Consent: means any manifestation of express, unequivocal, free, specific, and informed indication of the Data Subject's wishes by a</p>
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<p>isagoo aan la khasbin rabitaankiisa ku ogolaada adeegsiga xogtiisa elektarooniga ah, qaab ficil ah ama qoraal ah.</p>	<p>statement or by a clear affirmative action, signifying agreement to the processing of Electronic Data relating to the Data Subject.</p>
<p>11. Qarsoodi: waxa loo la jeeda in la qariyo wax kasta oo ku jira Xogta elektarooniga ah oo lagu aqoonsan karo Hantiilaha-Xogtaas.</p>	<p>11. Anonymisation: Means the removal of personal identifiers from Electronic Data so that the Data Subject is no longer identifiable.</p>
<p>12. Qof: Waxaa loo la jeedaa qof si toos ah ama si dadban loo aqoonsan karo, iyadoo la tixraacayo aqoonsiga sida; magaciisa, lambarkiisa, ciwaanka gurigiisa, ama sifooyinka u gaar ah sida, muuqaalkiisa ama hidde-sidihiisa.</p>	<p>12. Person means a person who can be identified directly or indirectly through the use of an identifier such as a name, an identification number, location data, or one or more factors specific to physical or genetic.</p>
<p>13. Waax: waxa loo la jeeda Waaxda Ilaalinta Xogta elektarooniga ah ee Wasaaradda Isgaadhsiinta iyo Tiknoolajiyadda.</p>	<p>13. Department: means the Department of Data Protection, Ministry of ICT.</p>
<p>14. Wasaarad: waxa loo la jeedaa Wasaaradda Isgaadhsiinta iyo Tiknoolajiyadda Jamhuuriyadda Somaliland.</p>	<p>14. Ministry: means the Ministry of ICT of the Republic of Somaliland</p>
<p>15. Wasiir: waxa loo la jeedaa Wasiirka Wasaaradda Isgaadhsiinta iyo Tiknoolajiyadda Jamhuuriyadda Somaliland.</p>	<p>15. Minister: means the Minister of the Ministry of ICT.</p>

<p>16. Maamulaha-Xogta: waxa loo la jeedaa qof, hay'ad dawladeed, wakaalad, mid ganacsi iyo urur si toos ah ama si dadban u maamulaya Xogta elektarooniga ah ee hantiilaha.</p>	<p>16. Data Controller: means a natural or legal person, public authority, agency, or other body that determines the purpose and means of processing Electronic Data, either alone or in collaboration with others.</p>
<p>17. Xog: waxa loo la jeedaa macluumaad ku saabsan Hantiilaha Xogta oo la kaydin karo lana adeegsan karo iyadoo la isticmaalayo Tiknoolajiyadda.</p>	<p>17. Data means information about the Data Subject which is recorded with the intention of being processed by using Information Communication Technology (ICT).</p>
<p>18. Xogta Baayomitriga ah: waxa loo la jeedaa xogta elektarooniga ah ee qofka, ee ka dhalata farsamayn gaar ah oo ku salaysan qaabeynta jidheed ama dabeecadeed sida: nooca dhiiga, raadka farta iyo isha, qaab-dhismeedka dhagta, shaybaadhka hidde-sidaha qofka (DNA) iyo aqoonsiga codka.</p>	<p>18. Biometric data: means Electronic Data resulting from specific technical processing based on physical, physiological, or behavioural characterisation including blood typing, fingerprinting, DNA analysis, earlobe geometry, retinal scanning, and voice recognition.</p>
<p>19. Xogta Caafimaadka: waxa loo la jeedaa xogta la xidhiidha xaalada caafimaadka jidhka ama maskaxda ee qofka.</p>	<p>19. Health data: means data about the Data Subject's physical or mental health, including records about the Data Subject's past, present, or future state of health.</p>

<p>20. Xogta Elektarooniga ah: waxa loo la jeedaa macluumaad kasta oo lagu kaydiyey agabka Tiknoolajiyadda casriga ah oo uu leeyahay qof, hay'ad dawladeed, wakaalad ama Urur.</p> <p>21. Xogta Xasaasiga ah: Waxa loo la jeedaa muujinta qofka isirkiisa, xaaladdiisa caafimaad, qabiilkiisa, caqiidadadiisa, hidde-sidihiiisa, bay'oomitriggiisa, hantidiisa, xaaladdiisa guur, xogta qoyskiisa sida, magacyada caruurta, waalidka, xaaska/xaasaska, iyo jinsiga.</p>	<p>20. Electronic Data: means any information about a specific or identifiable natural person.</p> <p>21. Sensitive Electronic Data means data revealing the natural person's race, health status, clan, belief, genetic data, biometric data, property details, marital status, family details including names of the person's children, parents, spouse or spouses, and sex of the Data Subject.</p>
<p style="text-align: center;">Qodobka 3-aad</p> <p style="text-align: center;">Xadka Adeegsiga Xeerkan</p> <p>Xeerkan waxa lagu dabaqayaa:</p> <ol style="list-style-type: none"> 1. Maamulidda iyo adeegsiga xogta elektrooniga ah ee: <ol style="list-style-type: none"> a) qof gaar ahi leeyahay b) qaybaha kala duwaan ee dawladdu leeyihiin c) ganacsi leedahay d) hay'ad samafal oo aan dawli ahayn leedahay 	<p style="text-align: center;">Article 3</p> <p style="text-align: center;">Scope of Application of this Act</p> <ol style="list-style-type: none"> 1. This Act shall be applicable to electronic data such us: <ol style="list-style-type: none"> a) Electronic Data b) Government Data c) Business Data d) Non-Governmental Organizations Data 2. Controlling and processing of electronic data stored using ICT device.

2. Maamulidda iyo adeegsiga xogta elektrooniga ah oo la kaydiyo iyada oo la adeegsanayo tiknoolajiyadda.
3. Adeegsiga xogta elektrooniga ah ee qof maamulayo ama atoomaatiga ah (Manual or automatic processing)

Qodobka 4-aad

Ujeeddoyinka Xeerka

Ujeeddada Xeerkan waa:

- a) Qeexidda Awoodda sharci ee Hantiilaha-Xogtu u leeyahay maaraynta xogtiisa elektrooniga ah.
- b) Dejinta xayndaabka sharci ee ururinta, adeegsiga, kaydinta, la wadaagidda, faafinta iyo ilaalinta xogta elektrooniga ah.
- c) Qeexidda mas'uuliyadda sharci ee saaran Maamulayaasha-xogta ama Adeegsadaayaasha-xogta ee isticmaalaya xog elektrooni oo cid kale leedahay.
- d) Qeexidda xidhiidhka ka dhaxeeya Hantiilaha-Xogta iyo Maamulaha-xogta ama Adeegsadaaha-xogta.

3. Processing electronic data that a person manually or automatically controls.

Article 4

Objectives of this Act

The objectives of this act are to:

- a) define the legal right of the Data Subject to manage his/her electronic data.
- b) establish the legal framework for the collection, processing, storage, sharing, dissemination and protection of electronic data.
- c) define the legal responsibility of Data Controllers or Data Processors who use electronic data belonging to others.
- d) define the relationship between the Data Subject and the Data Controller or Data Processor.
- e) define the legal rights of government institutions responsible for the protection of electronic data.

<p>e) Qeexidda awoodaha sharci ee hay'adaha dawladeed ee ka mas'uulka ah ilaalinta xogta elektrooniga ah</p> <p>f) Qeexida dembiyada ka dhasha xad-gudubyada la xidhiidha maamulidda iyo adeegsiga Xogta elektarooniga ah.</p> <p>g) Dejinta xeerar iyo habraacyo nidaamiya ururinta, adeegsiga, kaydinta, wadaagidda, faafinta iyo ilaalinta xogta elektrooniga ah.</p>	<p>f) define the crimes resulting from violations related to the controlling and processing of electronic data.</p> <p>g) establish acts, regulations, and guidelines and procedures that regulate the collection, processing, storage, sharing, dissemination and protection of electronic data.</p>
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CUTUBKA 2-AAD

AASAASKA WAAXDA ILAALINTA XOGTA ELEKTARONIGA AH

Qodobka 5-aad

Aasaasida Waaxda Ilaalinta Xogta Elektarooniga ah

1. Wasaaraddu waa in ay aas-aasto Waaxda Ilaalinta Xogta elektarooniga ah.
2. Wasaaraddu waa in ay u diyaariso baahiyaha shaqo ee Waaxda Ilaalinta Xogta Electroniga ah.

Qodobka 6-aad

Magacaabidda Agaasimaha Waaxda Ilaalinta Xogta elektarooniga ah

1. Wasiirka Wasaaradda Isgaadhsiinta iyo Tiknoolajiyadda waa in uu magacaabaya Agaasime

CHAPTER 2

ESTABLISHMENT OF THE OFFICE OF DATA PROTECTION DEPARTMENT

Article 5

Establishment of the Department

1. The Ministry of ICT shall establish a Data Protection Department.
2. The Ministry shall prepare operational requirements of the Data Protection Department.

Article 6

Appointment of the Data Protection Director

1. The Minister shall appoint the Director of the Data Protection Department.
2. The appointee shall:

<p>Waaxda Ilaalinta Xogta Elektrooniga ah.</p> <p>2. Masuulka la magacaabayaa waa in uu:</p> <p>a) ahaa shaqaale dawladeed saddexdii sanno ee ugu dambeeyey.</p> <p>b) ku haystaa shahaadadda heerka labaad Cilmiga Tiknoolajiyadda Casriga ah.</p> <p>c) leeyahay khibrad shaqo oo aan ka yarayn shan sano.</p> <p>3. Agaasimaha Waaxda Ilaalinta Xogta Elektrooniga ah, isaga oo la kaashanaya Wasiirka, waa in uu fuliyaa shaqooyinka iyo waajibaadka xeerkani jideeyey.</p>	<p>a) has been a civil servant for the last three years.</p> <p>b) possess a Master's Degree in ICT or a related field.</p> <p>c) have at least five years of relevant experience and knowledge.</p> <p>3. The Director of the Department of Data Protection, in cooperation with the Minister, shall carry out the duties and obligations set forth in this Act.</p>
<p style="text-align: center;">Qodobka 7-aad</p> <p style="text-align: center;">Waajibaadka Waaxda Ilaalinta Xogta Elektarooniga ah</p> <p>1. Waaxdu waa in ay:</p> <p>a) samaysaa dabagal iyo la socod joogto ah oo la xidhiidha fulinta, iyo dhaqangalka qodobada xeerkan.</p> <p>b) abuurtaa isla markaana maaraysaa diiwaanka</p>	<p style="text-align: center;">Article 7</p> <p style="text-align: center;">Functions of the Department</p> <p>1. The Department shall: —</p> <p>a) be in charge of overseeing the implementation and enforcement of the provisions of this Act.</p>

<p>Maamulayaasha iyo Adeegsadayasha Xogta elektrooniga ah.</p> <p>c) kormeertaa Maamulayaasha-xogta iyo adeegsadayasha si iskeed ah ama codsi ku soo gaadhay qaab sharciga waafaqsan.</p> <p>d) ku dhiirigelisaa Maamulayaasha iyo Adeegsadayasha Xogta in ay yeeshaan siyaasado u gaar ah oo la xidhiidha maamulka iyo adeegsiga xogta elektrooniga ah.</p> <p>e) Samaysaa qiimeyn ku saabsan qaabka Maamulayaasha iyo Adeegsadayasha Xogta ugu dhaqmayaan qodobada xeerkan.</p> <p>f) wacyi-galisaa Maamulayaasha iyo Adeegsadayasha Xogta oo ay ku tabobartaa qodobada xeerkani farayo.</p> <p>g) sameeysaa baadhitaano kala duwan si ay u hubiso in hay'adaha dawladda iyo kuwa gaarka loo leeyahay ku</p>	<p>b) maintain and keep a register of Data Controllers and data processors.</p> <p>c) exercise oversight on data processing operations, either on own initiative or at the request of a Data Subject, and ensure that data is processed in accordance with this Act.</p> <p>d) encourage Data Controllers and processors to have policies related to the controlling and processing of electronic data.</p> <p>e) conduct an assessment to determine whether data is processed in accordance with the provisions of this Act.</p> <p>f) take such measures as may be necessary to bring the provisions of this Act to the knowledge of the general public.</p> <p>g) conduct inspections of public and private entities with the goal of evaluating Electronic Data processing.</p> <p>h) receive and investigate any complaint about infringements</p>
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<p>dhaqmayaan qodobada xeerkan.</p> <p>h) qabataa isla markaana baadhaa cabashooyinka la xidhiidha xad-gudubyada la xidhiidha adeegsiga xogta elektrooniga ah.</p> <p>i) samaysaa diraasado iyo cilmi baadhisyo la xidhiidha maaraynta iyo ilaalinta xogta elektrooniga ah.</p> <p>j) Samaysaa xidhiidho iyo iskaashi caalami ah oo la xidhiidha nidaaminta xogta elektrooniga ah.</p> <p>k) qabataa shaqooyinka kale ee ay Wasaaraddu u igmato ee la xidhiidha dhaqan galinta xeerkan.</p> <p>2. Waaxda Ilaalinta Xogta Electrooniga ahi waa in ay wada shaqayn dhow la yeelato Gaarsoorka iyo Hay'adaha fulinta sharciga ee dalka si ay u gudato waajibaadkeeda shaqo ee xeerkani dhigayo.</p>	<p>of rights under this Act made by any person.</p> <p>i) conduct research on developments in Electronic Data processing to ensure that there are no significant risks or adverse effects on individuals' privacy, and</p> <p>j) promote international cooperation in data protection matters.</p> <p>k) perform any other functions that may be prescribed by Ministry that are necessary for the implementation of this Act.</p> <p>2. The Department of Data Protection may collaborate with judiciary and law enforcement agencies in the performance of its functions.</p>
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<p style="text-align: center;">Qodobka 8-aad</p> <p style="text-align: center;">Awoodda Shaqo ee Waaxda Ilaalinta</p> <p style="text-align: center;">Xogta Elektarooniga ah</p> <p>1. Waaxda Ilaalinta Xogta Elektarooniga ah waxa ay awood u leedahay in ay:</p> <p>a) baadho hay'adaha dawladda, kuwa ganacsiga, ururada samafalka ama cidkasta oo maamusha ama adeegsata xog elektroonig ah si ay u hubiso ku dhaqanka qodobada xeerkan.</p> <p>b) warbixin ka soo saarto ku dhaqanka qodobada xeerkan.</p> <p>c) samayso baadhitaan ay ku hubinayso cabashooyinka soo gaadha ee la xidhiidha xogta elektrooniga ah.</p> <p>d) u yeedhi karto markhaatiyada ay u baahato marka ay baadhitaanada ku guda jirto.</p> <p>e) u yeedhi karto cid kasta oo uu xeerkani khuseeyo, si looga helo xogo dheeraad ah.</p> <p>f) ganaax ku soo oogto ciddii u hoggaansami wayda qodobada xeerkan.</p>	<p style="text-align: center;">Article 8</p> <p style="text-align: center;">Power of the Data Protection Department</p> <p>1. The Department shall have the authority to:</p> <p>a) conduct investigations on government institutions, businesses, NGOs or any other person that controls or process electronic data to ensure their compliance to provisions of this Act.</p> <p>b) issue a report on the implementation of the provisions of this Act.</p> <p>c) carry out investigations to verify complaints received in relation to electronic data.</p> <p>d) issue summons to a witness in order to conduct an investigation.</p> <p>e) any person who is governed by this Act must offer explanation, information and assistance.</p> <p>f) impose administrative fines for violations of this Act.</p>
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<p>g) qaaddo tallaabo kasta oo lagama maarmaan u ah dhaqan galinta qodobada xeerkan.</p>	<p>g) carry out any activity required for the fulfilment of the provisions of this Act.</p>
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CUTUBKA 3-AAD

MABAADI'DA IYO SHURUUDAHA LA XIDHAADHA ADEEGSIGA XOGTA ELEKTAROONIGA AH

Qodobka 9-aad

Mabaadi'da Xogta Elektarooniga ah

1. Hantiilaha Xogtu haddii uu yahay qof, hay'ad dawladeed, shirkad ganacsi, hay'ad samafal ama hay'ad kale oo sharci ku dhisan, waxa awood u leh Hantiilaha Xogta ogolaanshaha maamulka iyo adeegsiga Xogtiisa gaarka ah.
2. Waxa reeban in Xogta Electronigga ah ee dawladda loo faafiyo, adeegsado ama wax looga beddello si ka baxsan ujeeddadii loogu talo galay.
3. Waxa reeban in Xogta Electronigga ah ee shirkaddaha ganacsiga loo faafiyo, adeegsado ama wax looga beddello si ka baxsan ujeeddadii loogu talo galay.

CHAPTER 3

PRINCIPLES AND RULES RELATING OF ELECTRONIC DATA PROCESSING

Article 9

Principles relating to processing of Electronic Data

1. Data Subject whether it is a person, government institution, business, or other legal entity has the authority to permit controlling and processing of its data.
2. Disseminating, processing, or modifying government electronic data in a manner other than its purpose is prohibited.
3. Disseminating, processing, or modifying business electronic data in a manner other than its purpose is prohibited.

<p>4. Maamulaha ama Adeegsadhaha Xogta Elektarooniga ahi waa in uu:</p> <p>a) ururiyo Xogta Elektarooniga ah ee u baahanyahay oo keli ah.</p> <p>b) u cadeeyaa Hantiilaha-Xogta ujeeddadda uu u ururinayo xogta elektrooniga ah.</p> <p>c) u maamulaa una adeegsadaa Xogta Elektarooniga ah qaab waafaqsan qodobada xeerkan.</p> <p>d) qeexaa habka uu u cusboonaysiinayo Xogta Electarooniga</p> <p>e) qeexaa habka uu u tirtarayo Xogta elektaroniga ah, marka loo baahdo.</p> <p>f) hubiyo Saxsanaanta Xogta ee elektarooniga ah.</p> <p>g) hubiyaa in loo kaydiyey qaab waafaqsan qodobadda xeerkan iyo xeerarka kale ee dalka.</p> <p>h) hubiyaa in loo adeegsaday Xogta Elektrooniga ah qaab</p>	<p>4. A controller or processors of electronic data shall:</p> <p>a) not collect other than the electronic data that they need.</p> <p>b) declare to the Data Subject for the purpose of collecting its electronic data.</p> <p>c) control and process electronic data in accordance with the provisions of this Act.</p> <p>d) define the procedure for updating the electronic data</p> <p>e) defines the procedure for erasure of electronic data, when required.</p> <p>f) ensure the correctness of the electronic data.</p> <p>g) ensure that the electronic data is stored in accordance with the provisions of this Act and other laws of the country.</p> <p>h) ensure that the electronic data is processed in accordance with the</p>
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<p>waafaqsan qodobada xeerkan iyo xeerarka kale ee dalka.</p> <p>i) hubiyaa in amaanka Xogta la kaydiyey yahay mid waafaqsan xeerkan iyo xeerarka kale ee dalka.</p> <p>5. Wasaaraddu waxay soo saari doontaa Xeer-nidaamiye, siyaasado, hagayaal iyo habraacyo si faahfaahsan u hagi doona mabaadi’da adeegsiga xogta elektarooniga ah.</p>	<p>provisions of this Act and other laws of the country.</p> <p>i) ensure that the security of the stored electronic data is in accordance with the provisions of this Act and other laws of the country.</p> <p>5. The Ministry may issue a regulations, policies, guidelines and procedures that may lead the principles of processing electronic data.</p>
<p style="text-align: center;">Qodobka 10-aad</p> <p style="text-align: center;">Adeegsiga Xogta Gaarka ah ee Elektaroonigga ah</p> <p>1. Iyada oo la raacayo qodobada xeerka, Maamulaha-Xogtu waxa uu adeegsan karaa xogta gaarka ah ee elektaroonigga ah marka:</p> <p>a) Hantiilaha-Xogtu uu bixiyo oggolaanshaha in la adeegsado xogtiisa gaarka ah.</p> <p>b) adeegsigu uu u yahay lagama maarmaan: -</p>	<p style="text-align: center;">Article 10</p> <p style="text-align: center;">Processing of Electronic Data</p> <p>1. Subject to the other provisions of this Act, a Data Controller may process Electronic Data if:</p> <p>a) the Data Subject has consented to the processing of its Electronic Data; and</p> <p>b) the processing is necessary –</p> <p>i. for the fulfilment of a contract to which the Data Subject is a party or for taking steps at the Data</p>

<ul style="list-style-type: none"> i. fulinta heshiis Hantiilaha-Xogtu qayb ka yahay ogolaanshana bixiyay. ii. fulin waajibaad sharci oo khuseeya Xakameeyaha-Xogta. iii. fulinta amar garsoor ama amar kasoo baxay hay'ad Dawladeed oo khuseeya Maamulaha Xogta. iv. dan sharci oo uu leeyahay Maamulaha-Xogtu, dantaa oo aan ka hor imanayn xuquuqda sharci ee Hantiilaha Xogta, sidoo kalena uu ka helo ogolaansho Hantiilaha Xogta. <p>c) Marka Hantiilaha Xogtu si cad ugu soo bandhigo Bulshadda.</p>	<p>Subject's request prior to entering a contract.</p> <ul style="list-style-type: none"> ii. in order to comply with a legal requirement to which the Data Controller is subject. iii. execution of a judicial order or an order issued by a public institution concerning the Data Controller. iv. legal interest of the Data Controller, which does not conflict with the legal rights of the Data Subject, and also obtained consent of the Data Subject. <p>c) the processing relates to Electronic Data that the Data Subject has manifestly made public.</p>
<p style="text-align: center;">Qodobka 11-aad</p> <p style="text-align: center;">Adeegsiga Xogta Gaarka ah ee Elektarooniga ah ee Xasaasiga ah</p> <p>1. Cidna ma adeegsan karto xogta gaarka ah ee elektarooniga ah ee</p>	<p style="text-align: center;">Article 11</p> <p style="text-align: center;">Processing of Sensitive Electronic Data</p> <p>1. Processing sensitive data of Data Subject whether it is a person, government institution, business or NGO is prohibited unless:</p>

<p>xasaasiga ah ee Hantiilaha Xogta (Qof, hay'ad dawladeed, shirkad ganacsi ama urur sharci ah), marka laga reebo xaaladahan soo socda: -</p> <p>a) ogolaansho uu bixiyey Hantiilaha-Xogtu.</p> <p>b) u adeegsiga Xogta xasaasiga ah ee elektarooniga ah dacwad sharci.</p> <p>c) ujeeddada adeegsiga xogtaasi lagama maarmaan u tahay:</p> <p>i. ka hortaga xanuunada iyo bixinta adeegyadda caafimaadka.</p> <p>ii. qiimaynta la socodka xaaladda caafimaad ee qof.</p> <p>iii. bixinta adeegyada daryeelka bulshada.</p> <p>d) adeegsiga xogtaasi lagama maarmaan u tahay arrimaha danta guud.</p> <p>2. Xogta xasaasiga ah ee elektarooniga ah ee ku xusan farqadda 1-aad, xarafka (c), waxa la isticmaali karaa marka ay adeegsanayaan cid xirfad u leh.</p> <p>3. Adeegsiga xogta xasaasiga ah ee elektarooniga ah ee ku xusan</p>	<p>a) Data Subject has consented.</p> <p>b) processing is essential for the establishment, exercise, or defense of a legal claim.</p> <p>c) processing is necessary for:</p> <p>i. preventing diseases and providing health services.</p> <p>ii. assessing and monitoring a person's medical status.</p> <p>iii. providing social welfare services.</p> <p>d) Processing is necessary for public interest reasons.</p> <p>2. Electronic Data under sub-article (1)(c) shall be processed under the responsibility of a professional person.</p> <p>3. Sensitive data under sub-article 2 shall be processed in accordance with the provisions of this Act and other written laws.</p>
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farqadda 2-aad, waxa waajib ah inay waafaqsanaato qodobadda xeerkan iyo xeerarka kale ee dalka.

Qodobka 12-aad

Ogolaansho, Cadaymo iyo Diidmo

1. Hantiilaha-Xogtu waxa uu ku bixin karaa hab qoraal ah ogolaanshaha adeegsiga xogtiisa elektarooniga ah.
2. Waa in lagu war-geliyaa Hantiilaha-Xogta in uu xaq u leeyahay in uu ka noqon karo ogolaanshaha adeegsiga xogtiisa elektarooniga ah marka uu doono sabab la'aan iyo kharash la'aan.
3. Marka looga baahdo Maamulaha-Xogta, waa in uu cadayn karaa ogolaanshaha adeegsiga xogtaas ee uu bixiyey Hantiilaha-Xogtu.
4. Marka uu Hantiilaha-Xogtu ogolaanshaha adeegsiga xogtiisa ku bixinayo qaab qoraal ah, waa in:
 - a) ogolaanshuhu ka soocnaadaa qoraal kastoo kale
 - b) u qornaadaa qaab la fahmi karo.

Article 12

Consent, Justification, and Objection

1. A Data Subject may provide written consent for the processing of its Electronic Data.
2. Prior to consenting, the Data Subject shall be informed of his or her right to withdraw consent at any time without reason and without cost.
3. When required, the Data Controller has to prove that the Data Subject has consented the processing of its data.
4. When a Data Subject consents in the form of a written declaration, consent shall be given:
 - a) in a manner that clearly distinguishes it from any other written matters,
 - b) in a manner that is easily understandable.
5. When the Data Subject withdraws the consent under sub-article (1), the electronic data collected from the

<p>5. Marka Hantiilaha Xogtu ka noqdo ogolaanshaha ku xusan farqadda 1-aad ee qodobkan, waa in la tirtiraa/masaxaa dhammaan xogtii elektarooniga ahayd ee laga ururiyey Hantiilaha Xogta.</p> <p>6. Hantiilaha-Xogtu wuu diidi karaa adeegsiga xogtiisa elektaroonigga ah marka uu doono, isaga oo aan la noqon ogolaanshaha ku xusan farqadda 1-aad ee qodobkan.</p> <p>7. Marka Hantiilaha-Xogtu diido adeegsiga xogtiisa elektaroonigga ah, Maamulaha ama Adeegsadaha Xogtu ma sii wadi karaan adeegsiga xogtaas.</p>	<p>Data Subject shall be immediately destroyed.</p> <p>6. A Data Subject may at any moment object to the processing of his or her Electronic Data without the withdrawal of the consent under sub-article (1).</p> <p>7. In the event that the Data Subject objects to the processing of his or her Electronic Data, the controller or data processor shall immediately cease processing those Electronic Data.</p>
<p style="text-align: center;">Qodobka 13-aad</p> <p style="text-align: center;">Ururinta Xogta Elektarooniga Ah</p> <p>1. Maamulaha-Xogtu waa in uu si toos ah xogta uga helaa Hantiilaha-Xogta.</p> <p>2. Maamulaha xogtu waxa uu si dadban uga ururin karaa xogta Hantiilaha haddii: -</p> <p style="padding-left: 20px;">a) xogtu ay ku jirto diiwan guud.</p>	<p style="text-align: center;">Article 13</p> <p style="text-align: center;">Collection of Electronic Data</p> <p>1. The Data Controller must directly collect Electronic Data from the Data Subject.</p> <p>2. The Data Controller may collect Electronic Data from a source other than the Data Subject if:</p> <p style="padding-left: 20px;">a) the data is contained in or derived from a public record.</p>

<p>b) Hantiilaha-Xogtu si ula kac ah xogtiisa elektrooniga ah uga dhigay mid guud.</p> <p>c) Hantiilaha-Xogtu uu ogolaaday in xogtiisa gaarka ah laga heli karo meel aan isaga ahayn.</p> <p>d) ururinta xogta laga keenay il kale, oo lagama maarmaan u ah:</p> <ol style="list-style-type: none"> i. Hay'daha fulinta sharciga iyo amniga qaranka. ii. fulinta amar garsoor, baadhista iyo oogista dacwad maxkamadeed. iii. u hoggaansanaanta qodobada xeerkan iyo xeerarka kale ee dalka. <p>e) ay:</p> <ol style="list-style-type: none"> i. lagama maarmaan u tahay Hantiilaha-Xogta in loo fidiyo adeeg caafimaad oo degdeg ah. ii. lagama maarmaan u tahay in laga hortago khatar saamayn karta amniga qaranka, difaaca, ama kala dambaynta dawladnimo. 	<p>b) the Data Subject has willingly made public its Electronic Data.</p> <p>c) the Data Subject has given consent its Electronic Data to be collected from another source.</p> <p>d) the collection of data from another source is necessary for:</p> <ol style="list-style-type: none"> i. the law enforcement agencies and national security. ii. the enforcement of judicial orders, investigations, and prosecutions. iii. compliance with the provisions of this Act and any other written law. <p>e) it is:</p> <ol style="list-style-type: none"> i. required for providing emergency medical care to the Data Subject. ii. necessary for the prevention of a legitimate threat that may disrupt the national security, defense, or public order.
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<p style="text-align: center;">Qodobka 14-aad</p> <p style="text-align: center;">Adeegsiga Xogta Elektatooniga ah ee Caruurta iyo Dadka Nugul</p> <ol style="list-style-type: none"> 1. Marka Hantiilaha-Xogtu uu yahay ilmo yar ama qof nugul, xuquuqda adeegsiga xogtiisa waxa bixin kara waalid, ama qofka kale oo kaalinta waalidnimo ugu jira. 2. Maamula-Xogtu ma adeegsan karo xogta elektarooniga ah ee caruurta ama qofka nugul haddii aanu ogolaansho ka haysan waalidka ama qofka kaalinta waalidnimo ugu jira. 3. Maamulaha-Xogtu haddii xogta elektaroonigga ah ay khusayso caruur ama qof nugul, waa in uu hubiyaa in uu ogolaansho u haysto islmarkaan caddayn karaa. 4. Maamula-Xogtu waa in uu si gaar xil isaga saaraa xogta caruurta iyo dadka nugul. 	<p style="text-align: center;">Article 14</p> <p style="text-align: center;">Processing of child and vulnerable person's Electronic Data</p> <ol style="list-style-type: none"> 1. When the Data Subject is a child or a vulnerable person, the right to processing its Electronic Data can be exercised by the parents or any other person exercising parental responsibility for that child or vulnerable person. 2. A Data Controller shall not process the Electronic Data of a child or vulnerable person without the consent of the parents or any other person exercising parental responsibility for that child or vulnerable person. 3. Where the Electronic Data of a child or vulnerable person is involved, the Data Controller must have consent and shall verify that consent has been granted. 4. A Data Controller must take additional measures when dealing with the Electronic Data of a child or vulnerable person.
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<p style="text-align: center;">Qodobka 15-aad</p> <p style="text-align: center;">Xogta Hidda-Sidaha, Xogta Bay'omitrigga, iyo Xogta Caafimaadka</p>	<p style="text-align: center;">Article 15</p> <p style="text-align: center;">Genetic data, biometric sensitive data, and medical data</p>
<ol style="list-style-type: none"> 1. Wasaaradda ayaa soo saari doonta Xeeridaamye u gaar ah nidaaminta adeegsiga Xogta Elekrooniga ah ee bixinta adeegga caafiimaadka. 2. Lama adeegsan karo xogta hidda-sidaha, bay'omitrigga ama xogta caafimaadka ee qof leeyahay Haddii aan isaga laga helin ogolaansho qoraal ah. 3. Ogolaanshaha lagu xusay farqadda 2-aad ee qodobkan, Qofku wuu ka noqon karaa marka uu doono, sabab la'aan iyo kharash la'aan. 4. farqadda 2-aad ee qodobkan laguma dabaqi karo, marka: <ol style="list-style-type: none"> a) adeegsigu lagama maarman u yahay shaqaalaysiinta iyo sugidda waajibaadka iyo xuquuqda shaqaalaha. b) adeegsigu lagama maarmaan u yahay in loo hoggaansamo shuruucda amniga qaranka. 	<ol style="list-style-type: none"> 1. The Ministry shall issue a regulation prescribing conditions under which medical data shall be processed. 2. The processing of genetic data, biometric data, or medical data is prohibited unless the Data Subject has provided written consent. 3. The Data Subject can revoke the consent under sub-article (2) at any time, without reason and without cost. 4. Provisions of sub-article (2) shall not apply if: <ol style="list-style-type: none"> a) the processing is necessary for carrying out specific obligations and rights enshrined under Somaliland employment law. b) the processing is essential to comply with national security regulations. c) the processing is necessary for the protection of the health or wellbeing of the people.

<p>c) adeegsigu lagama maarman u yahay dhawrista caafimaadka ama badqabka bulshada.</p> <p>d) adeegsigu xogtu lagama maarmaan u tahay arrimo sharci oo la xidhiidha danta guud.</p> <p>e) adeegsigu lagama maarmaan u tahay ilaalinta danaha Hantiilaha-Xogta ama qof kale, marka Hantiiluhu aanu bixin karayn ogolaansho si fool ka fool (Physical) ah ama qaab kale oo sharcigu ogolyahay ama aanu lahayn Hantiilaha Xogtu wakiil sharci oo matali kara.</p> <p>f) adeegsigu xogtu lagama maarmaan u tahay ka hortagga khatar dhaw ama yaraynta saamayn ka dhalata fal-dembiyeed.</p> <p>g) adeegsigu la xidhiidho xog uu qofku ka dhigay mid guud.</p> <p>h) adeegsigu lagama maarmaan u yahay oogista dacwad maxkamadeed iyo fulinta amar garsoor.</p>	<p>d) the processing is necessary for a legal matter that is vital to the public interest.</p> <p>e) the processing is necessary to protect the Data Subject's or another natural person's interest and the Data Subject is physically or legally incapable of giving consent or is not represented by a legal, judicial, or agreed-upon representative.</p> <p>f) the processing is necessary to prevent imminent risk or mitigate a specific criminal offense.</p> <p>g) the processing relates to data that the Data Subject has willingly made public.</p> <p>h) the processing is required to establish, exercise, or defend of legal cases or enforcement of legal order.</p> <p>i) the data processing is necessary for scientific study.</p> <p>j) the processing is required for:</p> <ul style="list-style-type: none"> i. the prevention or treatment of deceases
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<p>i) ujeedada adeegsigu ay tahay cilmi-baadhis.</p> <p>j) uu adeegsanayo xirfadle caafimaad ujeedaduna tahay:</p> <p>i. ka hortagga iyo daawaynta xanuunada,</p> <p>ii. ogaanshaha xaalad caafimaad,</p> <p>iii. bixinta daryeelka iyo daawaynta qofka, ama qaraabadiisa u dhaw.</p> <p>5. Haddii qofku aanu bixin karayn ogolaansho qoraal ah, waxa masuul ka noqonaya adeegsiga la xidhiidha Xogta caafimaad ee qofka Xirfadle Caafimaad oo awood u leh.</p> <p>6. Xogta la xidhiidha caafimaadka, waxa laga soo uruurin karaa ilo kale marka aanu Qofku u bixin karayn si toos ah.</p> <p>7. Xirfadlaha caafimaad iyo wakiiladiisu waxa ku waajib ah in ay ilaaliyaan dhowrsanaanta iyo amaanka Xogta caafimaad ee ay hayaan.</p> <p>8. Haddii loo baahdo adeegsiga Xogta Hida-sidaha sida cadayn sharci</p>	<p>ii. the medical diagnosis of Data Subject</p> <p>iii. the provision of medical care or treatment for the Data Subject or his or her relatives.</p> <p>5. Where the Data Subject is unable to provide a written consent, its medical data may only be processed under the supervision of a health-care professional.</p> <p>6. Where the Data Subject is unable to provide a written consent, its medical data can be collected from other sources.</p> <p>7. Healthcare professionals and their agents shall protect the privacy and security of the medical data in their possession.</p> <p>8. When the processing of genetic data is necessary for legal evidence, consent shall be obtained from the Data Subject or government institutions with legal authority.</p> <p>9. When the processing of medical data is necessary for the identification of a patient, consent can only be obtained from</p>
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<p>waxa ogolaanshaha bixin kara Hantiilaha-Xogta ama hay'ad dawladeed oo awood sharci u leh,</p> <p>9. Xogta caafimaad waa la adeegsan karaa haddii ujeeddadu tahay aqoonsi bukaan. Waxana bixin kara ogolaanshaha hay'ad Dawleed oo awood sharci u leh.</p> <p>10. Marka Da'da Qofku ay ka yartahay Shan iyo Toban Sano, lama adeegsan karo xogtiisa bay'omitrigga, hiddo-sidaha iyo caafimaadka, ilaa uu ogolaansho qoraal ah bixiyo waalidkii ama qofka kaalinta waalidnimo ugu jira.</p>	<p>government institutions with legal authority.</p> <p>10. The processing of genetic data, biometric data, or health data is prohibited when the Data Subject is below 15 years old, unless a written consent has been given by the parents or any other person practicing parental responsibility.</p>
<p style="text-align: center;">Qodobka 16-aad</p> <p style="text-align: center;">Adeegsiga Xogta Elektarooniga ee Arrimaha Garsoorka</p> <p>1. Xog Elektroonigga ah ee gaarka ah waxa loo adeegsan karaa arimahan soo socda ka dib markaa ogolaansho laga helo maxkamad:</p> <ul style="list-style-type: none"> a) baadhitaan dembi ama dembiile b) cadayn dembi 	<p style="text-align: center;">Article 16</p> <p style="text-align: center;">Electronic Data in Legal Proceedings</p> <p>1. when consent is obtained from a court, personal electronic data can be processed for:</p> <ul style="list-style-type: none"> a) investigation of a crime or criminal b) proof of guilt c) evidence of legal proceedings between two parties. d) search of a missing person

<p>c) cadayn dacwad sharci oo ka dhaxaysa laba dhinac</p> <p>d) baafin</p> <p>2. Iyada la tixraacayo farqadda 1-aad ee qodobkan, Maxkamaddu waa inay hubisaa in ay ogolaanshaha ku bixisay xogta loo baahan yahay oo kali ah.</p> <p>3. Iyada la tixraacayo farqadda 1-aad ee qodobkan Maamulaha ama Adeegsadaha Xogta waxa waajib ku ah inuu si dhamaystiran u bixiyo xogta la xidhiidha arrimaha garsoorka ee laga soo codsaday.</p> <p>4. Wasaaradda ayaa soo saari doonta xeer-nidaamiye maamuli doona qaabka Xogta Elektrooniga loogu adeegsanayo arimo garsoor.</p>	<p>2. Subject to sub-article (1), the court shall verify that the consent has been provided on specific Electronic Data.</p> <p>3. Subject to sub-article (1), Data Controllers and data processors shall provide Electronic Data required for legal proceedings.</p> <p>4. The Ministry shall issue a regulation on the terms governing Electronic Data necessary for legal proceedings.</p>
<p style="text-align: center;">Qodobka 17-aad</p> <p style="text-align: center;">Dembiyada Cutubkan</p> <p>1. Shirkadda jebisa qodobada cutubkan waxay galaysaa dembi, waxaanay mutaysanaysaa ganaax lacageed oo aan ka badnayn boqol iyo konton milyan oo SLSH.</p>	<p style="text-align: center;">Article 17</p> <p style="text-align: center;">Offence of this Chapter</p> <p>1. A body corporate that violates the provisions of this chapter commits an offense and is subject to a fine not exceeding one hundred and fifty million SLSH.</p>

<p>2. Qofka jebiya qodobada cutubkan wuxuu galayaa dembi, wuxuuna mutaysan doona ganaax lacageed oo aan ka badnayn afartan milyan oo SLSH, ama xukun ciqaabeed aan ka badnayn laba sano, ama labadaba.</p>	<p>2. When the offense is committed by a natural person, the offender is subject, upon conviction, to a fine not exceeding forty million SLSH or imprisonment for a maximum term of two years, or both.</p>
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CUTUBKA 4-AAD

KA DHAAFIDA MABAADI'DA IYO XEERARKA ADEEGSIGA XOGTA ELEKTARONIGA AH

Qodobka 18-aad

Difaaca Amniga Qaranka iyo kala Dambaynta Guud

1. Hay'addaha Dawladda ee u xil-saaran fulinta sharciga, ilaalinta amaanka iyo difaaca qaranka, waa laga dhaafayaa dabaqidda qodobada ku xusan Cutubka 3-aad.

Qodobka 19-aad

Ka Hortaga, Ogaanshaha, Baadhista iyo Dacwaynta Sharci Jebinta

1. Waxa loo adeegsan karaa xogta elektarooniga ah ee Ciddi leedahay

CHAPTER 4

EXEMPTIONS FROM PRINCIPLES AND RULES OF PROCESSING OF ELECTRONIC DATA

Article 18

National Security Defence and Public Order

1. Law enforcement agencies, national security agencies and national defense forces are exempted from the provisions of Chapter 3.

Article 19

Prevention, Detection, Investigation, and Prosecution of Contraventions of Law

1. Processing of Electronic Data for the purpose of preventing, detecting,

ka hortagga dembiyadda, ogaanshaha, baadhidda dembiyadda iyo oogidda dacwad maxkamadeed, marka uu jideeyo xeer ama la helo amar garsoor.

2. Maamulaha-Xogtu ma haysan karo mana kaydin karo xogta elektarooniga ah ee loo adeegsaday qaab waafaqsan farqadda 1-aad ee qodobkan, marka ay dhammaato u jeeddadii loo adeegsaday.

Qodobka 20-aad

Ujeeddo Cilmi Baadhis, Kaydin, Ama Tirakoob

1. Marka adeegsiga xogta elektarooniga ah ee qofku ay lagama maarmaan u tahay ujeeddooyin cilmi-baadhis, kaydin, ama tirakoob, adeegsiga xogtaas laguma dabaqayo qodobada ku xusan Cutubka 3-aad.
2. Marka laga yimaado sida ku xusan farqadda 1-aad ee qodobkan, xogta elektarooniga ah ee gaarka ah waxa adeegsan kara hay'ad dawladeed marka, xogta la doonayaa ay

investigating, or prosecuting an offense or any other legal infraction is only allowed when authorised by a written law or court order.

2. The Data Controller shall no longer retain the Electronic Data that was processed in accordance with sub-article (1), when the purpose of processing is no longer required.

Article 20

Research, Archiving or Statistical Purpose

1. Processing of Electronic Data for research, archiving, or statistical purposes is exempt from the provisions of Chapter 3.
2. Despite sub-article (1), Electronic Data can be processed by a government institution when, the electronic data is necessary for administrative decision.
3. The Department of Data Protection provides the permission under sub-article (2).

<p>lagama maarmaan u tahay qaadashada go'aan maamul.</p> <p>3. Waaxda Ilaalinta Xogta ee Wasaaradda ayaa bixinaysa ogolaansha adeegsiga ku xusan farqadda 2-aad</p> <p>4. Marka xogta elektarooniga ah ee Hantiile Xog leeyahay loo adeegsanayo ujeeddo cilmi-baadhis, waa Waaxdu hubisaa in xogta elektarooniga ahi ay tahay mid qarsoodi ah oo dhawrsoon.</p>	<p>4. When electronic data of the Data Subject is processed for research purposes, the Department shall ensure that the electronic data is confidential and secure.</p>
<p style="text-align: center;">Qodobka 21-aad</p> <p style="text-align: center;">Dembiga iyo Ganaaxa Ka Dhasha Jebinta Qodobada Cutubkan</p> <p>1. Haddii Maamulaha ama Adeegsadaha Xogtu yahay Shirkad, hay'ad dawladeed, mid ganacsi ama urur, isla markaana jebiyo qodobada Cutubkan, wuxuu gelayaa dembi, waxaanu mutaysanysaa ganaax lacageed oo aan ka badnayn Laba boqol oo milyan oo SLSH.</p> <p>2. Haddii Maamulaha ama Adeegsadaha Xogtu yahay Qof, isla</p>	<p style="text-align: center;">Article 21</p> <p style="text-align: center;">Offence and Penalty for Contravention of this Chapter</p> <p>1. Whether the Data Controller is a body of corporate, government agency, business organization or NGO, and violates the provisions of this Chapter, commits an offense and is subject to a maximum fine of Two Hundred Million SLSH.</p> <p>2. If the offence under sub-article (1) is committed by a natural person, that person is subject to a maximum fine</p>

<p>markaana jebiyo qodobada Cutubkan, wuxuu galayaa dembi, wuxuuna mutaysan doona ganaax lacageed oo aan ka badnayn Konton milyan oo SLSH, ama xukun ciqaabad ugu badnaan dhan Hal sano, ama labadaba.</p>	<p>of Fifty Million SLSH or Two Years in prison, or to both.</p>
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CUTUBKA 5-AAD

WAAJIBAADKA MAAMULAHA IYO ADEEGSADAHA XOGTA ELEKTARONIGA AH

Qodobka 22-aad

Diiwaanka Hawlaha Adeegsiga Xogta Elektarooniga ah

1. Maamule ama adeegsade kastaa waa in uu leeyahay isla markaana ilaaliyaa diiwaanka uu ku kaydinayo macluumaadka adeegsiga Xogta elektarooniga ah ee uu masuulka ka yahay.
2. Diiwanka ku xusan farqadda 1-aad ee qodobkan, waa in laga helaa:
 - a) magaca iyo ciwaanka maamulaha ama adeegsadaha xogta elektarooniga ah iyo magaca iyo ciwaanka

CHAPTER 5

DUTIES OF DATA CONTROLLER AND DATA PROCESSOR

Article 22

Record of Data Processing Activities

1. Any data controller or processor is required to retain a record of all electronic data processing operations that fall under his or her responsibility.
2. The record under sub-article (1), must include the following:
 - a) the name and contact information of the data controller or processor, and his or her representative and data protection officer.
 - b) the reason for electronic data processing.

<p>sarkaalka/wakiilka ilaalinta xogtu.</p> <p>b) ujeeddada adeegsiga xogta elektarooniga ah.</p> <p>c) faahfaahin ku saabsan jaadka/nooca hantiilaha xogta iyo xogtiisa elektarooniga ah.</p> <p>d) faahfaahin ku saabsan jaadka/nooca qaataha Xogta elektarooniga ah.</p> <p>e) xog kasta oo loo gudbinayo dal kale, waa in loo raacaa sida ku xusan Cutubka 8-aad.</p> <p>f) qorshaha loogu talo galay in lagu tirtiro qaybaha kala duwan ee Xogta elektarooniga ah.</p> <p>3. Maamulaha ama Adeegsadaha Xogtu waa in ay siiyaan diiwaanka xogta elektarooniga ah marka ay Waaxda Ilaalinta Xogta Elektaroonigahi codsato.</p> <p style="text-align: center;">Qodobka 23-aad</p> <p style="text-align: center;">Amniga Adeegsiga Xogta Elektarooniga Ah</p> <p>1. Maamulaha iyo adeegsadaha Xogta waxa ku waajib ah inay qaadaan</p>	<p>c) a description of the Data Subject and electronic data categories.</p> <p>d) a description of the types of recipients of electronic data.</p> <p>e) any electronic data to be transferred to outside country to be a different country and, in accordance to the measures under Chapter 8.</p> <p>f) the plan for erasure for various categories of electronic data.</p> <p>3. The data controller or processor shall, upon request, make the electronic data processing record available to the Department.</p> <p style="text-align: center;">Article 23</p> <p style="text-align: center;">Security of Processing</p> <p>1. Any data controller and processor is required to take measures deemed</p>
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<p>talaabooyinka lagama maarmaanka u ah amaanka iyo ka hortegida khataraha ka dhalan kara adeegsiga Xogta elektarooniga ah.</p> <p>2. Maamulaha iyo Adeegsadaha si ootomaatig ah u adeegsanaya xog elektarooniga ah, waa in ay qaadaan talaabooyinka:</p> <ul style="list-style-type: none"> a) lagaga hortagayo adeegsi ama faragelin aan la ogolayn oo la xidhiidha hababka la isticmaalayo. b) lagu faah-faahinayo qaabka loo adeegsanayo Xogta elektarooniga ah. c) lagu cadaynayo in adeegsiga Xogta elektarooniga ah waafaqsan yahay qodobada xeerkan. d) lagu hubinayo in xogta elektarooniga ah ee la kaydiyay aan wax laga bedeli Karin, waxna lagu dari karin. 	<p>necessary to ensure the security of the processing of electronic data.</p> <p>2. Any Data controller and processor using automated processing of electronic data shall:</p> <ul style="list-style-type: none"> a) prevent unauthorized processing or interference with the systems used for automation b) detailing how electronic data is processed. c) ensure that the processing of electronic data is in accordance with the provisions of this Act. d) ensure that it is possible to ascertain the particulars of any processing that occurs. e) ensure that stored electronic data shall not be altered or added to.
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<p style="text-align: center;">Qodobka 24-aad</p> <p style="text-align: center;">La Xisaabtan</p>	<p style="text-align: center;">Article 24</p> <p style="text-align: center;">Accountability</p>
<p>1. Maamulaha-Xogtu waa in uu:</p> <p>a) qaadaa dhammaan talaabooyinka uu ugu hogaansamayo mabaadi’da iyo waajibaadka uu xeerkani jideeyey.</p> <p>b) samaystaa siyaasaado iyo habraacyo u gaar ah oo uu ku fulinayo masuuliyaadka iyo waajibaadka uu xeerkani saaray, isagoo la socodsiinaya Waaxda Ilaalinta Xogta Elektarooniga ah.</p> <p>c) Waa in uu si muuqata ula wadaago Hantiilaha Xogta qoraalo muujinaya habka adeegsiga Xogta elektarooniga ah.</p>	<p>1. The Data Controller shall:</p> <p>a) take necessary measures to ensure compliance with the principles and duties of the provisions of this Act.</p> <p>b) develop policies and procedures to carry out the duties and responsibilities imposed by this Act, while informing the Data Protection Department.</p> <p>c) share with the Data Subject in written form how the electronic data is processed.</p>

<p style="text-align: center;">Qodobka 25-aad</p> <p style="text-align: center;">Muujinta Marka Xogta Elektarooniga ah la Ururinayo</p> <p>1. Marka Maamulaha-Xogtu ama wakiilkiisu si toos ah uga helayo xogta elektarooniga ah hantiilaha xogta, waa in Maamuluhu la wadaagaa hantiila xogta ugu yaraan macluumaadkan soo socda, haddii aanu hore u hayn:</p> <ol style="list-style-type: none"> a) magaca iyo cinwaanka Maamulaha ama wakiilkiisa haddii uu jiro. b) u jeeddada loo adeegsanayo Xogta elektarooniga ah c) xaq diidmo ee hantiilaha Xogta Electrooniga ah shuruud la'aan iyo kharash la'aan. d) in xogtiisa loo adeegsanayo qaab waafaqsan qodobada xeerkan e) cidkasta oo adeegsanaysa xogtiisa. f) xaq uu u leeyahay inuu dib u heli karo xogtiisa elektarooniga ah. 	<p style="text-align: center;">Article 25</p> <p style="text-align: center;">Disclosures when Collecting Electronic Data</p> <p>1. When collecting data directly from the Data Subject, the data controller or its representative shall share with the Data Subject the following information, unless the Data Subject has already received it:</p> <ol style="list-style-type: none"> a) the Data Controller's name and address, or the name and address of his or her representative, if any. b) The purpose of processing the electronic data. c) the right of objection of the Data Subject of the processing of its electronic data without condition and without charge. d) that its electronic data is processed in accordance with the provisions of this Act. e) about other parties involved processing its electronic data. f) right to withdraw its electronic data.
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<p>g) Macluumaadka kale ee ay jidayso Waaxda Ilaalinta Xogtu ee ku xidhan qaabka loo adeegsanayo xogta.</p> <p>2. Qodobada ku xusan farqadda 1-aad ee qodobkan laguma dabaqayo, haddii:</p> <p>a) Adeegsiga Xogta looga baahnyahay ujeedooyin tirakoob, cilmi baadhis ama baadhitaan caafimaad oo lagu horumarinayo bedqabka iyo caafimaadka guud ee Bulshadda.</p> <p>b) xogta loo kaydiyay ama loo bixiyay si waafaqsan qodobada xeerkan.</p> <p>3. Wasaaradda ayaa soo saaraysa xeer-hoosaadyo iyo habraacyo lagu maamulayo hirgelinta qodobadkan.</p> <p style="text-align: center;">Qodobka 26-aad</p> <p style="text-align: center;">Muujin la'aanta Xogta Elektarooniga</p> <p style="text-align: center;">Ah</p> <p>1. Marka laga reebo, xaaladdaha qodobada xeerkani ogolaanayaan,</p>	<p>g) any other information the Data Protection Department issues in relation to the electronic data processing.</p> <p>2. The provisions of sub-article (1) do not apply where:</p> <p>a) the data processing is required for statistical purposes, research, or medical examination for the purpose of promoting the wellbeing of the nation.</p> <p>b) the electronic data has been stored or collected in accordance with the provisions of this Act.</p> <p>3. The Ministry shall issue rules and guidelines for the application of this Article.</p> <p style="text-align: center;">Article 26</p> <p style="text-align: center;">Non-disclosure of Electronic Data</p> <p>1. Besides conditions authorized in the provisions of this Act, Data</p>
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<p>Maamule ama Adeegsade xog elektaroonig ah wax ka reeban, in uu:</p> <ol style="list-style-type: none"> baahiyo, faafiyo, soo bandhigo xog elektarooniga ah oo cidkale leedahay. la wadaago, u diro cid kale xog elektaroonig ah oo aanu lahayn <p>2. Iyada oo la raacayo farqadda 1-aad ee qodobkan, Maamulaha ama Adeegsadhaha xogta elektarooniga ah ee doonaya in uu bixiyo xogta elektarooniga ah, ka hor inta aanu talaabo qaadin, waa in uu ogolaanshaha ka helaa Hantiilaha-Xogta isagoo ku wargelinaya hantiilaha xogta qodobadan:</p> <ol style="list-style-type: none"> ujeeddada bixinta Xogta elektarooniga ah goorta iyo cidda xogta la siinayo. talaabooyinka amaanka Xogta lagu sugayo, siyaasaddaha ilaalinta khusuusiyaadka. habka uu Maamuluhu u raacayo ka noqoshada bixinta xogta, haddii uu 	<p>Controllers and Data Processors are prohibited to:</p> <ol style="list-style-type: none"> disclose, desiminate, or expose electronic data collected from the Data Subject. share with or send to another person electronic data it does not own. <p>2. Subject to sub-article (1), a Data Controller or data processor shall inform the Data Subject of the following details about the Data Subject's electronic data:</p> <ol style="list-style-type: none"> the purpose of disclosing the electronic data. When and to whom the electronic data is to be disclosed. measures taken towards securing the electronic data. privacy protection policies the method for recourse in the event of a grievance relating to disclosure.
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Hantiilaha-Xogtu ka cawdo
bixintaas.

Qodobka 27-aad

Raad-reeb

1. Haddii nidaamka adeegsiga xogtu yahay mid otoomaatig ah Maamulaha ama Adeegsadaha xogtu uu waa in uu ugu yaraan hayaa hal nuqul oo raad-reebka nidaamka, raad-reebku waa in uu cadeeyaa:
 - a) ururinta xogta
 - b) wax ka baddalka xogta
 - c) akhrinta/daalacashada xogta
 - d) bixinta/gudbinta xogta
 - e) isku darka xogta
 - f) tir-tirida xogta
2. Raad-reebka akhrinta (daalacashada) xogta elektarooniga ah waa in ay muujisaa:
 - a) wakhtiga akhrintu dhacday.
 - b) aqoonsiga qofka akhriyey/daalacday xogta elektarooniga ah.
 - c) agabka loo adeegsadey akhrinta

Article 27

Logging

1. In cases where Automated Processing System is involved, a controller or processor must at least preserve a copy of the system log with the following processing operations:
 - a) collection
 - b) alteration
 - c) consultation (read access)
 - d) disclosure (transfers)
 - e) combination
 - f) erasure.
2. The consultation logs shall include the following:
 - a) the date and time of the consultation
 - b) the identity of the person who consulted the electronic data,
 - c) tools used for the consultation
3. The disclosure logs must enable the following to be established:
 - a) date and time of the disclosure

<p>3. Raad-reebka bixinta xogtu waa inay muujisaa:</p> <ul style="list-style-type: none"> a) wakhtiga bixinta Xogta b) aqoonsiga qofka bixiyey xogta c) aqoonsiga qaataha Xogta d) agabka loo adeegsadey bixinta <p>4. Raad-reebka loo kaydiyey sida ku xusan farqadda 1-aad ee qodobkan, waxa kaliya oo loo isticmaali karaa marka ay jiraan ujeedoonyinkan soo socda:</p> <ul style="list-style-type: none"> a) cadayn sharci ahaanshaha adeegsiga xogta. b) Samayn qiimayn iyo dabagal. c) hubin sugnaanshaha iyo amniga xogta elektarooniga ah ee qof, hay'ad dawladeed, mid ganacsi ama urur samafal. d) ujeedooyin dacwad sharci oo maxkamada ka furan. <p>5. Waaxda ilaalinta xogtu waa inay ka heli karto raad-reebka Maamulaha ama Adeegsadaha Xogta, markay u baahato.</p>	<ul style="list-style-type: none"> b) the identity of the person who disclosed the data c) the identity of the recipients of the data. d) Tools used for the disclosure. <p>4. The logs stored in accordance with sub-article (1) may only be used for one or more of the following purposes:</p> <ul style="list-style-type: none"> a) verify the legality of processing. b) to assist the controller or processor in self-monitoring and self-assessment c) to maintain electronic data integrity and security of natural person, government institution, business organization or NGO. d) the purposes of legal proceedings. <p>5. Upon request, the data controller or data processor must make the logs available to the Department.</p>
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<p style="text-align: center;">Qodobka 28-aad</p> <p style="text-align: center;">Waajibaadka Adeegsadaha Xogta Elektaroonigga ah</p> <ol style="list-style-type: none"> 1. Qodobkan waxa lagu dabaqayaa qaabka adeegsadahu u isticmaalayo xogta elektarooniga ah ee qofka, hay'adda dawladeed, mida ganacsi iyo ururada iyaga oo ka wakiil ah Maamulaha-Xogta. 2. Marka uu Maamulaha-xogtu igmanayo adeegsade-xog waa in uu hubiyo: <ol style="list-style-type: none"> a) In uu buuxiyey shuruudaha Cutubkan, iyo. b) In uu ilaaliyey xuquuqda hantiilaha xogta. 3. Adeegsadaha-Xogta ee uu igmaday Maamulaha-Xogtu ma sii igaman karo Adeegsade kale haddii aanu ogolaansho qoraal ah ka haysan Maamulaha Xogta. 4. Haddii Adeegsadaha xogtu rabo in lagu daro Adeegsadaal kale ama la baddelo mid ka mid ah adeegsadaaasha. Waa in uu adeegsadihu u diro Maamulaha Codsi qoraal ah. Maamulaha xogtu 	<p style="text-align: center;">Article 28</p> <p style="text-align: center;">Duties of Data Processor</p> <ol style="list-style-type: none"> 1. This article applies how the Data Processor is processing the electronic data of a natural person, goverement institution, business organisation, or NGO on behalf of the Data Controller. 2. The Data Controller shall ensure the following when using a Data Processor: <ol style="list-style-type: none"> a) meets the requirements of this Chapter, and b) protects the Data Subject's rights. 3. The controller's processor may not engage another processor ("a sub-processor") without the controller's prior written approval. 4. If the controller grants written authorization to a processor, the processor must notify the controller if the processor intends to increase the number of sub-processors it employs or replace any of them (so that the controller has the right to object to the proposal).
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<p>wuxu xaq sharci u leeyahay in uu diido ama ogolaado Codsiga.</p> <p>5. Adeegsiga Xogta elektarooniga ah ee Adeegsadaha waxa go'aaminaya heshiis qoraal ah oo u dhexeeya Maamulaha iyo Adeegsadaha xogta, qoraalkaas oo qeexaya:</p> <ul style="list-style-type: none"> a) ujeeddada loo adeegsanayo Xogta b) muddada adeegsiga Xogta c) jaadka/nooca Xogta loo adeegsanayo. d) jaadka/nooca hantiilaha xogta elektarooniga ah e) waajibaadka iyo masuuliyadka Maamulaha iyo Adeegsada Xogta. <p>6. Heshiisku waa in uu si gaar ah u xusaa in Adeegsadaha-Xogtu uu:</p> <ul style="list-style-type: none"> a) raaco tilmaamaha uu dejiyey Maamuluhu. b) hubiyo in ay adeegsayaasha xogta elektarooniga ah raacayaan waajibka ka saran ilaalinta/qarinta xogta elektarooniga ah. c) qayb ka noqdo hubinta in la buuxiyey shuruudaha 	<p>5. The terms of processing of the Data Processor is governed by a written contract between the Data Controller and the Data Processor that states the following:</p> <ul style="list-style-type: none"> a) the purpose of the processing b) the duration of the processing. c) the types or categories electronic data d) the types or categories of Data Subjects e) Duties and responsibilities of the data controller and the data processor. <p>6. The contract must specifically state that the Data Processor must:</p> <ul style="list-style-type: none"> a) act only on instructions from the controller. b) ensure that those authorized to process electronic data are subject to an appropriate duty of confidentiality; and c) assist the controller in ensuring compliance with the Data Subject's rights under this Chapter. d) When the services the Data Processor is providing to the
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<p>Hantiilaha-Xogta ee ku xusan Cutubkkan.</p> <p>d) marka ay dhamaato bixinta adeegyadda uu adeegsaduho u qabanayo Maamulaha waa in Adeegsaduho:</p> <p>i. tirtiraa ama loo celiyaa Maamulaha, xogta elektarooniga ah ee la xidhiidha adeegaas.</p> <p>ii. tirtiraa nuquladda xogta elektarooniga ah haddii aan sharci waajibinayn in uu kaydiyo nuquladaa.</p> <p>e) suurta geliyo helista macluumaad kasta oo tusaya Maamulaha-Xogta u hoggaansanaanta Cutubkan, iyo</p> <p>f) u hoggaansamo shuruudaha qodobkani u jideeyey sii igmashada Adeegsadayaal kale ee Cutubkani xusayo.</p> <p>7. Iyadoo la raacayo nuxurka farqadda 6-aad xarafka (a) ee qodobkan, haddii ujeeddada heshiisku la xidhiidho adeegsade</p>	<p>Data Controller ends, the Data Processor shall:</p> <p>i. either delete or return to the Data Controller the electronic data relating to the service, and</p> <p>ii. delete copies of the Electronic Data unless required by law to store the copies.</p> <p>e) make available to the controller all information required to demonstrate compliance with this Chapter, and</p> <p>f) comply with the requirements of this Article for engaging sub processors.</p> <p>7. Subject to the contract terms under sub-article (6)(a), if the purpose of the contract involves a Data Processor outside the country, the Data processor shall obtain:</p> <p>a) permission from the Data Protect Department.</p> <p>b) permission from the Data Controller.</p>
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<p>dalka ka baxsan, waa in Adeegsadaha xogtu helo:</p> <p>a) ogolaanshaha Waaxda Ilaalinta Xogta elektarooniga ah</p> <p>b) ogolaanshaha Maamulaha Xogta elektarooniga ah</p> <p>8. Haddii Adeegsadaha Xogtu jebiy qodobada ku xusan Cutubkan, waxa loo tixgalinayaa sidii Maamule Xog waxana qabanaya dembiyadda Maamulaha-Xogta ee xeerkani xusay.</p> <p style="text-align: center;">Qodobka 29-aad</p> <p style="text-align: center;">Maamulayaal Wadajir ah</p> <p>1. Marka Maamulayaasha Xogtu ka badanyihiin laba waxay noqonayaan Maamulayaal wadajir ah waxana lagu dabaqayaa qodobadda ku xusan Cutubkan.</p> <p>2. Maamulayaasha Wadajirka ahi waa in ay si daahfuran u dhaqan-geliyaan, masuuliyadahooda iyo qodobadda ku xusan xeerkan.</p> <p>3. Waa in Maamuluhu la socodsiiyo Hantiilaha Xogta nuxurka heshiiska qodobkan ku xusan.</p>	<p>8. If the Data Processor violates the provisions of this Chapter, the Data Processor shall be treated as a Data Controller and is subjected to the crimes set for the Data Controller in this Act.</p> <p style="text-align: center;">Article 29</p> <p style="text-align: center;">Joint Controllers</p> <p>1. When two or more controllers who jointly determine the purpose and means of processing electronic data are referred to as joint controllers and shall be governed by the provisions of this Chapter.</p> <p>2. Joint controllers must define their respective duties transparently and in compliance with this Act.</p> <p>3. Data controller shall inform the data Subject of the terms of the contract stated under this Article.</p>
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<p style="text-align: center;">Qodobka 30-aad</p> <p style="text-align: center;">Dembiyada qabanaya Maamulaha iyo Adeegsadaha Xogta</p> <ol style="list-style-type: none"> 1. Haddii Maamulaha ama Adeegsadaha Xogtu yahay Shirkadd, hay'ad dawladeed, mid ganacsi ama urur, isla markaana jebisa qodobada Cutubkan, waxay gelayso dembi, waaxanay mutaysanysaa ganaax lacageed oo aan ka badnayn Laba boqol oo milyan oo SLSH. 2. Haddii Maamulaha ama Adeegsadaha Xogtu yahay Qofka, isla markaana jebiyoo qodobada Cutubkan, wuxuu galayaa dembi, wuxuuna mutaysan doona ganaax lacageed oo aan ka badnayn Konton milyan oo SLSH, ama xukun ciqaabad ugu badnaan dhan Hal sano, ama labadaba. 	<p style="text-align: center;">Article 30</p> <p style="text-align: center;">Offence by the Data Controller</p> <ol style="list-style-type: none"> 1. If the data Controller or the Data Processor is a body corporate, government institution, business company, or NGO and violates the provisions of this Chapter commits an offense, and is subject to a fine not exceeding two hundred million SLSH. 2. If the data Controller or the Data Processor is a natural person and violates the provisions of this Chapter commits an offense, and is subject to a fine not exceeding fifty million SLSH or a maximum sentence of one year in prison, or to both.
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CUTUBKA 6-AAD

XUQUUQDA HANTIILAHA XOGTA

Qodobka 31-aad

Xaquuqda Helidda iyo War-gelinta

1. Hantiilaha-Xogtu waxa uu xaq u leeyahay in uu ka helo Maamulaha-Xogta, wargelin ku saabsan marka la adeegsanayo xogtiisa.
2. Hantiilaha-Xogta, marka xogtiisa elektarooniga ah la adeegsanayo waa in uu helaa macluumaadkan soo socda:
 - a) ujeeddada loo adeegsanayo.
 - b) qaabka loo adeegsanayo.
 - c) cidda adeegsanaysa xogtiisa elektarooniga ah.
 - d) muddada ay xogta elektarooniga ah la kaydinaayo, iyo qodobada loo cuskaday kaydinta.
 - e) xadka xogta la adeegsanayo iyo halka laga soo qaaday.

CHAPTER 6

RIGHTS OF DATA SUBJECTS

Article 31

Rights of Access and Notification

1. The Data Subject has the right to obtain from the Data Controller when its Electronic Data is being processed.
2. The Data Subject has the right to obtain the following information when its Electronic Data is being processed:
 - a) the purpose is being processing.
 - b) how the data is being processed.
 - c) who is processing the Electronic Data.
 - d) The projected period the Electronic Data shall be retained, and the criteria used to determine the retention period.
 - e) the extent of the Electronic Data involved in the processing and

<p>3. haddii adeegsiga xogtu yahay mid ootomaatig ah waa in Hantiilaha xogtu helaa ujeedada nidaamka ootomaatig looga dhigay.</p> <p>4. Hantiila-Xogtu waxa uu xaq u leeyahay in lagu war galiyo Haddii xogtiisa cidkale (dhinac saddexaad) la siiyey iyo qaabka ay u adeegsanayaan</p> <p>5. Hantiilaha-Xogtu waa in uu helaa marka uu u baahdo xogtiisa elektarooniga ah, qaab waafaqsan qodobada xeerkan shuruud la'aan.</p> <p>6. Marka xogta elektarooniga ah ee xasaasiga ah ee qofka loo adeegsanayo cilmi baadhis, waxa dib loo dhigi karaa ogaysiinta Hantiilaha-Xogta ilaa ay dhammaanayso cilmi baadhistu haddii:</p> <p>a) wargalinta la wargalinayo hantiilaha xogtu ay wax u dhimayso cilmi baadhista.</p> <p>b) aanay jirin khataro muuqda oo xadgudub ku ah xaq ilaalinta khusuusiyaadka hantiilaha xogta.</p>	<p>the sources it has been collected, and</p> <p>3. Where the Electronic Data has been processed automatically, the Data Subject has the right to be informed of the purpose behind the automation.</p> <p>4. A Data Subject has the right to be informed of all third parties to whom their Electronic Data has been given and how it is going to be processed.</p> <p>5. A Data Subject has the right to access its Electronic Data at any time in accordance with this Act and without any condition.</p> <p>6. Where the Electronic Data is processed for research, notifying the Data Subject may be delayed until the end of the research if:</p> <p>a) informing the Data Subject would seriously harm the study.</p> <p>b) there are no obvious risks of violation of the Data Subject's right to privacy.</p> <p>c) the Data Subject has given consent when the data was collected.</p>
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<p>c) uu ogolaansho bixiyay markii Xogta la ururinayey.</p> <p>7. Haddii Hantiilaha-Xogtu codsado nuqul ka mid ah xogtiisa elektrooniga ah Maamuluhu waa in ku siiyaa lacag la'aan.</p> <p>8. Iyaddo la tixraacayo farqadda 7-aad ee qodobkan, haddii uu Hantiilaha-Xogtu codsado nuqullo dheeraad ah, Maamulaha-Xogtu waxa uu ka qaadi karaa kharash maamul oo macquul ah.</p> <p>9. Hantiilaha-Xogta waa in lagu siiyo xogtiisa elektarooniga ah qaabka (format) uu ku soo codsado.</p> <p>10. Xaqa lagu helayo nuqul ka mid ah xogta elektarooniga ah ee ku xusan farqadda 7-aad ee qodobkan, lagu dabaqi maayo Haddii fulintu ka hor imanayso xuquuqda sharci iyo xorriyadda dadka kale leeyihiin.</p> <p>11. Maamulaha-Xogtu waa in uu Hantiilaha-Xogta ku wargaliyaa kulankooda u horreeya xuquuqda uu leeyahay Hantiilaha-Xogtu.</p>	<p>7. When the Data Subject requests for a copy of its Electronic Data, a Data Controller shall provide the copy to the Data Subject free of charge.</p> <p>8. Subject to sub-article (7), if the Data Subject requests additional copies, the Data Controller may charge a reasonable administrative cost.</p> <p>9. When the Data Subject requests a copy of its Electronic Data, the Data Controller shall provide it in the format the Data Subject requested.</p> <p>10. If exercising the right under sub-article (7) to obtain a copy of your Electronic Data would violate someone else's rights or freedoms, it would not be enforced.</p> <p>11. The Data Controller shall inform the Data Subject at their first meeting of the Data Subject's rights.</p>
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Qodobka 32-aad

Xaqa Sixidda

1. Hantiilaha-Xogtu wuxuu xaq u leeyahay sixidda xogtiisa elektarooniga ah markuu u baahdo inuu saxo.
2. Hantiilaha-Xogtu, isagoo ka duulaya ujeedooyinka adeegsiga Xogtiisa elektarooniga ah, wuxuu xaq u leeyahay in uu dhammaystiro xogtiisa aan dhamaystirayn.

Qodob 33-aad

Xaqa Tirtirida

1. Hantiilaha-Xogtu waxa uu xaq u leeyahay in uu tirtiro xogtiisa elektarooniga ah markuu u codsado.
2. Maamulaha-Xogta waxa ku waajib ah in uu tirtiro xogta elektarooniga ah ee Hantiilaha isaga oo aan dib u dhigayn marka:
 - a) ay dhamaato ujeedadii xogta elektarooniga ah loosoo ururiyey.

Article 32

Right to Rectification

1. The Data Subject has the right to rectify its Electronic Data when it needs to rectify.
2. A Data Subject, taking into consideration the purposes of the processing, has the right to complete its incomplete Electronic Data.

Article 33

Right to Erasure

1. The Data Subject has the right to the erasure of its Electronic Data upon request.
2. The Data Controller has the obligation to erase Electronic Data without undue delay where—
 - a) The purpose for which the Electronic Data was collected ends.

<p>b) Hantiilaha-Xogtu la noqdo ogolaanshaha adeegsiga xogtiisa elektarooniga ah.</p> <p>c) Hantiila xogtu yahay/tahay Caruur, oo uu qofka kaalinta waalidnimo ugu jiraa la noqdo ogolaanshaha adeegsiga xogtiisa elektarooniga ah.</p> <p>d) Hantiilaha-Xogtu uu diido adeegsiga xogtiisa elektarooniga ah xaalado gaar ah, isla markaana aanu jirin sharci kale oo waajibinaya adeegsiga xogtiisa.</p> <p>e) ay cadaato in adeegsiga xogta elektarooniga ah ee qofka, hay'adda dawladeed, midda ganacsi ama urur loo adeegsaday qaab aan sharciga waafaqsanayn.</p> <p>f) Marka Maamulaha-Xogtu uu fulinayo amar garsoor, ama amar hay'ad dowladeed oo awood sharici u leh tirtirada xogta elektarooniga ah.</p> <p>3. Farqada 2-aad ee qodobkan, lagu dabaqi maayo haduu jiro amar garsoor ama hay'ad dawladeed oo</p>	<p>b) the Data Subject withdraws consent for the processing of its Electronic Data.</p> <p>c) the Data Subject is a child, and his parent or a person practicing parental responsibility withdraws consent for the processing its Electronic Data.</p> <p>d) the Data Subject objects to the processing and there are no overriding legitimate grounds for the processing.</p> <p>e) it becomes evident the Electronic Data of a natural person, government institution, business organization, or a child has been processed in contravention of the provisions of this Act or any other written law.</p> <p>f) the Data Controller is executing a court order, or an order from a government agency who has the legal authority to erase Electronic Data.</p> <p>3. Sub-artcile (2) does not apply if there is a court order or an order from a government agency that has</p>
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awood u leh ay joojiso tirtirida Xogta Elektarooniga ah.

4. Marka Hantiilaha-Xogtu codsado in la tirtiro nuqul kasta oo la xidhiidha xogtiisa elektarooniga ah, Maamulaha-Xogtu waa in uu wargeliyaa Adeegsadaha-Xogta iyo cidkastoo adeegsanaysa in tirtiraan xogta nuqulkasto oo la xidhiidha xogtaas elektarooniga ah sidoo kalena hubiyaa in Adeegsadaha-xogtu fuliyay codsigii Hantiilaha.

Qodobka 34-aad

Xaqa Diidmada

1. Hantiilaha Xogtu wuxu xaq u leeyahay in uu diido adeegsiga xogtiisa.
2. Hantiilaha-Xogtu wuxu xaq u leeyahay:
 - a) In uu si guud u diido adeegsiga xogtiisa elektarooniga ah nooca ay doontaba ha ahaatee.
 - b) In uu diido adeegsiga xaalado gaar ah, sida:
 - i. Suuq-geyn/ xayaysiis
 - ii. Cilmi baadhis

the authority to stop the erasure of Electronic Data.

4. When a Data Subject requests the erasure of any links to, copies of, or replications of their Electronic Data, the controller must take all appropriate steps to notify any data processors and third parties who are processing that data as a result of the publication.

Article 34

Right to Objection

1. A Data Subject has the right to object to the processing of its Electronic Data.
2. The Data Subject has the right:
 - a) to generally object the processing of its Electronic Data in any form.
 - b) to object the processing of its Electronic Data for:
 - i. marketing/advertisement
 - ii. research

<p>iii. Xog ururin ganacsi</p> <p>3. Marka uu Hantiilaha-Xogtu diido in la adeegsado xogtiisa elektarooniga ah, Maamulaha-Xogtu ma adeegsan karo xogtaas</p> <p>4. Farqadaha 1-aad iyo 2-aad ee qodobkan, lagu dabaqi maayo haduu jiro amar garsoor ama hay'ad dawladeed oo awood u leh.</p> <p style="text-align: center;">Qodobka 35-aad</p> <p>Xaqa Xadiddaada Adeegsiga Xogta</p> <p>1. Hantiilaha-Xogtu wuu u xaddidi karaa Maamulaha-Xogta adeegsiga xogtiisa elektarooniga ah marka:</p> <p>a) uu ka doodo saxsanaanta xogtiisa elektarooniga ah.</p> <p>b) uu go'aaminayo wakhtiga iyo ujeedada xogtiisa elektarooniga ah loo adeegsankaro.</p> <p>c) aanu Maamulaha-Xogtu u baahnayn adeegsiga qayb xogta ka mid ah.</p> <p>2. Farqada 1-aad ee qodobkan, lagu dabaqi maayo haduu jiro amar</p>	<p>iii. data collection for business purpose</p> <p>3. When the Data Subject objects to the processing of its Electronic Data, the Data Controller shall cease processing.</p> <p>4. Sub-article (1) and (2) shall not apply when there is a court order or an order from a government agency that has the authority to stop objection to the processing of Electronic Data.</p> <p style="text-align: center;">Article 35</p> <p>Right to Restriction of Processing</p> <p>1. A Data Subject has the right to restrict a Data Controller from processing its Electronic Data if –</p> <p>a) the Data Subject contests the correctness of its Electronic Data.</p> <p>b) the Data Subject decides the time frame and purpose for which its Electronic Data shall be processed.</p> <p>c) The Data Controller may not require the processing of part of the Electronic Data.</p>
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garsoor ama hay'ad dawladeed oo awood u leh.

Qodobka 36-aad

Xaqa Wareejinta Xogta

1. Hantiilaha-Xogtu wuxuu xaq u leeyahay in uu ku helo xogtiisa qaab la isticmaali karo qalabka tiknoolajiyaduna akhriyi karo, si uu ugu wareejin karo maamule kale.
2. Hantiilaha-Xogtu waxa uu xaq u leeyahay in uu Maamulaha-Xogtiisa ka codsado in uu si toos ah ugu wareejiyo maamule kale, haddii ay farsamo ahaan suurtagal tahay.

Qodobka 37-aad

Waajibka War-galinta

1. Haddii Hantiilaha-Xogtu codsado wax ka badalka, tirtirida, ama

2. Sub-article (1) does not apply if there is court order or an order from a government agency that has the authority to stop the restriction of processing the Electronic Data.

Article 36

Right to Data Portability

1. A Data Subject has the right to obtain its Electronic Data, in a format that is frequently used or machine readable, to transmit it to another Data Controller.
2. the Data Subject, where it is technically possible or appropriate, has the right to have its Electronic Data transferred directly from one Data Controller to another.

Article 37

Notification Obligation

1. When the Data Subject requests rectification, erasure, or restriction of the processing its Electronic

xaddidaada adeegsiga xogta elektarooniga ah, Maamulaha-Xogtu waa in uu ku wargaliyaa adeegsadayasha-Xogta codsiga Hantiilaha-Xogta loo fuliyey qaab waafaqsan qodobadda xeerkan.

Qodonka 38-aad

Dhimidda Xuquuqda

1. Xuquuqda Hantiilaha-Xogta ee ku xusan Cutubkan, lagu dabaqi maayo marka adeegsiga Xogta:
 - a) loo raacayo waajibaad xeer jideeyey ama go'aan garsoor.
 - b) loo adeegsanayo xogta qaab dan guud ku jirto
 - c) uu fulinayo maamuluhu xogtu go'aan ay soo saartay hay'ad dawladeed oo awood u leh.
 - d) ujeedadiisu tahay cilmi baadhis waafaqsan qodobada xeerkan.
 - e) loo adeegsanayo fulinta, ama difaacida xuquuq sharci.

Data, the Data Controller should notify the Data Subject that its request has been carried out in accordance with the provisions this Act.

Article 38

Derogation from Rights

1. To the extent necessary, the rights of a Data Subject under this chapter do not apply where processing is –
 - a) for compliance with a legal obligation or a court order.
 - b) for carrying out a task that is done in the public interest.
 - c) when the Data Controller is executing an order from a government agency that has the authority.
 - d) to scientific research in accordance with provisions of this Act.
 - e) to establish, practice, or defend legal rights.

CUTUBKA 7-AAD

KAYDINTA IYO GUDBINTA XOGTA ELEKTATOONIGA EE DALKA DIBADIISA

Qodobka 39-aad

Kaydinta Xogta Elektarooniga ah

1. Xogta elektaroonigga ah laguma kaydin karo xarumo xog (Data Centers) oo ka baxsan dalka gudihiisa.
2. Marka loo baahdo in xogta elektaroonigga ah lagu kaydiyo dalka dibadiisa, waa in Maamulaha-Xogtu ogolaansho qoraal ah ka helaa Waaxda Ilaalinta Xogta Elektaroonigga.

CHAPTER 7

STORING AND TRANSFER OF ELECTRONIC DATA OUTSIDE THE COUNTRY

Article 39

Storing Electronic Data

1. Electronic data cannot be stored in Data Centers outside the country.
2. When it is necessary to store Electronic Data outside the country, the Data Controller shall obtain written consent from the Data Protection Department.

<p style="text-align: center;">Qodobka 40-aad</p> <p style="text-align: center;">Gudbinta Xogta Elektarooniga ah ee Dalka Dibadiisa</p> <ol style="list-style-type: none"> 1. Wasaaraddu waa inay soo saartaa Xeer nidaamiye maamulaya gudbinta Xogta elektarooniga ah ee Dalka dibadiisa. 2. Maamulaha ama Adeegsadaha Xogtu wuxu u gudbin karaa xogta elektarooniga ah dalka dibadiisa marka: <ol style="list-style-type: none"> a) Waaxda Ilaalinta Xogta elektarooniga ahi ku qanacdo cadaymaha Maamulaha ama Adeegsadaha Xogtu ay ku sugayaan amniga xogta ay waafaqsanyihiin adeegsiga iyo dhowrsanaanta xogta elektarooniga ah, isla markaana laga helo ogolaansho Hantiilaha-Xogta. b) ay gudbinta xogtu lagama maarmaan u tahay: <ol style="list-style-type: none"> i. fulinta heshiis uu ku jiro Hantiilaha xogtu. 	<p style="text-align: center;">Article 40</p> <p style="text-align: center;">Transfer of Electronic Data outside of the Country</p> <ol style="list-style-type: none"> 1. The Ministry shall issue a regulation governing the transfer of electronic data outside the country. 2. A Data Controller or Data Processor can transfer electronic data outside the country, only in the following circumstances: <ol style="list-style-type: none"> a) The Data Controller or data processor has provided proof of appropriate safeguards for the security and protection of electronic data to the Data Protection Department, and obtains consent from the Data Subject. b) The transfer is necessary — <ol style="list-style-type: none"> i. execution of a contract with the Data Subject. ii. execution of a contract between the Data Subject and the Data Controller. iii. execution of a contract between the Data Controller and another
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<p>ii. fulinta heshiis u dhexeeya Hantiilaha iyo Maamulaha Xogta.</p> <p>iii. fulinta heshiis u dhexeeya Maamulaha Xogta iyo Cidkale ogolaanshana laga helay Hantiilaha Xogta.</p> <p>3. Waaxda Ilaalinta Xogtu iyadoo ilaalinaysa xuquuqda iyo xoriyaadka aasaasiga ah ee Hantiilaha-Xogta, waxay diidi kartaa, hakin kartaa ama shuruud ku xidhi kartaa gudbinta Xogta elektarooniga ah ee Dalka dibadiisa.</p> <p style="text-align: center;">Qodobka 41-aad</p> <p style="text-align: center;">Adeegsiga Xarumo Xog oo ku yaal Dalka Dibadiisa</p> <p>1. Wasaaraddu waxay soo saaraysaa Xeer-hoosaad iyo habraac qeexaya shuruudaha looga baahanyahay adeegsiga Xarun Xog (Data Center) oo Dalka dibadiisa ku taala.</p>	<p>party with the consent of the Data Subject.</p> <p>3. The Department of Data Protection, in protection for the fundamental rights and freedoms of the Data Subject, may refuse, suspend or conditioning the transfer of electronic Data outside the country.</p> <p style="text-align: center;">Article 41</p> <p style="text-align: center;">Use of Data Centers outside the Country</p> <p>1. The Ministry shall issue regulations and procedures that define the requirements for the use of Data Centers outside the Country.</p>
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CUTUBKA 8-AAD

MAARAYNTA ADEEGSIGA XOGTA ELEKTARONIGA AH EE DAWLADDA, GANACSIGA IYO HAY'ADAHA AAN DAWLIGA AHAYN

Qodobka 42-aad

Xogta Elektarooniga ah ee Dawladda

1. Wasaaradda ayaa masuul uga ah Qaranka maaraynta iyo ilaalinta xogta elektarooniga ah ee Laamaha Dawladdu ururiyaan, kaydiyaan, sameeyaan isla markaasna adeegsadaan.
2. Wasaaraddu waxay soo saaraysaa Xeer-nidaamiyeyaal, siyaasaddo iyo habraacyo lagu maamulayo

CHAPTER 8

MANAGING AND PROCESSING OF ELECTRONIC DATA FOR THE GOVERNMENT, BUSINESS ORGANIZATIONS AND NON-GOVERNMENTAL ORGANIZATIONS

Article 42

Government Electronic Data

1. The Ministry is responsible for the management and protection of electronic data, collected, stored, created and processed by the Government Institutions.
2. The Ministry may issue regulations, policies and procedures to manage and protect government electronic data.

<p>laguna ilaalinayo Xogta elektarooniga ah ee Dawladdu leedahay.</p> <p>3. Wasaaraddu iyadoo la kaashanaysa hay'adaha kale ee ay khusayso waxay soo saaraysaa Xeerka Anshaxa adeegsiga Xogta elektarooniga ah ee shaqaalaha Dawladda.</p> <p>4. Looma adeegsan karo xogta elektarooniga ah ee xafiis dawladeed leeyahay ujeeddo ka baxsan shaqadii loogu talo galay, ama qaab ka baxsan habka wadaagida Xogta elektarooniga ah ee dawladdu leedahay.</p> <p>5. Hay'ad kasta oo dawladeed iyo Hay'ad kasta oo madax banaan waxa ku waajib ah inay ku dhaqmaan siyaasadaha iyo habraacyadda ku xusan farqada 2-aad ee qodobkan ee ay Wasaaradu soo saarto iyaga oo qaadaya talaabooyinka lagama maarmaanka u ah amaanka iyo ka hortegida khataraha ka dhalan kara adeegsiga Xogta elektarooniga ah.</p>	<p>3. The Ministry, in collaboration with other relevant agencies, shall issue a Code of Conduct for the processing of electronic data by government employees.</p> <p>4. The government electronic data cannot be processed for a purpose other than the work intended, or in a way that violates the electronic data sharing process of the government.</p> <p>5. Any public and private organization shall follow the policies and procedures under sub-article (2) issued by the Ministry by taking the necessary measures for security and prevention of risks.</p> <p>6. Any government electronic data shall be stored inside the country.</p> <p>7. The Ministry has the authority to regularly monitor and audit the data centers of other Government Institutions in accordance with the provisions of this Act.</p>
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6. Waa in xog kasta oo elektaroonig ah oo ay Dawladdu leedahay lagu kaydiyo Dalka gudihiisa.
7. Wasaaraddu waxay awood u leedahay inay si joogta ah u daba gasho una baadho xarumaha xogtu ku jirto ee Laamaha kale ee Dawladdu leedahay, inay dabaqeen xeerkan.

Qodobka 43-aad

Wadaagidda Xogta Electarooniga ah ee Dawladda

1. Hay'ad kasta oo dawladeed ama Dawladdaha Hoose waxa ay awood u leeyihiin adeegsiga Xogta Hay'ad Dawladeed oo kale hayso.
2. Wasaaraddu ayaa Qaranka uga masuul ah hirgelinta maamul iyo farsamo ee isku xidhka iyo wadaagidda Xogta elektarooniga ah ee Dawladdu leedahay.

Article 43

Sharing Government Electronic Data

1. Any government institution or municipality has the right to process any electronic data by another government agency.
2. The Ministry is responsible for the administrative and technical implementation of the sharing and interconnection for the government electronic data.

<p>Qodobka 44-aad</p> <p>Xogta Elektarooniga ah ee Ganacsiga</p>	<p>Article 44</p> <p>Sharing Government Electronic Data</p>
<ol style="list-style-type: none"> 1. Qodobkan waxa lagu dabaqayaa Xogta elektaroonigga ah ee loo adeegsado noocyadda kala duwan ee ganacsi ee ruqsad ka haysta Wasaaradda Ganacsiga iyo Dalxiiska, sida: <ol style="list-style-type: none"> a) ka ganacsiga Badeecadaha b) bixinta adeegyo ganacsi c) cilmi-baadhista la xidhidha ganacsiga d) adeeg ganacsi oo kasta ee u baahda adeeg elektaroonig 2. Ruqsadlayaasha ku xusan farqadda 1-aad ee qodobkan waxay noqonayaan Maamulaha-Xogta Elektaroonigga ah, waxa ku waajiba ku dhaqanka qodobada xeerkan. 3. Waxa ku waajiba ganacsade kasta in uu ku kaydiyo Xogta elektarooniga ah Dalka gudihiisa. 4. Haddii ganacsaduhu uu rabo in uu u gudbiyo Xogta elektaroonigga ah Dalka dibadiisa, waa in uu raacaa 	<ol style="list-style-type: none"> 1. This article applies to electronic data used in various types of business licensed by the Ministry of Trade and Tourism, such as: <ol style="list-style-type: none"> a) trading in Goods b) providing business services c) business related research d) any commercial service that requires an electronic service 2. The Licencee under sub-article (1), shall become Data Controllers and are obliged to the provisions of this Act. 3. The Licencee under sub-article (1), shall keep and store electronic data inside the country. 4. The Licencee under sub-article (1), requires to transfer electronic data outside the country, shall follow the principles under Article 40 of this Act. 5. Any Technology or Telecommunication Service Provider, in accordance with this article, shall:

<p>mabaadi'da ku xusan qodobka 40-aad ee xeerkan.</p> <p>5. Shirkadaha ganacsi ee bixiya adeegyadda Isgaadhsiinta iyo Tiknoolajiyadda, iyaga oo dabaqaya farqadaha qodobkan, waxa ku waajib ah:</p> <p>a) in Xogta elektarooniga ah ee ay u ururiyeen adeeg gooni ah, aanay u adeegsan karin bixinta adeeg kale, sida:</p> <p>i. xog ay u ururiyeen adeeg isgaadhsiineed oo ay u adeegsadaan adeeg maaliyadeed</p> <p>ii. xog ay u ururiyeen adeeg maaliyadeed oo ay u adeegsadeen mid isgaadhsiineed</p> <p>b) in ay Xogta elektarooniga ah ee ka dhalanaysa adeegyada ay bixinayaan ay u maareeyaan qaab waafaqsan qodobada xeerkan</p> <p>c) in Xogta elektarooniga ah ee ay ku helayaan qaab Online ah ay u ururiyaan qaab</p>	<p>a) not use the Electronic Data collected for a separate service to another service, such as:</p> <p>i. data collected for the purpose of telecommunication service used for the purpose of financial service.</p> <p>ii. data collected for purpose of financial services used for the purpose of telecommunication.</p> <p>b) manage the electronic data generated from their services in accordance with the provisions of this Act.</p> <p>c) store electronic data collected online in accordance with the provisions of this Act.</p> <p>6. Any contract that a business organization enters, related to the processing of electronic data, shall obtain permission from the Ministry.</p> <p>7. The following cases are exempted from the application of under sub-article (4) in collaboration with the Data Protection Department:</p>
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<p>waafajiysan qodobada xeerkan</p> <p>6. Heshiis kasta oo shirkad ganacsi gelayso lana xidhiidha adeegsiga xog elektaroonig ah, waxa waajib ah in ay ogolaansho ka hesho Wasaaradda.</p> <p>7. Waxa laga reebayaa dabaqaada lagu xusay farqada 4-aad ee qodobkan, xaaladaha soo socda iyada oo la socodsiinaysa Waaxda Ilaalinta Xogta Elektrooniga ah:</p> <p>a) Marka hay'adda Ganacsi u baahato taageero farsamo</p> <p>b) Marka hay'adda Ganacsi u baahato la-talin farsamo</p> <p>8. Wasaaraddu iyada oo la kaashanaysa Wasaaradda Ganacsiga iyo Dalxiiska waxa ay soo saaraysa Xeernidamayayaal maamuli doona Xogta Elektrooniga ah ee ganacsiga.</p>	<p>a) when a business organization requires technical support.</p> <p>b) when a business organization requires technical consultancy.</p> <p>8. The Ministry in collaboration with the Ministry of Trade and Tourism, may issue regulations that will govern business electronic data.</p>
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<p style="text-align: center;">Qodobka 45-aad</p> <p style="text-align: center;">Xogta Electarooniga ah ee Hay'addaha aan Dawliga ahayn</p>	<p style="text-align: center;">Article 45</p> <p style="text-align: center;">Non-Governmental Organizations Electronic Data</p>
<ol style="list-style-type: none"> 1. Qodobkan waxa lagu dabaqayaa Xogta elektarooniga ee ay adeegsadaan noocyadda kala duwan ee Hay'adaha aan Dawliga ahayn (NGOs) ee ku diiwaan gashan qaab waafaqsan Xeerka Ururada Samafalka aan Dawliga ahayn Xeer Lr. 43/2010, sida: <ol style="list-style-type: none"> a) ururada Samafalka aan dawliga ahayn. b) Daladdaha midawga iyo baahwadaagta ururada aan dawliga ahayn. 2. Qodobkan waxa loo aqoonsanayaa in Hay'adda Samafal ee aan Dawliga ahayni tahay Maamulaha-xogta elektarooniga ah, waxa ku waajiba dhaqan-gelinta qodobada xeerkan. 3. Waxa ku waajiba Hay'adda Samafal ee aan Dawliga ahayni in ay Xogta elektarooniga ah ku kaydiso Dalka gudihiisa. 	<ol style="list-style-type: none"> 1. This article applies to the electronic data processed by various types of Non-Governmental Organizations (NGOs) registered in accordance with the Non-Governmental Organizations Act No. 43/2010, as follows: <ol style="list-style-type: none"> a) Non-Governmental Organizations (NGOs) b) Association and partners of non-governmental organizations. 2. The NGOs under sub-article (1), shall become Data Controllers and are obliged to the provisions of this Act. 3. The NGOs under sub-article (1), shall keep and store electronic data inside the country. 4. The NGOs under sub-article (1), requires to transfer electronic data outside the country, shall follow the principles under Article 40 of this Act. 5. The NGOs that collects, processes, disclose or disseminates, in

<p>4. Haddii Hay'adda Samafal ee aan Dawli ahayn rabto in ay u gudbiso Xogta elektarooniga ah Dalka dibadiisa, waxa lagu dabaqayaa sida uu dhigayo qodobka 40-aad ee xeerkan.</p> <p>5. Hay'adda Samafal ee aan Dawliga ahayni ee ururiya, adeegsada, baahiya ama faafiya, iyaga oo dabaqaya farqada 1-aad ee qodobkan, waxa ku waajib ah:</p> <p>a) in Xogta elektarooniga ah ee ay u ururiyeen hawl ama shaqo gaar ah aanay u adeegsan karin mid kale, ilaa ay ogolaansho ka helaan Waaxda Ilaalinta Xogta.</p> <p>b) In ay Xogta elektarooniga ah ee ka dhalanaysa hawlaha ay qabanayaan ay u maareeyaan qaab waafaqsan qodobada xeerkan</p> <p>c) In Xogta elektarooniga ah ee ay ku helayaan qaab Online ah ay u ururiyaan qaab waafaqsan qodobada xeerkan</p> <p>6. Heshiis kasta oo Hay'adda Samafal ee aan Dawliga ahayni gelayso lana xidhiidha adeegsiga xog</p>	<p>accordance with sub-article (1), is obliged to:</p> <p>a) not use the Electronic Data collected for a separate operation to another operation, unless they obtain permission from Data Protection Department.</p> <p>b) manage the electronic data generated from their operations in accordance with the provisions of this Act.</p> <p>c) store electronic data collected online in accordance with the provisions of this Act.</p> <p>6. Any contract that a NGOs enters, related to the processing of electronic data, shall obtain permission from the Ministry.</p> <p>7. The Ministry in collaboration with the Ministry of Planning and National Development, may issue regulations that will govern NGOs electronic data.</p>
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<p>elektaroonig ah, waxa waajib ah in ay ogolaansho ka haysato Wasaaradda.</p> <p>7. Wasaaraddu iyada oo la kaashanaysa Wasaaradda Qorshaynta iyo Horumarinta Qaranka waxa ay soo saaraysa Xeernidamayayaal maamuli doona Xogta Elektrooniga ah ee Hay'adaha Samafalka ee aan Dawliga ahayn.</p>	
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CUTUBKA 9-AAD

DIIWAAN-GELINTA MAAMULAYAASHA IYO ADEEGSADAYAASHA XOGTA ELEKTARONIGA AH

Qodobka 46-aad

Diiwaan-gelinta Maamulayaasha iyo Adeegsadayaasha Xogta Elektarooniga ah

1. Wasaaradda ayaa soo saaraysa Xeer-hoosaad nidaaminaya diiwaangalinta Maamulayaasha-Xogta iyo Adeegsadayaasha Xogta.
2. Agaasimaha Waaxda Ilaalinta Xogtu isaga oo raacaya Xeer-hoosaadyada ay Wasaaraddu soo saartay, waxa uu diiwaan galinayaa Maamulayaasha iyo Adeegsadayaasha Xogta isaga oo tixgelinaya:

CHAPTER 9

REGISTRATION OF DATA CONTROLLERS AND DATA PROCESSORS

Article 46

Registration of Data Controller and Data Processors

1. The Ministry shall issue a regulation for the Registration of Data Controllers and Data Processors.
2. Based on guidelines from the Ministry, the Data Protection Director must set the levels at which Data Controllers and data processors must register. When making this decision, the Data Protection Director must take into account:
 - a) The type of business.

<p>a) jaadka/nooca shirkadda</p> <p>b) mugga xogta electrooniga ah ee la isticmaalayo.</p> <p>c) in xogta uu adeegsanayaa ay tahay xogta gaarka ah ee elektaroonigga ah.</p> <p>3. Iyada oo la raacayo farqadda 1-aad ee qodobkan, Cidna ma maamuli karto mana adeegsan karto xogta elektrooniga ah ilaa uu ogolaansho ka hesho Waaxda Ilaalinta Xogta Electrooniga ah.</p> <p>4. Waaxdu waxa ay bixinaysaa shahaadada diiwaan-gelinta marka Maamulaha iyo Adeegsadaha xogtu elektarooniga ah buuxiyaan shuruudaha diiwaan-gelinta.</p>	<p>b) The amount of data that needs to be processed.</p> <p>c) whether sensitive Electronic Data is being processed.</p> <p>3. Subject to Sub-article 1, no one can process or claim to be a Data Controller or data processor unless registered from the Data Protection Department.</p> <p>4. The Department shall issue a registration certificate when the controller and processor of electronic data meet the registration requirements.</p>
<p style="text-align: center;">Qodobka 47-aad</p> <p>Muddada ay Shaqeynayso Shahaadada Diiwaan-gelintu</p> <p>1. Shahaadada diiwaan-gelinta ee ku xusan qodobka 46-aad, waxa ay dhaqan gelayaa isla maalinta la bixiyo.</p> <p>2. Shahaadada diiwaan-gelinta ee ku xusan farqadda 1-aad ee qodobka,</p>	<p style="text-align: center;">Article 47</p> <p>Application for Registration</p> <p>1. The certificate of registration under Article 46 shall take effect on the day it has issued.</p> <p>2. The registration certificate under sub-article (1), its validity period is five years starting from the day it has issued.</p>

muddada ay shaqaynaysaa waa **Shan sano** oo ka bilaabmaysa maalinta la bixiyey.

3. Qaabka loo maamulayo shahaadada ku xusan farqadda 1-aad ee qodobkan waxa qeexi doona xeernidaamiye.

Qodobka 48-aad

Diiwaanka Maamulaha iyo Adeegsadaha Xogta Elektarooniga ah

1. Waaxda Ilaalinta Xogtu waa in ay haysaa diiwaanka lagu diiwaan-geliyey Maamulayaasha iyo Adeegsadaayaasha Xogta elektarooniga ah.
2. Haddii Maamulaha ama Adeegsadaha Xogta Elektarooniga ahi soo codsado in laga saaro Diiwaanka Maamulayaasha iyo Adeegsadaayaasha, Waaxda Ilaalinta Xogtu waa inay ka saartaa.
3. Diiwaanku waa in uu ahaadaa mid hanti guud ah:
 - a) Waaxda Ilaalinta Xogta ayaa leh masuuliyadda guud ee

3. The registration certificate under sub-article (1) shall be specified by a regulation.

Article 48

Register of Data Controllers and Data Processors

1. The Department of Data Protection shall keep and maintain a register of registered Data Controllers and data processors.
2. At the request of a Data Controller or data processor, the Data Protection Department may remove from the register any entry that is no longer applicable.
3. The register shall be made public:
 - a) The Data Protection Department bears full responsibility for this public document, as described in sub-article (1).
 - b) The Data Protection Department can provide basic information

<p>Diiwaanka sida ku xusan farqadda 1-aad ee qodobkan.</p> <p>b) Waaxda Ilaalinta Xogta waxay bixin kartaa macluumaadka aasaasiga ah ee Maamulaha ama Adeegsadaha Xogta, marka laga codsado.</p> <p style="text-align: center;">Qodobka 49-aad</p> <p style="text-align: center;">Burinta iyo Wax ka Beddelka Shahaadada</p> <p>1. Waaxda Ilaalinta Xogtu waxa ay burin kartaa ama wax ka bedeli kartaa shahaadada, haddii:</p> <ul style="list-style-type: none"> a) xogta uu bixiyey codsaduhu ay been abuur ama marin habaabin tahay. b) Ruqsad-haystuhu, isaga oo aan cudurdaar sharci haysan, raaci waayo qodobada xeerkan. c) uu jebiyo qodobadda xeerkani farayo. 	<p>about the controller or processor upon request.</p> <p style="text-align: center;">Article 49</p> <p style="text-align: center;">Cancellation or Variation of the Certificate</p> <p>1. The Data Protection Department may revoke or amend the certificate, if:</p> <ul style="list-style-type: none"> a) the information provided by the applicant is false or misleading. b) the licensee, without legal justification, fails to comply with the provisions of this Act. c) violates the provisions of this Act.
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Qodobka 50-aad

Baadhidda

1. Waaxda Ilaalinta Xogtu waxa ay ku samayn kartaa baadhid muddaysan Maamulayaasha iyo Adeegsadaayaasha Xogta Elektarooniga ah si ay u hubiso u hoggaansanaanta xeerkan.

Article 50

Audit

1. The Data Protection Department may do regular audits of the Data Controllers and data processors to make sure their compliance with this Act.

CUTUBKA 10-AAD

QODOBO GUUD

Qodobka 51-aad

Rakibaada Kamaradaha Amaanka

1. Qof, hay'ad dawladeed, hay'ad ganacsi ama urur sharci waxa uu xaq u leeyahay in ay ku rakibtaan goobaha shaqada, kamaradaha amaanka (Security Camera), iyaga oo dhawraya xuquuqda iyo xoriyadda dadka kale.
2. Iyadoo la dhaqan-gelinayo farqada 1-aad ee qodobkan waxa reeban in la baahiyo, la faafiyo, lala wadaago cid kale muuqaalada ay duubaan kamaradaha amaanku.
3. Ciddii jebisa farqadaha qodobkan waxay gelayso dembi, waxayna mutaysanaysaa ganaax lacageed oo aan ka badnayn **Boqol Milyan** SLSH, ama ciqaab xadhig oo aan ka badnayn **Laba Sano**, ama labadaba.

CHAPTER 10

GENERAL PROVISIONS

Article 51

Installation of CCTV Cameras

1. A person, a government agency, a business organization or a legal entity has the right to install security cameras in their workplaces, while protecting the rights and privacy of others.
2. Subject to sub-article (1), it is prohibited to disclose, disseminate, share with others the footage recorded by the security cameras.
3. Anyone who contravenes the provisions of this article commits an offense and is liable to a maximum fine of One Hundred Million SLSH, or a maximum sentence of Two Years in prison, or both.

<p style="text-align: center;">Qodobka 52-aad</p> <p style="text-align: center;">Xaqa Magdhawga</p> <p>1. Hantiilaha-Xog ee ay dhibaato shaqsi ah, mid maaliyadeed, mid sumcadeed, mid ganacsi iyo noockastoo kaleba kasoo gaadho xad-gudub ka dhashay adeegsiga xogtiisa elektarooniga ah, waxa uu xaq u leeyahay inuu magdhow ka helo Maamulaha ama Adeegsadaha xogta marka ay go'aamiso maxkamad awood u leh, waaxda ilaalinta xogtuna ka talo bixiso waxyeelada soo gaadhay.</p>	<p style="text-align: center;">Article 52</p> <p style="text-align: center;">Right to Compensation</p> <p>1. A court of competent jurisdiction may in consultation with the Department order that the Data Controller or data processor pay compensation to a Data Subject who has suffered damage such as financial, reputational or commercial, as a result of a violation of that Data Subject's rights under this Act.</p>
<p style="text-align: center;">Qodobka 53-aad</p> <p style="text-align: center;">Awoodda Waaxda Ilaalinta Xogta ee go'aan ka Gaadhista Gefefka</p> <p>1. Marka ay Waaxda Ilaalinta Xogtu ku qanacdo, baadhis ka dib, ama marka qofku qirto in uu jabiyeey qodobada Xeerkan, waxay ku ganaaxaysaa ganaax lacageed oo an ka badnayn shan boqol oo milyan oo SLSH.</p>	<p style="text-align: center;">Article 53</p> <p style="text-align: center;">Power of Data Protection Department to Compound Certain Offences</p> <p>1. If the Data Protection Department is satisfied, following an investigation, or if a person admits an offence under this Act, is subject to a maximum fine of five hundred million SLSH.</p>

Qodobka 54-aad

La wareegid

1. Marka uu dhaco xukun la xidhiidha mid ka mid ah gefefka qodobada xeerkan, maxkamaddu waxay ku dhawaaqi kartaa la wareegida agabka ay ku jirto xogta elektarooniga ah ee gefkaas lagu galay, ama waxa ay maxkamaddu gaadhi kartaa go'aan kasta oo kale oo ay u aragto in uu ku habboon yahay.
2. Maxkamaddu waxay amri kartaa in la la-wareego ama la-tirtiro agabka loo adeegsadey dembiga, marka agabka ay ku jirto xogta elektarooniga ah aanu lahayn dembiiluhu.
3. Maxkamaddu waxay ku soo rogi kartaa dembiilaha, xayiraada adeegsiga xogta elektarooniga ah, ha noqoto mid loo adeegsanayo si toos ah ama si dadban, muddo cayiman oo ay maxkamaddu go'aamiso.

Article 54

Forfeiture

1. When a person is convicted of any of the offences listed in this Act, the court may order the forfeiture of the medium containing the Electronic Data in question or make any other order it deems appropriate.
2. Where the medium containing the Electronic Data does not belong to the person convicted, a court may order forfeiture or deletion.
3. On conviction for an offence under this Act, a court may impose a prohibition on managing any processing of Electronic Data, directly or through an intermediary, for a period determined by the court.

Qodobka 55-aad

Gefka ay Galaan Shirkaddaha la Wada Leeyahay iyo kuwa Gaarka loo leeyahay

1. Marka ay shirkad la wada leeyahay ama mid gaar loo leeyahay ku dhacdo gef la xidhiidha xeerkan, iyada oo qofka maamuluhu ama agaasaamimuhu shirkaddahaasi ogyahay ama si toos ah iyo si dadbanba u ogolaaday, waxa uu qofkaasi gelayaa dembi, waxaanu mutaysanayaa ganaax u dhigma dembiga uu galay ee ku xusan xeerkan.

Qodobka 56-aad

Ganaaxa Guud

1. Cidda gasha dembi qodobada xeerkani reebay oo aan ganaax gaar ah loo xusin, wuxuu mutaysan doonaa marka la xukumo, ganaax lacageed oo aan ka badnayn **Laba boqol oo milyan** oo SLSH ama xadhig aan ka badnayn **Hal sano** ama labadaba.

Article 55

Offence by Body Corporate or Unincorporated Body

1. When a body corporate or unincorporated body commits an offence under this Act with the knowledge, consent, or connivance of the director, manager, or shareholder of that body corporate or unincorporated body, that director, manager, or shareholder commits an offence and is subject on conviction to the penalty specified for that offence.

Article 56

General Penalty

1. A person who commits an offence under this Act for which a specified penalty is not provided, is subject to a fine not exceeding two hundred million SLSH or to imprisonment for a term not exceeding one year, or to both on conviction.

Qodobka 57-aad

Xogta Muhiimka u ah Qaranka

1. Xogta Elektaroonigga ah ee muhiimka u ah danta qaranka, kala danbaynta guud iyo amniga qaranka ee ay hayaan shirkaddaha gaarka ah iyo hay'addaha samafalku waa in ay ku wareejiyaan Hay'addaha Dawladda markasta oo ay u baahdaan.

Qodobka 58-aad

Xeerka Anshax

1. Wasaaraddu waa inay diyaarisaa Xeerka anshaxa Maamulayaasha, Adeegsadayaasha iyo Baadhayaasha Xogta elektarooniga ah qaab waafaqsan xeerkan.
2. Xeerka anshaxa ee ku xusan farqadda 1-aad ee qodobkan waxa ku waajib ah in ay ku shaqeeyaan Maamulayaasha iyo

Article 57

Crutial Electronic Data for the Nation

1. Electronic Data that the private companies and NGOs are responsible for and is crutial for the national interest, public order and national security shall be handed over to Government Agencies whenever required.

Article 58

Code of Conduct

1. The Ministry shall issue a code of conduct for Data Controllers, processors, and auditors in accordance with this Act.
2. The Data Controllers and data processors must abide by a code of conduct under sub-article (1), which must address how Electronic Data is processed in accordance with this Act.

<p>Adeegsadayaaasha Xogta elektarooniga ah.</p> <p>3. Cidda jebisa Xeerka anshaxa ee ku xusan farqadda 1-aad ee qodobkan, waxay gelayso dembi, waxayna mutaysanaysaa ganaax lacageed oo aan ka badnayn Konton milyan oo SLSH ama xadhig aan ka badnayn laba sano ama labadaba.</p> <p style="text-align: center;">Qodobka 59-aad</p> <p style="text-align: center;">Baadhista Maamulaha-Xogta</p> <p>1. Waaxda Ilaalinta Xogtu waa in ay si sannadle ah u baadhaa in Maamulaha-Xogta iyo Adeegsada u adeegsanayo Xogta elektarooniga ah si waafaqsan xeerka.</p> <p>2. Haddii Maamulaha-Xogta elektarooniga ah loo ogolaaday in uu xogta elektaroonig ah ku kaydiyo meel ka baxsan dalka, kharashka baadhista/dabagalka waxa bixinaya Maamulaha-Xogtaas.</p>	<p>3. Anyone who violates the code of conduct under sub-article (1) commits an offense and is subject to a fine of up to fifty million SLSH, a maximum sentence of two years in prison, or both.</p> <p style="text-align: center;">Article 59</p> <p style="text-align: center;">Auditing of Data Controller</p> <p>1. The Data Protection Department shall conduct a yearly audit to the Data Controller and the data processor for the processing of Electronic Data in accordance with this Act.</p> <p>2. Where a Data Controller has been given permission to keep data on a server or data center outside of Somaliland, the controller is responsible for covering the cost of auditing the server or Data Controller.</p>
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Qodobka 60-aad

Cabashooyin

1. Hantiilaha-Xogtu waxa uu cabasho u gudbisan karaa Waaxda Ilaalinta Xogta Electrooniga ah haddii uu rumeysan yahay in xogtiisa elektarooniga ah uu Maamulaha ama Adeegsadaha Xogtu u adeegsaday qaab ka hor imanaya qodobada xeerkan.

Qodobka 61-aad

Racfaan

1. Cidda ku qanci wayda go'aanka Waaxda Ilaalinta Xogta Elektroonigga ah waxay racfaan u qaadan kartaa maxkamad awood u leh soddon cisho gudahood oo ka bilaabmaya maalinta go'aanka Waaxdu soo baxay.

Article 60

Complaints

1. The Data Subject may file a complaint with the Data Protection Department, if a Data Subject believes the processing of Electronic Data by a Data Controller or data processor violates this Act.

Articles 61

Appeals

1. A person may file an appeal with the Court within thirty days after the Data Protection Department's judgment if they are aggrieved with the decision

Qodobka 62-aad

Xeer-nidaamiye

1. Wasaaraddu waxay soo saaraysaa xeer-nidaamiyayaal lagu dhaqangelinayo qodobada iyo ujeedooyinka Xeerkan, iyadoo lagu daabici doono faafinta rasmiga ah ee Dawladda.

Qodobka 63-aad

Dhaqan-galka Xeerka

1. Xeerkan wuxuu dhaqan galayaa marka ay Golayaasha baarlamaanku ansixiyaan isla markaana uu saxeexo Madaxweynaha JSL, laguna soo saaro faafinta rasmiga.

Article 62

Regulation

1. The Ministry may issue regulations to implement the provisions and purposes of this Act, and shall be published in the Official Gazette.

Article 63

Implementation of the Act

1. This act will come into effect when approved by the Houses of Parliament and signed by the President of the Republic of Somaliland and published in the Official Gazette.