

LICENSES AND PERMITS GUIDELINES

**Personal Data
Protection Center**

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Introduction

The Personal Data Protection Center (PDPC) is responsible for issuing the required licenses and permits necessary for carrying out personal data processing activities, as established by Article 19 of the Personal Data Protection Law (PDPL). Accordingly, data users may only process personal data provided that they first obtain a license or permit from the PDPC.

This guideline sets out:

1. The distinction between licenses and permits;
2. The different types of licenses and permits;
3. The application procedures for obtaining the necessary licenses or permits;
4. The renewal of licenses and permits;
5. The amendment of the terms of the license or permit;
6. The applicable penalties in case of non-compliance; and
7. The transitional provisions related to the one-year compliance grace period.

1. The Distinction Between Licenses and Permits

The PDPL distinguishes between licenses and permits for personal data processing. The table below outlines their definition, eligibility, and the period of validity:

	License	Permits
Definition	A formal document issued by the PDPC to a juridical person, authorising the collection, storage, transfer, or processing of personal data, as well as direct electronic marketing activities, all in accordance with the rules, conditions, procedures, and technical standards specified in the Executive Regulations (ER).	A formal document issued by the PDPC to a natural or juridical person, authorising the temporary processing of personal data, all in accordance with the rules, conditions, procedures, and technical standards specified in the ER.
Eligibility	Juridical persons, including government agencies, corporations, non-profit organisations, and other similar entities.	Natural or juridical persons, depending on the nature of the processing activity.
Validity Timeframe	A period of three (3) years, subject to renewal.	A period that ranges between three (3), six (6), nine (9), or twelve (12) months, as determined by the PDPC, and subject to renewal.

2. Categories of Licenses and Permits

Licenses and permits are divided into categories that are each necessary for conducting either general or specific processing activities. Such categorisation clearly determines the scope of the processing activities data users are allowed to engage in, as well as the scope of their respective roles within the processing activities themselves.

There are two different categories of licenses and permits:

General	Supplementary
General licenses and permits are granted to data users before engaging in any personal data processing activity, all in accordance with the purpose or activity specified in the application. General licenses and permits serve as a basis for data users to undertake collection and/or processing of personal data, regardless of the nature or scope of their activities.	Supplementary licenses and permits are issued to data users after obtaining a valid general license or permit, enabling them to carry out certain processing activities that require additional approvals from the PDPC, all in accordance with the nature of the activity and the volume of the processed personal data.

Note:

Supplementary licenses and permits may not be issued or remain valid without a valid general license or permit.

2.1. Types of General Licenses and Permits

Among their various types, the required license or permit is determined by the role the data user occupies in the processing activity.

There are three different types of general licenses and permits:

a. Controller/Processor License or Permit

This license or permit is granted to a natural or juridical person who engages in personal data processing activities in the capacity of both controller and processor simultaneously.

b. Controller License or Permit

This license or permit is granted to a natural or juridical person who engages in personal data processing activities solely in the capacity of a controller—i.e., the entity that determines the purposes and means of such processing.

c. Processor License or Permit

This license or permit is granted to a natural or juridical person who engages in personal data processing activities solely in the capacity of a processor—i.e., the entity that processes personal data on behalf of and under the instructions of the controller, without having the authority to determine the purposes or means of the processing.

Please refer to the Data Users Guideline to appropriately identify the relevant role in the processing activity.

2.2. Types of Supplementary Licenses and Permits

Additionally, to the requirement of obtaining general licenses and permits, there are certain specific processing activities that require supplementary approval.

There are three different types of supplementary licenses and permits:

a. Cross-Border Data Transfer License or Permit

This license or permit is granted to a natural or juridical person who transfers, or intends to transfer, personal data to a recipient outside the Arab Republic of Egypt. This includes engaging with cloud service providers where personal data is processed or stored on servers located outside Egypt

b. Video Surveillance Systems License or Permit

This license or permit is granted to a natural or juridical person who uses, or intends to use, video surveillance systems—including Closed-Circuit Television (CCTV)—through which images or videos of individuals may be captured in public areas and can identify them. The use of video surveillance systems for purely household monitoring purposes is exempt from prior approval.

c. Direct Electronic Marketing License or Permit

This license or permit is granted to a natural or juridical person who sends, or intends to send, electronic direct communications for the purpose of marketing products or services, whether such communications are carried out directly by the license applicant or through any third party acting on their behalf.

3. The Application Process for Licenses and Permits

Licenses and permits are obtained through a two-stage process:

- Obtaining a general license or permit; followed by
- Obtaining supplementary licenses or permits, if applicable.

The application process for licenses or permits differs according to the data user's legal status. Juridical persons can apply for both licenses and permits, while natural persons can only apply for permits.

3.1. Pre-Submission via the Electronic Portal

Before applying for the required license or permit, data users must first answer a set of questions through the electronic portal of the PDPC, under the “Company Journey” section. Based on the applicant's responses, the type of license or permit required to carry out their activity is determined.

The data user may then submit their application through the licenses and permits section available on the electronic portal. Applicants must provide all required information and supporting documents, including a checklist and compliance declaration, as appropriate to the nature of the processing activities specified in the application.

3.2. Application Review and Decision Issuance

The PDPC shall review the application and issue a decision thereon within a period not exceeding ninety (90) days from the date of receipt of the application; failing which, the application shall be deemed rejected.

Where necessary, the PDPC may request additional documents and may also require the data user to provide additional safeguards for the protection of personal data in the case they are deemed insufficient.

Note:

Obtaining all necessary approvals, documents, and fulfilling any conditions required from other competent official authorities, depending on the nature of the processing activity, is a prerequisite for obtaining any license or permit issued by the PDPC. Licenses and permits issued by the PDPC for personal data processing activities do not replace or exempt the obligation to obtain the necessary approvals from other competent authorities.

3.3. Prescribed Fees

The financial tables included in the ER specify the fees and types of general licenses and permits, based on the size or number of personal data records, depending on the circumstances and the nature of such activities.

A unified table of fees for entities of a special nature—namely associations, unions, and clubs—is also attached to the financial tables.

Fees for supplementary licenses and permits are determined by percentage rates based on the value of the general license or permit, as well as the nature and volume of the personal data being processed. All fees may be amended by a decision issued by the PDPC's Board of Directors

4. Provisions Governing the Renewal of Licenses and Permits

4.1. Licenses

Licenses shall be granted for a period of three (3) years. Accordingly, the licensee must submit—through the electronic portal of the PDPC—an application for renewal at least three (3) months

prior to the expiration date; this ensures the continuity of the license. Failure to submit such application within the specified timeframe shall result in the automatic expiration of the license, and the data user shall no longer be licensed to process personal data.

4.2. Permits

Permits for specific activities shall be granted for a maximum period of one (1) year. Accordingly, the permit holder must submit—through the electronic portal of the PDPC—an application for renewal no later than one (1) month prior to the expiration date. Failure to submit such application within the specified timeframe shall result in the automatic expiration of the permit, and the data user shall no longer be permitted to process personal data.

5. Amendments to the Terms of Licenses and Permits

Under Article 28 of the PDPL, the PDPC may amend the terms of the licenses and permits after their issuance, where such amendments are justified on grounds of public interest in any of the following cases:

5.1. Responding to the Requirements of Relevant International or Regional Agreements, or National Laws

The PDPC may amend the license or permit whenever necessary to ensure compliance with obligations arising from international or regional agreements ratified by the Arab Republic of Egypt or from new or amended national laws or regulations. Such amendment ensures the alignment of personal data processing activities with the applicable legal and regulatory framework. This includes updating any technical, regulatory, or security requirements imposed by such frameworks in a manner that enhances the level of personal data protection and keeps pace with legislative developments.

5.2. At the Request of the Licensee or Permit Holder

The licensee or permit holder may submit a request to amend their license or permit, if changes occur to the nature of their activities, the scope of processing, the volume of data records, or any other element of the processing operations that, under the PDPL and its regulations, requires amendment. In such case, the PDPC shall review the request and issue a decision of approval or rejection.

5.3. In the Case of Mergers Where the Data User Merges With Another Entity, Whether Within or Outside Egypt

If any merger results in a change to the controlling or processing entity, the license or permit shall be amended to reflect the new entity, whether the merger occurs within or outside the Arab

Republic of Egypt. Without prejudice to the foregoing, any merger must be carried out in full compliance with all applicable Egyptian or foreign laws and regulations governing companies, investment, competition, and foreign ownership, as well as any required regulatory approvals. An amendment to the license or permit shall not be recognised, deemed effective, or produce any legal effect unless the underlying corporate transaction constituting the merger has been lawfully completed and all applicable legal and regulatory procedures and approvals have been duly fulfilled.

5.4. Whenever the Amendment is Deemed Essential by the PDPC to Fulfil the Objectives of the PDPL and Safeguard the Rights of Data Subjects

The PDPC shall have the right to introduce amendments to the license or permit where it determines that such amendments are necessary to enhance the protection of personal data, to prevent existing or potential risks to the rights and freedoms of the data subjects, or to achieve the public objectives set forth in the PDPL. This includes cases requiring the upgrading of controls, modification of procedures, or enhancement of security measures to ensure a higher level of compliance and protection.

6. Penalties for Violating the Provisions of the Data Protection Regulations

Under the PDPL and the ER, the PDPC performs regulatory monitoring to ensure compliance with data protection requirements, without prejudice to civil or criminal liability. The PDPC may issue warnings to non-compliant data users and instruct them to cease the violation and remedy the causes and consequences of such violation within a specified period.

Where the violation is not rectified, the PDPC may impose disciplinary measures, including the partial or complete suspension of the license or permit for a specified period. In addition, the PDPC has the authority to revoke a license or permit in any of the following cases:

- Failure to meet the licensing or permit requirements;
- Failure to pay renewal fees;
- Repeated violations of the PDPC's decisions;
- Transferring the license or permit to a third party without the PDPC's authorisation; or
- A court judgment declaring the data user's bankruptcy.

The PDPC may also publish proven violations through the media at the expense of the violator, or place the data user under technical supervision to ensure the protection of personal data, with the violator bearing all related costs. These measures shall be applied proportionately to the severity of the violation and shall aim at safeguarding the integrity of the data protection framework in the Arab Republic of Egypt.

7. Transitional Provisions: The One-Year Compliance Grace Period

All data users, whether natural or juridical persons, must apply for the necessary licenses or permits within the one-year grace period, as stipulated by the PDPL. If entities fail to obtain the required licenses or permits within this period, any processing of personal data thereafter shall constitute a violation of the provisions of the PDPL and the ER. Accordingly, the PDPC may apply the penalties and disciplinary measures prescribed under the PDPL and the ER in such cases.

