

Markets

Purpose

1. Our powers and functions under the legislation we administer include licensing and supervising authorised market institutions (“**AMIs**”) in the DIFC. We recognise those financial markets that operate an exchange or clearing house outside the DIFC without having a physical presence in the DIFC but make their services available to persons in the DIFC. We also recognise trading and clearing members of an AMI who operate in a jurisdiction other than the DIFC and do not have a physical presence in the DIFC. We oversee offers of securities in or from the DIFC, and supervise reporting entities by monitoring their on-going market disclosures and compliance with DFSA administered laws and the DFSA’s Rules.
2. The activities described above include licensing and supervising the Dubai Mercantile Exchange and Nasdaq Dubai in the DIFC, approval of primary market debt/equity transactions and maintaining an official list of securities in the DIFC (the “**Official List**”), and reviewing prospectuses and related offer documents for securities proposed to be included in the Official List.
3. The DFSA’s powers and functions also involve market surveillance to monitor compliance with the legislation we administer and to detect irregularities, including disclosure of inside information, market abuse and other market related misconduct.
4. For further information on our approach to AMIs, please refer to the DFSA’s Regulatory Policy and Process Sourcebook (RPP), available here: [RPP Sourcebook](#). Our confidentiality policy is located in Chapter 8 of RPP.

Personal Data we collect and process

5. In order to undertake our licensing, supervision and surveillance work, we are often required to collect a wide range of information on applicants for listing, AMIs, authorised firms, reporting entities and recognised persons (together the “**Relevant Persons**”), and the markets we regulate. To support our analysis, we may request information from Relevant Persons to help us make informed judgements on whether such persons are conducting their activities in accordance with applicable DIFC legislation, whether investors or other market participants are experiencing harm, and the integrity of the markets we regulate. The laws we administer require Relevant Persons to provide us with certain information, and also allow us to request or require information from such persons where we consider it appropriate.
6. The information provided to us by Relevant Persons may include Personal Data (including Special Categories of Personal Data) relating to individuals, such as directors, controllers, employees, investors, shareholders and ultimate beneficial owners. The usual types of Personal Data we process include: names, contact details, residency, geographical location, previous addresses, dates of birth, places of birth, passport numbers, nationalities, criminal records, complaints and allegations, personal opinions, appraisals, reports, communications records, employment history, education and professional history and qualifications, official government records. Relevant Persons who provide us with Personal Data about individuals will generally do so with their explicit consent.

7. Sources of Personal Data include:
 - a. Directly from the individual; or
 - b. Data is submitted to the DFSA by:
 - i. Issuers, potential issuers and their legal advisers in the course of transactions.
 - ii. AMIs in response to the ongoing supervision activities conducted by the DFSA.
 - iii. Professional screening programs such as Acuity search arising from undertaking customer due diligence and know your client assessments for transactions.
 - iv. Publicly available information (public directories, media, social media, internet, news articles, etc.).
 - v. Regulators, formal bodies, authorities and organisations (information gathering for suspected market abuse).
 - vi. Recognised members and recognised bodies in relation to applications for recognition and continuous reporting obligations.
 - vii. DFSA online forms and systems.
 - viii. DFSA surveys.
 - ix. DFSA regulatory reporting or notifications.
 - x. DFSA outreach and information sessions.
 - xi. DFSA subscription lists (Discussion papers, Changes in legal framework and rules).
 - xii. Authorised firms.
 - xiii. General public individuals via their enquiries or complaints to the Markets department.
8. We may also request or require Relevant Persons and individuals to provide certain information in the exercise of our functions and powers in other specific circumstances, or obtain information from third parties, such as other regulators or reference agencies or official bodies or authorities.
9. General 'classes' of individuals whose Personal Data may be processed:
 - a. Complainants, correspondents and enquirers.
 - b. Advisors, consultants and other professional experts.
10. 'Classes' of individuals unique to the DFSA whose Personal Data may be processed:
 - a. Investors.
 - b. Connected individuals (to a reporting entity).
 - c. Related parties (to a reporting entity).
 - d. Insiders.
 - e. Shareholders.
 - f. Ultimate beneficial owners.
 - g. Fund managers (individuals).
 - h. Senior management of a Relevant Person.
 - i. Applicants (for any role required to be approved, registered or notified to the DFSA pursuant to DFSA administered laws or the DFSA Rules).
 - j. External individuals (individuals employed or engaged by or otherwise representing any governmental, regulatory or other authority or body).

Lawful basis for processing Personal Data

11. We generally process this Personal Data under Article 10(1)(e) of the DP Law, as the processing is necessary for performance of a task carried out by the DFSA in the interests of the DIFC and also necessary for the exercise of the DFSA's powers and functions.
12. Where this Personal Data includes Special Categories of Personal Data, we process it only where one of the grounds under Article 11 of the DP Law applies. The grounds generally relied upon by the DFSA in this context will often be that the processing is necessary:
 - a. to protect members of the public against improper conduct, which falls under Article 11(j) of the DP Law; and/or
 - b. for the exercise of a function conferred on the DFSA by applicable law and is proportionate to the aim(s) pursued, which falls under Article 11(l) of the DP Law.