

COMPLIANCE RECORDING CLOUD OUTSOURCING REGULATIONS PER TERRITORY

About this Information Sheet

When deployed as a fully managed SaaS (Software as a Service) solution, our next generation **NTR-X** recording and compliance assurance solution gives your firm all the benefits of the Cloud – zero footprint, lower total cost of ownership (TCO), quicker deployment, faster time-to-value, global centralized management, and uncompromising reliability and security – along with a future-ready platform that supports your work-from-home, in-office, and hybrid business needs, and the rapid adoption of Microsoft Teams and other communication modalities as well.

Interested in Cloud recording but concerned about local regulations regarding use of offshore Software as a Service Solutions? NICE experts have assembled a chart of local regulations per territory for your reference that can be found in this Information Sheet.










For further questions on **Compliance Recording** or **Cloud Outsourcing Regulations**, please contact NICE at fmc@nice.com.

Version August 2021

This document will be regularly updated. For the latest version of this document please visit our **Resource Center** on <https://www.niceactimize.com/compliance/resource-center-access-fmc.html>


A	B	C	D	E	F
Territory	Can conversations be recorded? (considered to be part of 'employee monitoring')	Can personal data be sent offshore? (taken to include recordings)	Can recording data be accessed offshore? (taken to include recordings)	References - <i>Click on Links to Web page</i>	Applicable for Cloud Region
Angola 	Yes - with subject's consent & registration with relevant authority	Yes - subject to certain restrictions	Yes - subject to certain restrictions	Link 1	EMEA
Argentina 	Yes - with subject's consent	Yes - subject to certain restrictions	Yes - subject to certain restrictions	Link 1 Link 2	AMER
Australia 	Yes - with subject's consent or where permitted under ASIC MI rules	Yes - subject to certain restrictions	Yes - subject to certain restrictions	Link 1	APAC
Bahrain 	Yes	<i>Unclear</i>	<i>Unclear</i>	Link 1	EMEA
Bangladesh 	Unclear re comms recording	No specific legislation; likely permitted with subject's consent.	No specific legislation; likely permitted with subject's consent.	Link 1	APAC
Botswana 	Unclear re comms recording; generally yes for data	No - unless to country with equivalence, as determined by Commissioner, or with subject's consent	No - unless in country with equivalence, as determined by Commissioner, or with subject's consent	Link 1 Link 2 Link 3 Link 4	EMEA
Brazil 	Yes - with subject's consent	Yes - subject to certain restrictions	Yes - subject to certain restrictions	Link 1 Link 2	AMER
Brunei 	Unclear re comms recording; generally yes for data	Yes - subject to consent or equivalence	Yes - subject to consent or equivalence	Link 1 Link 2	APAC
Cameroon 	Yes - with subject's consent	No provision re transfer outside Cameroon; but data must be stored on the system in Cameroon on which it was generated.	Unclear but likely yes	Link 1 Link 2	EMEA
China PRC 	Yes - with subject's consent	Yes - subject to certain restrictions & statutory approval. Subject to revision.	Yes - subject to certain restrictions & statutory approval. Subject to revision.	Link 1 Link 2	APAC
Colombia 	Generally yes for personal data, but unclear regarding comms recording specifically	Yes - with subject's consent or equivalence	Yes - with subject's consent or equivalence	Link 1 Link 2	AMER

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Cote d'Ivoire 	Yes - with subject's consent	Yes - subject to equivalence	Yes - subject to equivalence	Link 1 Link 2 Link 3	EMEA
Egypt 	Unclear; possibly not covered by new legislation	Yes - subject to government licence / permit		Link 1 Link 2 Link 3	EMEA
France 	Yes - with subject's consent & where mandatory under MiFID II	Yes - to an 'Adequate Territory', subject to certain restrictions per GDPR	Yes - in an 'Adequate Territory', subject to certain restrictions per GDPR	Link 1 Link 2	EMEA
Gambia 	Draft policy: unclear, probably yes with consent	Draft policy: Yes - with subject's consent or equivalence	Draft policy: Yes - with subject's consent or equivalence	Link 1	EMEA
Germany 	Yes - with subject's consent & where mandatory under MiFID II	Yes - to an 'Adequate Territory', subject to certain restrictions per GDPR	Yes - in an 'Adequate Territory', subject to certain restrictions per GDPR	Link 1 Link 2	EMEA
Ghana 	Yes - with subject's consent	Yes - subject to certain restrictions	Yes - subject to certain restrictions	Link 1	EMEA
Guernsey 	Yes - with subject's consent	Yes - subject to certain restrictions	Yes - subject to certain restrictions	Link 1	EMEA
Hong Kong SAR 	Yes	Yes - with subject's consent	Yes	Link 1 Link 2 Link 3	APAC
India 	Yes - SEBI mandate	Yes	Yes	Link 1 Link 2	APAC
Indonesia 	Yes - with subject's consent	Yes - subject to certain restrictions & statutory approval (but this is apparently widely disregarded).	Yes - subject to certain restrictions & statutory approval.	Link 1	APAC
Ireland 	Yes - with subject's consent & where mandatory under MiFID II	Yes - to an 'Adequate Territory', subject to certain restrictions per GDPR or with subject's consent	Yes - in an 'Adequate Territory', subject to certain restrictions per GDPR or with subject's consent	Link 1	EMEA

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Japan 	Yes	Yes - subject to consent or equivalence	Yes - with subject's consent	Link 1	APAC
Jersey 	Yes - with subject's consent	Yes - subject to certain restrictions	Yes - subject to certain restrictions	Link 1	APAC
Jordan 	<i>Unclear; requires further research. No specific data protection laws</i>	<i>Unclear; requires further research. No specific data protection laws</i>	<i>Unclear; requires further research. No specific data protection laws</i>		EMEA
Kenya 	Yes - with subject's consent	Yes - with subject's consent & statutory approval	Yes - with subject's consent & statutory approval	Link 1	EMEA
Macau SAR 	Yes - with prior notice to subject	Yes - subject to equivalence or consent. May require statutory filing.	Yes - subject to equivalence or consent. May require statutory filing.	Link 1 Link 2 Link 3	APAC
Malaysia 	Yes - with subject's consent	Yes - subject to certain restrictions. Subject to revision.	Yes - subject to certain restrictions. Subject to revision.	Link 1 Link 2	APAC
Mauritius 	Yes - with subject's consent. No specific restrictions.	Yes - with subject's consent	Yes - with subject's consent	Link 1 Link 2	EMEA
Myanmar 	No specific restrictions	Probably - with subject's consent	Probably - with subject's consent	Link 1	APAC
Nigeria 	Yes - with subject's consent	Yes - with subject's consent	Yes - with subject's consent	Link 1 Link 2 Link 3	EMEA
Oman 	Possibly no	Possibly no	Possibly no	Link 1	EMEA
Pakistan 	No specific legislation; subject's consent recommended under general DP rules	Yes where receiving country laws are equivalent; not to an unrecognized country (incl. Israel)	Yes where receiving country laws are equivalent; not in an unrecognized country (incl. Israel)	Link 1 Link 2	APAC

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Philippines 	Yes - with subject's consent	Yes	Yes	Link 1	APAC
Poland 	Yes - with subject's consent & where mandatory under MiFID II	Yes - with subject's consent or subject to EU GDPR conditions	Yes - with subject's consent or subject to EU GDPR conditions	Link 1	EMEA
Qatar 	Yes - with subject's consent	Yes - with subject's consent	Yes - with subject's consent	Link 1 Link 2	
Qatar (QFC) 	Yes - with subject's consent	Yes where receiving country laws are equivalent or with subject's consent	Yes where receiving country laws are equivalent or with subject's consent	Link 1	EMEA
Saudi Arabia 	No specific legislation	No specific legislation. May require approval from SAMA.	No specific legislation. May require approval from SAMA.	Link 1	EMEA
Singapore 	Yes - with subject's consent	Yes where data receiver has 'comparable protections' or with subject's consent	Yes where data receiver has 'comparable protections' or with subject's consent	Link 1 Link 2	APAC
South Africa 	Yes - with subject's consent or notice	Yes where data receiver has 'substantially similar' rules or with subject's consent	Yes where data receiver has 'substantially similar' rules or with subject's consent	Link 1 Link 2	EMEA
South Korea 	Yes - with subject's consent	Yes - with notice and subject's consent	Yes - with notice and subject's consent	Link 1 Link 2	APAC
Sri Lanka 	Generally yes for data, with subject's consent. Unclear for employee monitoring (e.g. telephone recording)	Draft bill will allow where receiving country has adequate protections and local data controller complies with certain provisions	Draft bill will allow where receiving country has adequate protections and local data controller complies with certain provisions	Link 1 Link 2	APAC
Sweden 	Yes - no restrictions beyond GDPR, so with subject's consent & where mandatory under MiFID II	Yes - to an 'Adequate Territory', subject to certain restrictions per GDPR or with subject's consent	Yes - in an 'Adequate Territory', subject to certain restrictions per GDPR or with subject's consent	Link 1 Link 2	EMEA
Taiwan 	Yes - with prior notice to subject	Yes - with prior notice to subject and subject to certain restrictions; not to mainland China	Yes - with prior notice to subject and subject to certain restrictions; not in mainland China	Link 1 Link 2	APAC

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Tanzania 	<i>Unclear;</i>	<i>Unclear;</i>	<i>Unclear;</i>		APAC
Thailand 	Yes if reasonable, reasonably expected by employee and not unduly intrusive, and notice given to subject	Yes - to countries designated as having adequate DP standards; or with subject's consent	Yes - in countries designated as having adequate DP standards; or with subject's consent	Link 1 Link 2	EMEA
Turkey 	Yes - with prior notice to subject; no specific provisions for consent	Yes - to countries designated as having adequate DP standards and with subject's consent	Yes - in countries designated as having adequate DP standards and with subject's consent	Link 1 Link 2	EMEA
Uganda 	Yes - with subject's consent and prior notice	Yes where data receiver country has at-least equivalent protections or with subject's consent	Yes where data receiver country has at-least equivalent protections or with subject's consent	Link 1 Link 2 Link 3	EMEA
United Arab Emirates (DIFC) 	Yes - with subject's consent	Yes - to countries designated as having adequate DP standards; or with subject's consent; or subject to other controls	Yes - in countries designated as having adequate DP standards; or with subject's consent; or subject to other controls	Link 1 Link 2	EMEA
United Kingdom 	Yes - where legitimate interests; or with subject's consent; where mandatory under MiFID II / FCA Regs	Yes - to 'adequate Territory' or as permitted per GDPR	Yes - to 'adequate Territory' or as permitted per GDPR	Link 1 Link 2 Link 3	EMEA
United States 	Required by some financial regulators e.g. SEC, CFTC, FINRA & NFA. Otherwise generally yes, but varies by state, possibly subject to notice and consent.	No restrictions	No restrictions	Link 1 Link 2 Link 3	AMER
Vietnam 	Yes - with subject's consent and prior notice	Draft DP law: generally yes, with subject's consent; original data stored in VN; receiver laws at least as strong as VN. May need govt approval. Subject to change	Draft DP law: generally yes, with subject's consent; original data stored in VN; receiver laws at least as strong as VN. May need govt approval. Subject to change	Link 1 Link 2 Link 3	APAC
Zambia 	Unclear - possibly no. Collection of data is permitted (subject to consent) but interception of communications may not be permitted.	Yes - with subject's consent	Yes - with subject's consent	Link 1 Link 2	EMEA

A Territory	B Can conversations be recorded? (considered to be part of 'employee monitoring')	C Can personal data be sent offshore? (taken to include recordings)	D Can recording data be accessed offshore? (taken to include recordings)	E References - <i>Click on Links to Web page</i>	F Applicable for Cloud Region
Zimbabwe 	Possibly no	Not specifically restricted	Not specifically restricted	Link 1 Link 2	EMEA

NICE Compliance Solutions

The NICE Compliance Solutions are serving more than 90 percent of the largest financial services organization globally. Used by most of the world's leading banks and investment firms, among various others, NICE can record communications from turrets, desk phones, mobile phones, and Unified Communications platforms, including Microsoft Teams, Symphony and Cisco Jabber™. As the industry's only 'all-in-one' recording and assurance platform, firms can leverage their existing recording platform and certified integrations to ensure optimal cost reduction benefits without introducing new risk.

Learn More

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