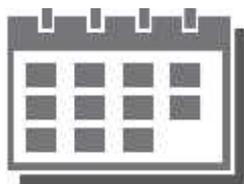


EU general data protection regulation



The amended EU General Data Protection Regulation is due to come into effect in 2018. We look at the key aspects you need to know.



When does it come into effect?

25 May 2018, across the EU.

What about Brexit?

Whatever the ultimate terms of Brexit, the EUGDPR or legislation closely aligned to it is very likely to apply to UK organisations from May 2018. Organisations should review their plans to prepare for the changes in May 2018.

Who does it apply to?

- Organisations operating in the EU
- Organisations outside the EU but offering goods/services to EU citizens

Updated concepts include

- Personal data
- "Special categories" replace sensitive personal data
- Consent (including restrictions for children using online services)
- Data processing principles
- Conditions for processing



Greater transparency

More information to be provided to data subjects when data is collected, using concise, plain language.

Record-keeping

Organisations with less than 250 employees are exempt if certain conditions are met.

Data breach reporting

Mandatory breach reporting within 72 hours, subject to conditions.

Larger fines for non-compliance

Maximum fines will be €20,000,000 or four per cent of worldwide annual turnover, whichever is higher.

Enhanced data subjects' rights

- Subject access
- Right to object to processing
- Right to be forgotten/erasure
- Data portability
- Right to object to profiling/automated decisions
- To lodge complaints with supervisory authority
- Enforceable through the courts, including by awarding damages for losses.



Data processors

Direct obligations are placed on data processors.

Data Protection Officers

A DPO is assigned specific functions. Most public authorities will need to appoint a DPO. Other organisations will need to appoint a DPO if their core activities consist of certain types of large scale data processing.

Privacy impact assessments

Required where type of processing eg, using new technologies is likely to result in a high risk to the rights and freedoms of individuals.

Privacy by design and privacy by default

Privacy considerations must be taken into account throughout an organisation's activities.

Special rules

Special rules can apply to particular areas such as employment, research and statistics.



Get in touch

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