

GDPR

Are you prepared?

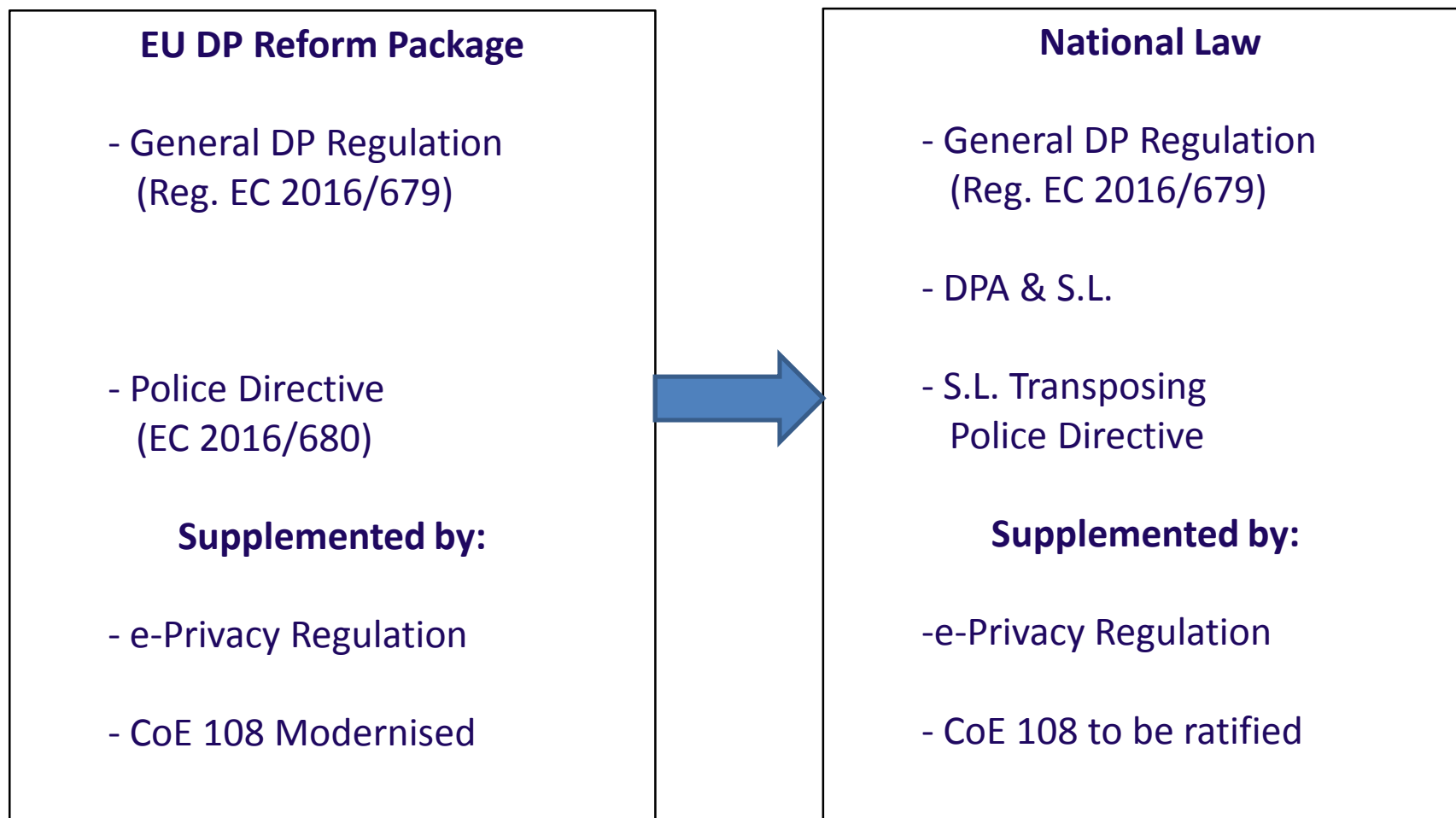
GRTU Seminar

Saviour CACHIA - Commissioner
Office of the Information and
Data Protection Commissioner

Reasons for Change

- Rapid technological developments
- Globalisation – increase in e-Commerce
- **Rebalancing of rights in a digital world**
- **More Accountability**
- **Stronger enforcement** for more effective protection
- **Consistency and harmonisation** across the EU
- Provide legal certainty for economic operators
- EU's Digital Agenda – rebalancing of rights

Future DP Legal Instruments



What is DP?

CREATING THE RIGHT BALANCE BETWEEN

Individuals /
Clients/Suppliers

Employees

RIGHTS OF DATA
SUBJECTS



Business Organisations

Employers

NEED FOR DATA
PROCESSING

Basic DP Compliance

- Identify legal basis
 - legal obligation, contract, legitimate interest
- Observe requirements for processing
 - purpose & storage limitation, safeguards, data minimisation
- Ensure data subjects rights
 - Information prior to processing (DP Policies)
 - Subject Access Requests – **copies of data**
 - Request for rectification or blocking or deletion
- Controller – Processor governed by a contract
 - Controller remains responsible
 - Liability clauses in case of data breaches
- Transborder data flows

More rights for your personal data!

1 Data to take away!

I can get back the data I provided to an organisation or online-service and transmit those to other ones (social networks, Internet service provider, online streaming supplier, etc.)



2 More transparency

I know more about what is done with my data and it's easier for me to exercise my rights.



3 Child protection

Online services must obtain the parents' consent before registering any child under 16.



4 One-stop-shop

In case of problems with my data, I can contact my national data protection authority, whatever the country where the organisation is processing my data.



5 Bigger sanctions

When infringing with personal data, the organisation at fault can be fined up to 20 000 000 € or 4% of its annual worldwide turnover.



6 Right to be forgotten

I can ask search engines to delist a web page that affects my privacy negatively or ask a website to erase an information, under certain circumstances.



Illustration: Martin Weber

The European data protection regulation

After 4 years of discussion at the European Union level, a final draft of the data protection regulation has been released. It is expected to help Europe face the challenges of the digital age. The regulation will strengthen the citizens' rights and provide them with real control over their personal data. It will offer an unified framework for companies and simplify the prior notification. The regulation will be formally ratified in early 2016 and will come into force in 2018 in all the EU countries.



Final Key Messages

Continuity and change is of utmost importance

- **Compliance with current DP regime** is a very good start
- Organisations must identify **what is new and different** for them

IDPC is there to **help and guide** as necessary

IDPC is also there to **Regulate**

Thank you!

