GDPR

TERRITORIAL SCOPE

EU Establishments

Non-EU Established Organizations
Offer goods or services or engaging in monitoring within the EU.

THE PLAYERS

Data Subjects
Data Controllers
Data Processors
Supervisory Authorities

PERSONAL DATA

Identified
Identifiable

SENSITIVE DATA

Religious or Philosophical Beliefs
Racial or Ethnic Origin
Gender
Biometric Data
Health

Responsibilities of Data Controllers and Processors

Data Protection Officer (DPO)
Designate DPO if core activity involves regular monitoring or processing large quantities of personal data.

Consent
Consent must be freely given, specific, informed, and unambiguous.

Right to Data Portability
“Right not to be subject to a decision based solely on automated processing, including profiling.”

Effective Judicial Remedies:
compensation for material and non-material harm.

Security

Safeguarding personal data against unauthorized access.

Security

Fines
Up to 20 million euros or 4% of total annual worldwide turnover.
Less serious violations: Up to 10 million euros or 2% of total annual worldwide turnover.

Data Protection by Design
For high risk situations

Data Impact Assessment
If likely to result in a high privacy risk → notify data subjects
Notify supervisory authorities no later than 72 hours after discovery.

Data Breach Notification
A personal data breach is “a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to, personal data transmitted, stored or otherwise processed.”

Adequate Level of Data Protection

INTERNATIONAL DATA TRANSFER

Model Contractual Clauses
Privacy Shield

Adequate Level of Data Protection

Workforce awareness training by Prof. Daniel J. Solove

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Including GDPR, Privacy by Design, CASL, Privacy Shield, FAR Privacy Act, Online Advertising, HIPAA, Phishing, PCI, and much more.

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