

GDPR: a new data protection landscape

Are you ready?

“...a major step towards a Digital Single Market.”
Andrus Ansip, Vice President for the digital
single market, European Commission

The EU General Data Protection Regulation enters into force on **May 25th, 2018** and will be applicable on the territory of the **entire EU** and even beyond. **Small, medium and large** companies – all fall under the scope of GDPR.

The regulation introduces significant changes to the known legal regime of the protection of personal data and any business, touching upon personal data in any form, will face the necessity of implementing numerous **legal and organizational changes** in order to comply with the new regulation under the threat of facing **penalties up to 20 mln EUR**.

WHAT'S NEW?

- Much **broader definition of personal data**
- **Expanded territorial reach**
- **Data Protection Officers** – private experts on data protection, who organizations are required to hire in certain cases
- New and **stricter requirements when “giving consent”** for processing personal data
- **The right to be forgotten**
- **Automated processing** of personal data - permitted under certain conditions
- **New data governance and accountability obligations:**
 - adopt binding corporate rules and codes of conduct
 - conduct data protection impact assessment for more risky processing
 - change existing document templates, revise business agreements and employment contracts
 - do regular audits, HR policies reviews, training of personnel
- **Data breach notification** within 72 hours



IS YOUR BUSINESS AFFECTED BY THE NEW RULES?

- Are you operating in the **Banking & Insurance, Energy & Infrastructure, Pharmaceutical, Telecommunications, Financial, Marketing or the Public sector?**
- Do you have a **large number of employees?**
- Have you collected personal data from your employees (names, personal identification number, address, bank account, etc.) based on their **consent given in the employment contract?**
- Do you use or provide **cloud services?**
- Do you provide **health services** and do you work with **patients?**
- Do you **outsource some of your activities** to other service providers?
- Do you **transfer personal data** to third countries? Where are your servers located?
- Do you use **statistical data for research and marketing purposes?** Do you analyse **customer preferences** and tastes?
- Can you upon request **permanently erase all the personal data** you have from your physical and online documentation and data bases?

If your answer to any of the above questions is positive, then you need to consider whether you and your business organization comply with the GDPR rules.

Georgiev, Todorov & Co. provides a full package of legal services for ensuring compliance with the new Data protection obligations, including:

- overall PDP-compliance review and assessment
- consultancy services and trainings
- data protection officer
- concrete business solutions and compliance measures