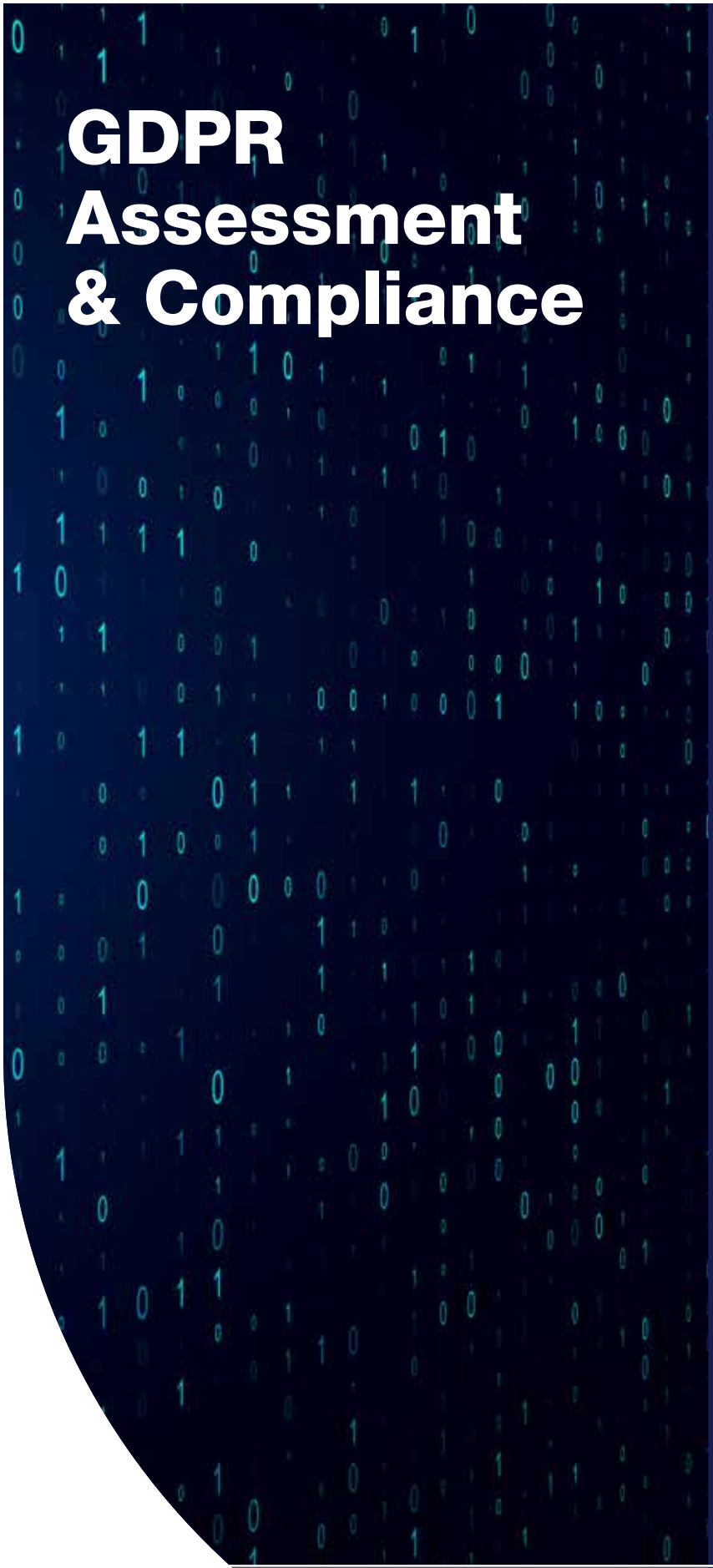

GDPR Assessment & Compliance

Regulation (EU) 2016/ 679 ("GDPR") entered into force on 25th May 2018, establishing a whole new legal framework for personal data protection in the European Union and bringing about significant changes aimed at strengthening individual data subject rights and providing greater consistency on data protection rules application throughout EU member states.

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> **There is no silver bullet to ensure GDPR compliance, but arguably the biggest change is around accountability. The new legislation creates an onus on companies to understand the risks that they create for others, and to mitigate those risks. It's about moving away from seeing the law as a box ticking exercise, and instead to work on a framework that can be used to build a culture of privacy that pervades an entire organisation.**
> - Elizabeth Denham, the UK's Information Commissioner.

Does the GDPR apply to your business?

The GDPR will apply to your business if:

- you have a physical presence in the EU, or
- you offer goods or services to persons in the EU or monitor their behaviour;

AND

- alone or jointly with others, you collect or use for your own purposes or on behalf of another person, information concerning natural persons.

So, if you have any dealings with natural persons as part of your business, whether these may be your employees, customers or suppliers, you can assume that the GDPR will most likely apply to your organization.

The GDPR allows the EU's Data Protection Authorities to issue fines of up to €20 million or 4% of annual global turnover (whichever is higher).

What are your obligations under the GDPR?

The GDPR sets out 6 key principles which should lie at the heart of your approach to processing personal data. These are:

Lawfulness, fairness and transparency

Purpose limitation

Data minimisation

Accuracy

Storage limitation

Integrity and confidentiality (security)

The GDPR applies both to controllers and processors. Controllers remain primarily responsible for the protection of any personal data which they collect and process, however processors also have certain direct legal obligations to ensure the protection of the personal data entrusted to them by the controllers.

Before collecting or using any personal data the controller needs to ensure that such activities are lawful and justified on specific grounds, such as the performance of a legal obligation or a contractual obligation or pursuing a legitimate interest. Where processing is based on consent, strict requirements apply, and the controller must be able to demonstrate that the data subject has consented to processing of his or her personal data for a specific purpose.

HOW WE CAN HELP

Our dedicated GDPR Compliance Team consists of privacy practitioners with more than 20 years of hands-on experience and a track record of recognized expertise in the field of data protection law and practices.

We know that each organisation is unique in several ways, including culture, strategy, objectives, priorities, people etc. We will devote the necessary time and resources to familiarise ourselves with your business and work closely with the management and key members of staff to ensure that your organisation will achieve the highest possible standards of GDPR awareness and compliance.

We will provide you with all the documentation required for compliance with the GDPR, including privacy notices, internal policies and procedures, tailored to the needs of your organisation.

We will also meticulously guide you through a series of meetings, consultations and training sessions and generally ensure that your organization will meet the following requirements, to the extent they apply to your organization:

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- GAP Analysis/Assessing the extent of your organisation's compliance with the GDPR
- Mapping of Data Processing Activities (RoPA)
- Drafting of internal Privacy Policies and related documentation
- Drafting of Privacy Notices
- Drafting of Data Processing Agreements
- Awareness/ Staff Training
- Carrying out Data Protection Impact Assessments (DPIA)
- Managing Data Protection Breaches
- Liaising with and representation before the Commissioner's office
- Adherence to requirements for cross-border transfers of personal data
- Data Protection Officer (DPO) services
- Implementation of Technical and Organisational Measures to protect personal data

Our associated technical experts will also work closely with your internal or external service providers to provide you with any assistance and technical support necessary, to ensure the security and integrity of your electronic systems and networks and the protection of any personal data your organisation may be collecting, storing or transmitting by electronic means.

Data is becoming increasingly important for our economy and for our daily lives. With the roll-out of 5G and uptake of the Artificial Intelligence and Internet of Things technologies, personal data will be in abundance and with potential uses we probably can't imagine. While this offers amazing opportunities, some cases show that robust rules are needed to address clear risks for individuals and for our democracies. In Europe we know that strong data protection rules are not a luxury, but a necessity.

- Joint Statement by V.P Jourov and Commissioner Reynders ahead of Data Protection Day 27/2/2020.

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