

EUROPEAN PRIVACY REGULATION

Simone Fennell
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Arnold Roosendaal (eds.)

Foreword by Prof. Paul de Hert



European Privacy Regulation

General Data Protection Regulation (GDPR)
for privacy professionals

International edition

Simone Fennell, Frank Koppejan, Erwin Rigter and
Arnold Roosendaal (eds.)

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FOREWORD

Dear reader,

It has been a busy year in privacy. Researchers have been holding vibrant discussions on the privacy implications of big data and artificial intelligence, e-privacy regulation is currently under review, and authorities are (re-)positioning themselves. An impressive volume of cases has been published and many GDPR topics still require further exploration. These are just a few examples that illustrate the complexity and diversity of the privacy arena.

The evolution of the global and European privacy landscape also comes with many practical challenges for data protection. Businesses and public institutions are trying to get a grip on privacy regulations and their organisational consequences. And perhaps even more than ever, businesses and public institutions are looking for ways to make data protection work in practice.

This is why I encourage organisations such as Privacy Company to provide pragmatic solutions for privacy implementations, bridging the gap between complex regulations and data protection in practice. Examples are guidelines for privacy by design, software services to demonstrate compliance and publications that make privacy accessible to a wide audience.

This English pocket edition on European privacy regulation exemplifies how useful such a publication is when dealing with privacy on a daily basis. As such, it is indispensable for all privacy professionals and for those who are interested in the field.

Enjoy reading and using this pocket guide!

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INTRODUCTION

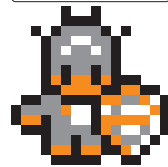
In 2015 and 2016, Privacy Company published pocket privacy guides to support professionals in their privacy implementations. Both pocket guides are widely used by privacy professionals, and users have praised them as convenient reference material for day-to-day activities. Users have made some suggestions as well – making the guide available to a non-Dutch audience and including the recitals topped the list. An updated international edition was born.

This pocket guide presents European data protection regulation for privacy professionals. It includes an introduction to European courts, the European Convention on Human Rights (partly) and the Charter of Fundamental Rights of the EU (partly). Subsequently, its main focus is on the General Data Protection Regulation (GDPR).

Superhero Captain Privacy starts off by explaining seven of the biggest misunderstandings of the GDPR. This is followed by a presentation of the recitals and the GDPR articles. Since privacy regulations do not always read that easily, Captain Privacy summarises each article in a tweet.

The GDPR introduces harsh sanctions. Captain Privacy refers to these sanctions to point out the financial risk of not adhering to the regulation for the relevant articles. “€ 0–€ 20m or up to 4%” should be read as “fines of up to €20,000,000 or up to 4% of annual worldwide turnover, whichever is the higher”. If the sanction is within a specific section of the article, it implies that the section only applies to that particular paragraph.

Everyone has something to hide



€ 0–€ 20m or up to 4%

Captain Privacy *highlights specific sections*. Italicised highlights are used to draw attention to relevant sections of articles and have no legal meaning. Moreover, references to recitals are included to clarify the background of an article when needed.

Two factsheets are included. The GDPR factsheet provides you with an overview of the implications of privacy regulation for your organisation. The Data Protection by Design Framework shows how you can apply data protection in the designs of new processes and services.

Last but not least, this pocket guide contains a convenient index to help you search quickly using key terminology.

We excluded e-privacy regulation since it is currently being reviewed. We also excluded sector- and country-specific implementation guidelines to keep the size of this book handy.

You can find the most recent version of this pocket guide on our website: www.privacycompany.eu. Please refer to <http://eur-lex.europa.eu/> for the most up to date privacy regulations.

Special thanks go to Menno Loos, Carolin Kaiser, Nicky Looije and Jake van Putten for their contributions to this pocket guide.

About Privacy Company

We have 100 years of privacy experience in our team. With consultancy, training programmes, Privacy Nexus software and Data Protection Officer services, we help your organisation with a pragmatic approach to GDPR compliance.

If you have suggestions for improving this edition, or if you are interested in our services, willing to share your talent with us, or would like to partner our organisation, please do let us know. Our team would love to hear from you.

We hope this pocket guide will be useful, and wish you lots of fun in your privacy journey!

The editors,
Simone Fennell, Frank Koppejan, Erwin Rigter and Arnold Roosendaal
January 2018

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This pocket guide presents European privacy regulation for privacy professionals, with its main focus on the General Data Protection Regulation (GDPR). It introduces European courts, includes the recitals, provides factsheets and has a convenient index. Captain Privacy explains the seven biggest misunderstandings of the GDPR, summarises each article in a tweet, highlights important sections and refers to fines. As such, Captain Privacy makes the GDPR easily accessible without overlooking its details.

This pocket guide is an updated, international version of our 2016 edition. That edition was widely used by privacy professionals, who have praised it for its convenience as reference material for day-to-day work. This updated version is indispensable for privacy professionals and those who are interested in the field.

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