


## The data protection officer

The **Data Protection Officer** (DPO) occupies an important place within the legal framework created by the GDPR. Articles 37 to 39 of the GDPR lay down the rules applicable to the appointment, function and tasks of the DPO.

The **DPO** is mainly responsible for:


- Informing and advising the controller or processor and their employees;
- Monitoring compliance with the Regulation and national data protection law;
- Advising the body on carrying out data protection impact assessments and verify their implementation;
- Cooperating with and being the contact point for the supervisory authority.

 Appointing a DPO does not relieve the manager of his or her data management responsibilities.

DPOs must be appointed for any organisation that systematically processes or stores large amounts of personal data, be it employees, persons outside the organisation or both.

The designation of a **DPO is mandatory** in three situations:

- The processing is carried out by a public authority or body;
- The basic activities of the undertaking consist of processing operations which, by reason of their nature, scope and/or purposes, require regular and systematic large-scale monitoring of the data subjects;
- The core activities of the controller or processor consist of large-scale processing of special categories of data.

 For cases where a DPO is not mandatory, a **data protection contact person is strongly recommended** in order to centralise the measures involved in data management for the company.

It is important that the DPO or dedicated contact person has the knowledge, resources and competence to perform their data protection duties.

**Example of basic activity:** A bank's core business involves processing the financial data of its customers. The bank must also process the HR data of its employees, but this is an ancillary activity.

**Example of large-scale processing:** The processing of patient data by a hospital, unlike the processing of patient data by an individual doctor.

**Example of regular and systematic monitoring:** A bank that must regularly and systematically monitor the progress of its customers' accounts and transactions, in particular in the context of its obligations relating to the prevention of fraud, money laundering or the financing of terrorism.

