

Finally understandable - All facts about responsibility, joint responsibility and order processing simply explained!

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Why make it complicated when it can be made understandable? The State Commissioner for Data Protection and Freedom of Information (LfDI) Baden-Württemberg has created FAQs on the helpful and comprehensive new guidelines of the European Data Protection Board (EDPB), in which the core statements are summarized. This is intended to give an understandable overview of the quite complex legal issues.

Order processing or joint responsibility? There is a great deal of confusion when it comes to this question and it is often difficult to differentiate between them, especially in the online area. The European Data Protection Committee found a remedy for this last week and adopted the "Guidelines on the concepts of controllers and processors in the GDPR" - i.e. "Guidelines on the delimitation of responsibilities and the concept of order processing".

The FAQs of the LfDI Baden-Württemberg supplement these and make the guidelines more accessible. The question-and-answer catalog makes it easier for laypersons to access the comprehensive document of the EDPB and provides cross-references to find the explanations that are relevant in individual cases. In addition, concrete practical examples contribute to understanding and help with practical implementation.

The guidelines are still only available in English. After the public consultation, the final version of the guidelines will also be translated into German.

At the same time, the EDPB also made guidelines for online tracking available that specifically help in this area of data processing:

https://edpb.europa.eu/sites/edpb/files/consultation/edpb_guidelines_202008_onthetargetingofsocialmediausers_en.pdf

The FAQs of the Baden-Württemberg State Commissioner for Data Protection and Freedom of Information on the subject of "person responsible/processor" can be found at:

<https://www.baden-wuerttemberg.datenschutz.de/faq-zur-abdefinition-der-dienstleistungen-und-the-concept-of-order-processing/>

The cross-references contained herein relate to the original guidelines of the European Data Protection Board, which can be found here:

https://edpb.europa.eu/sites/edpb/files/consultation/edpb_guidelines_202007_controllerprocessor_en.pdf

If you have any questions, you can reach us on the telephone number 0711/615 541-23.

Further information on data protection and freedom of information can be found on the Internet at www.baden-wuerttemberg.datenschutz.de or at www.datenschutz.de.

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Previous guidance from the LfDI BW: What now in terms of international data transfer?

Next podcast episode 2