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"Time of upheaval": Maja Smoltczyk's term of office as BlnBDI ends

Maja Smoltczyk's 5-year term as Berliner ends on October 27, 2021

Commissioner for data protection and freedom of information (BlnBDI) after almost six

years. Since Parliament also during the 9-month period permitted by law

Extension of Mrs. Smoltczyk's term of office could not agree on a successor,

From October 28th until a new election, her deputy Volker Brozio will take over

authority management.

Maja Smoltczyk's tenure was marked by fundamental upheavals in data protection:

The entry into force of the European General Data Protection Regulation (GDPR).

immediately applicable in all European member states immediately after their appointment

ushered in a new era – with significant challenges for everyone

data processing offices in business and administration as well as for the supervisory authorities.

These now found themselves in a Europe-wide network of cooperation, for

the completely new process had to be developed.

“The Europeanization of data protection law is the answer to a cross-border

digitized world to protect citizens and their fundamental rights,” says

Smoltczyk. With this in mind, the Berlin supervisory authority at national and

at the European level very intensively in the process of practical implementation of the new

introduced European rules. Numerous interpretations that are binding throughout Europe have been made

Written with the significant participation of the Berlin authorities. Just as an example here is the

intensive participation in the development of recommendations for the implementation of

European Court of Justice defined in its Schrems II judgment

Requirements for the transfer of data to third countries mentioned in support

data-exporting companies are intended.

“It should be noted that the GDPR has public awareness of the need for protection of personal data has been strengthened enormously,” says Maja Smoltczyk, head of the agency. This is not least in the significant and lasting increase in entries and inquiries of the Berlin supervisory authority since the GDPR came into effect in May 2018. Around The work processes of the authority had to meet these new requirements comprehensively modernized and adapted to the new requirements. "It is gratifying that, after intensive negotiations, it was possible to find an urgently needed personnel and financial reinforcement of the agency to meet these challenges through the to reach the Berlin House of Representatives,” says Smoltczyk.

Thematically, the time was mainly characterized by questions of data protection in the course of the Digitization of public administration and schools, the processing of data in the

Responsible: Simon Rebiger

Office: Kerstin Stein

Email: [presse@datenschutz-berlin.de](mailto:presse@datenschutz-berlin.de)

Friedrichstr. 219

10969 Berlin

Tel: 030 13889 - 900

Fax: 030 2155050

- 2 -

Berlin hospitals and in the public health administration, through advice of business and administration with regard to the implementation of the DS-GVO, the support countless legislative projects and in the past two years by a wide range of questions in connection with measures to combat the pandemic.

Under Maja Smoltczyk, the authority set up a start-up consultation hour to encourage young

To advise business enterprises on how to comply with data protection requirements from the outset

can be implemented in the respective company concept. Were also developed

Teaching materials and a website especially for elementary school students and their parents

and teachers so that even the youngest are familiar with the secure handling of their data on the Internet

and parents and teachers in teaching this complex subject

support. These offers are enjoying enormous popularity and are now more solid

Part of the work of the Berlin authority.

With its testing of video conferencing systems, which has received attention far beyond the Berlin area

the authority not only provided orientation during and after the pandemic, but also a

significantly expanded range of data protection-compliant products. In addition, they created

new powers of the data protection supervisory authorities to sanction data protection

Violators also have new ways of enforcing European rules. At the

Development of a German and subsequently a European fine concept

the authority played a key role. A multi-sectoral economy

Review of cookie banners has started and will be in authority for some time

claim.

The extremely accelerated digitization of

Society and working life pointed through a magnifying glass to comprehensive

Backlog in the implementation of fundamental data protection requirements. Here

have meanwhile been able to set an important course and have also achieved pleasing successes

be, however, for the successor to Maja Smoltczyk in this context

there is an enormous need for action.

In the field of freedom of information, Ms. Smoltczyk not only opted for a modern

Transparency Act in Berlin, but also intensively for the formulation of demands for

Transparency of algorithmic procedures used in public administration, which

ultimately also the International Conference of Freedom of Information Officers

has made.

Maja Smolczyk at the end of her term:

"It was a very exciting and challenging time and I am grateful that I was able to take part in the allowed to help shape these far-reaching changes. In an increasing digitized world are the responsible handling of personal data and the right to informational self-determination is essential so that people do not go to the pure become the object of economic or political interests. Sovereign people need a protected space where they are not observed so that they can develop freely can. Ultimately, data protection is the fundamental legal corrective to digitization. I very much regret that, despite announcements to the contrary, no evaluation of the Berlin Data Protection Act has taken place. Working towards it will be just as much as working for a transparency law worthy of its name will be the task of my successor. The I therefore wish the future leadership in this important office a lot of energy, fortune and forward

- 3 -

above all steadfastness. She or he will focus on an outstandingly qualified authority who can leave ready to face future challenges with a lot Commitment and creative joy to master. I thank my employees employees for their exemplary work. Without their expertise, their enthusiasm and their Idealism, the successes of the past few years would not have been achievable."