

Bavarian State Office for
data protection supervision

Ansbach, August 31, 2018

press release

10,000 data protection officers reported online

The Bavarian State Office for Data Protection Supervision (BayLDA) has something to offer

Delay in the online portal for notification of operational data protection

orders unlocked. Within 40 days the number was 10,000

data protection officer exceeded.

The General Data Protection Regulation (GDPR), effective May 25, 2018, obliges everyone

Those responsible, such as companies, businesses, freelancers, etc., who deal with personal data

bypass data, inform their data protection officers of the supervisory authority.

A data protection officer must be appointed if the core activities

capacity of a person responsible for the extensive processing of data, e.g. from health

rich or of data revealing ethnic origin, political opinions, religious or

ideological beliefs emerge (Article 37 GDPR). Extensively

Current data is processed in a hospital, for example, but not by a doctor. In practice are

appointing relatively few data protection officers on this basis.

Much more relevant is the other legal basis for the appointment of data protection officers

ten, namely § 38 of the Federal Data Protection Act (BDSG). After that, data protection

instructed to appoint if more than ten people are constantly using the automated processing

personal data are engaged.

What is new is that these data protection officers, who have already been appointed in large numbers

which had to be communicated to the supervisory authority. In anticipation of the fact-

thing that there will be a very large number of communications, intended from the start that

this notification is to be made via an online portal.

The online portal was launched on April 17.

July 2018

unlocked and

can be reached at:

<https://www.lida.bayern.de/de/dsb-meldung.html>. The special thing about this portal solution is that

Responsible persons and companies can carry out the report themselves within a few minutes and address

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Public transportation

Schlossplatz bus stops

or train station of the city and

regional lines

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continue to be able to create the registration certificate for your own documents. If a data

If you change the protection officer, you can adjust the message with just a few clicks.

The DS-GVO stipulates - as part of the accountability - that the person responsible himself

data protection officer or his data protection officer and not the data

protection officers report themselves. If data protection officers make the report themselves

want, this will only be accepted if proof of the nomination and a power of attorney are presented at the same time

be submitted to those responsible that the data protection officers on whose behalf
allowed to carry out.

The appointment of data protection officers is if the legal requirements for this are met.

lie, duty. A breach of this obligation and also a breach of the fact that the notification
vis-à-vis the supervisory authority can be punished with a fine.

"I'm delighted," says Thomas Kranig, President of the BayLDA, "that our online portal, albeit with
slight delay, is finished and so well received. It makes it easier for

then to fulfill their legal obligation to notify their data protection officers and also

manage future changes yourself. It also makes it easier for us to manage data protection

commissioned. The examination of whether data protection officers are appointed and notified to us will be carried out
be a standard part of our future exams. In serious individual cases, especially with

Looking at (large) corporations and data-driven companies, violations of these reporting

must also be sanctioned. We therefore recommend companies and businesses in Bavaria to check

whether the requirements for a notification obligation are met and, if so, data protection officers
to name and let us know."

Thomas Kranig

president