

press release

Ansbach, March 15, 2023

Bavarian State Office for

data protection supervision

Coordinated examination of the position and tasks of

Data Protection Officer

BayLDA participates in the second joint testing campaign of the European

data protection supervisory authorities

Almost five years after the General Data Protection Regulation came into force, the second starts today

Europe-wide inspection campaign by the European data protection supervisory authorities. Coordinated by the

European Data Protection Board is dedicated to the review of the position and tasks of the

Data Protection Officer. These represent one of the cornerstones of data protection in companies and

Authorities, which is a central innovation with the General Data Protection Regulation now also in the

established in other Member States.

Michael Will, President of the BayLDA, explains the aim of the joint Europe-wide test: "For the

BayLDA, the data protection officers have always been more than just the first point of contact

supervisory authority. They are the guarantors of data protection in everyday life, especially for small and medium-sized ones

Company. Day after day, you make a key contribution to the success of data protection compliance

Digitalization. With the General Data Protection Regulation, their position in the company was

upstream advisory and control body strengthened again. The joint testing action forms

the framework for a precise analysis of today's conditions for action in operational practice

and the exchange of data protection authorities about possible improvements or also

remedial actions. We will try to get the results of our investigations as soon as possible

possible to evaluate and our conclusions for all of the more than 36,000 with us

reported data protection officer usable."

To the background:

The European Data Protection Board already had in its inaugural meeting on May 25, 2018

Adopted guidelines in relation to data protection officers ("DPOs"), jointly with several

current decisions of the European Court of Justice, including June 22, 2022 and October 27, 2022,

European

basic

common

test action

standards

the

the

for

Mediate data protection authorities. The examination focuses on questions of

Qualifications and resources above all possible impairments of the independent

and effective task performance. In particular, the exercise of additional functions can

Justify conflicts of interest, such as compliance officers, IT managers or

HR Managers. Special attention is also paid to the requirement that

Data protection officer directly at the highest management level of the person responsible or

have to report to the processor. President Will explains: "On the basis of our

We will use the conditions for action of the company data protection officer as our inspection powers

targeted

take a look and look at both organizational charts and annual reports of the

Data Protection Officer

submit

permit. We will

ask very carefully how

Data protection officers, who only cross different hierarchical levels via a so-called dotted line

can approach the company management, the requirement at any time immediate

Reporting rights are sufficient to provide a clear picture of the situation of the data protection organization and to counter undesirable developments.”

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