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Concept of the data protection conference for setting finesThe conference of the independent data protection supervisory authorities of the federal and state governments (DSK) presents its concept for setting fines for violations of the GDPR by companies. The concept essentially shapes the requirements of Art. 83 of the General Data Protection Regulation and is designed for further development. The aim of the concept is to provide the data protection supervisory authorities with a uniform method for the systematic, transparent and comprehensible calculation of fines.

The concept will be published after the first negotiations on this topic have taken place at European level, in which the draft version of the concept played a role. According to Article 70(1)(k) of the General Data Protection Regulation, harmonization of the setting of fines should be promoted through guidelines. Changes and additions to the concept and the practice of the supervisory authorities are possible in the future due to new findings from the Europe-wide votes. Until the European Data Protection Board has drawn up final guidelines, the present concept provides the basis for fines assessment in the sanctions practice of the German supervisory authorities.

The publication of the present version of the concept for calculating fines is intended to contribute to transparency with regard to the enforcement of data protection law. It is intended to enable controllers and processors to understand the decisions of the supervisory authorities. With the connection to the turnover of a company when determining the fine, the concept supports the declared will of the European legislator to ensure the effectiveness, proportionality and deterrent effect of the imposition of fines.

Further information:Concept of the conference of the independent data protection supervisory authorities of the federal and state governments on the assessment of fines for violations of the GDPR

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