

# 2 No Data, no Data Science

- Insights into **Handling of Personal Data**

## (6) Data Governance & Protection Rights



**GOVERNANCE**

**Anforderungen der EU-DSGVO (GDPR)**

DSGVO			
RECHTMÄßIGE VERARBEITUNG	INFORMATIONSPFlichten	BETROFFENENRECHTE	DATENSCHUTZ-MANAGEMENT
<b>Rechtmäßigkeit</b> Art. 6 DSGVO	<b>Informationspflichten</b> Art. 13 DSGVO	<b>Recht auf Auskunft</b> Art. 15 DSGVO	<b>Technischeorg., Maßnahmen</b> Art. 34 und 35 DSGVO
<b>Berechtigte Interessen</b> Art. 6 DSGVO		<b>Recht auf Berichtigung</b> Art. 16 DSGVO	<b>Privacy by Design/Default</b> Art. 25 DSGVO
<b>Interaktion und</b> <b>Transparenz</b> Art. 12 DSGVO		<b>Recht auf Löschung</b> Art. 17 DSGVO	<b>Datenschutzbeauftragter</b> Art. 38 DSGVO
		<b>Recht auf Einschränkung</b> Art. 18 DSGVO	<b>Verzeichnisverarbeitung</b> Art. 30 DSGVO
		<b>Recht auf Übertragbarkeit</b> Art. 19 DSGVO	<b>Hilfsmittel zur DSGVO-Verpflichtung</b> Art. 31 DSGVO
		<b>Widerspruchsrecht</b> Art. 14 DSGVO	<b>28 Folgenabschätzung</b> Art. 35 DSGVO
		<b>Profilierung</b> Art. 13 DSGVO	<b>DSO-Organisation</b> Art. 37 DSGVO
<b>Rechenschaftspflicht</b> Art. 5 DSGVO			

dsgvo-gesetz.de

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# Under the EU GDPR, Personal Data can be processed after ... is done.

Art des Wissens \ Schwierigkeitsgrad	Abfragewissen (Voraussetzung)	Anwendungswissen (Literatur)
Einfach	Green	Yellow
Mittel	Yellow	Red
Schwierig	Red	Red

- a) **Contract**
- b) **Consent**
- c) **Public task**
- d) **Vital interest**
- e) **All actions from a) to d) can be used**



# **General Data Protection Regulation (GDPR, 25.05.2018)**



# General Data Protection Regulation

From Wikipedia, the free encyclopedia

The **General Data Protection Regulation** (**GDPR**) is a [regulation](#) in [EU law](#) on [data protection](#) and [privacy](#) in the [European Union](#) (EU) and the [European Economic Area](#) (EEA). It also addresses the transfer of [personal data](#) outside the EU and EEA areas. The GDPR's primary aim is to give control to [individuals over their personal data](#) and to [simplify the regulatory environment for international business](#) by [unifying the regulation within the EU](#).<sup>[1]</sup> Superseding the [Data Protection Directive 95/46/EC](#), the regulation contains provisions and requirements related to the processing of [personal data](#) of individuals (formally called *data subjects* in the GDPR) who are located in the EEA, and applies to any enterprise—regardless of its location and the data subjects' citizenship or residence—that is processing the personal information of individuals inside the EEA.

[Controllers and processors of personal data must put in place appropriate technical and organizational measures](#) to implement the data protection principles. Business processes that handle personal data [must be designed and built with consideration of the principles and provide safeguards to protect data](#) (for example, using [pseudonymization](#) or full [anonymization](#) where appropriate). Data controllers must design information systems with privacy in mind. For instance, using the highest-possible privacy settings by default, so that the datasets are not publicly available by default and cannot be used to identify a subject. [No personal data may be processed unless this processing is done under one of the six lawful bases specified by the regulation \(consent, contract, public task, vital interest, legitimate interest or legal requirement\). When the processing is based on consent the data subject has the right to revoke it at any time.](#)


Data controllers must clearly disclose any [data collection](#), declare the lawful basis and purpose for data processing, and state how long data is being retained and if it is being shared with any third parties or outside of the EEA. Firms have the obligation to protect data of employees and consumers to the degree where only the necessary data is extracted with minimum interference with data privacy from employees, consumers, or third parties. Firms should have internal controls and regulations for various departments such as audit, internal controls, and operations. Data subjects have the right to request a [portable](#) copy of the data collected by a controller in a common format, and the right to have their [data erased](#) under certain circumstances. Public authorities, and businesses whose core activities consist of regular or systematic processing of personal data, are required to employ a *data protection officer* (DPO), who is responsible for managing compliance with the GDPR. Businesses must report [data breaches](#) to national supervisory authorities within 72 hours if they have an adverse effect on user privacy. In some cases, violators of the GDPR may be

(EU) 2016/679



**Title** Regulation on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (Data Protection Directive)

**Made by** [European Parliament and Council of the European Union](#)

**Journal reference** [L 100000 May 2016, p. 1–88](#)

## History

**Date made** 14 April 2016

**Implementation date** 25 May 2018

## Preparative texts

**Commission proposal** [COM/2012/010 final – 2012/0010 \(COD\)](#)

## Other legislation

**Replaces** [Data Protection Directive](#)

## Current legislation

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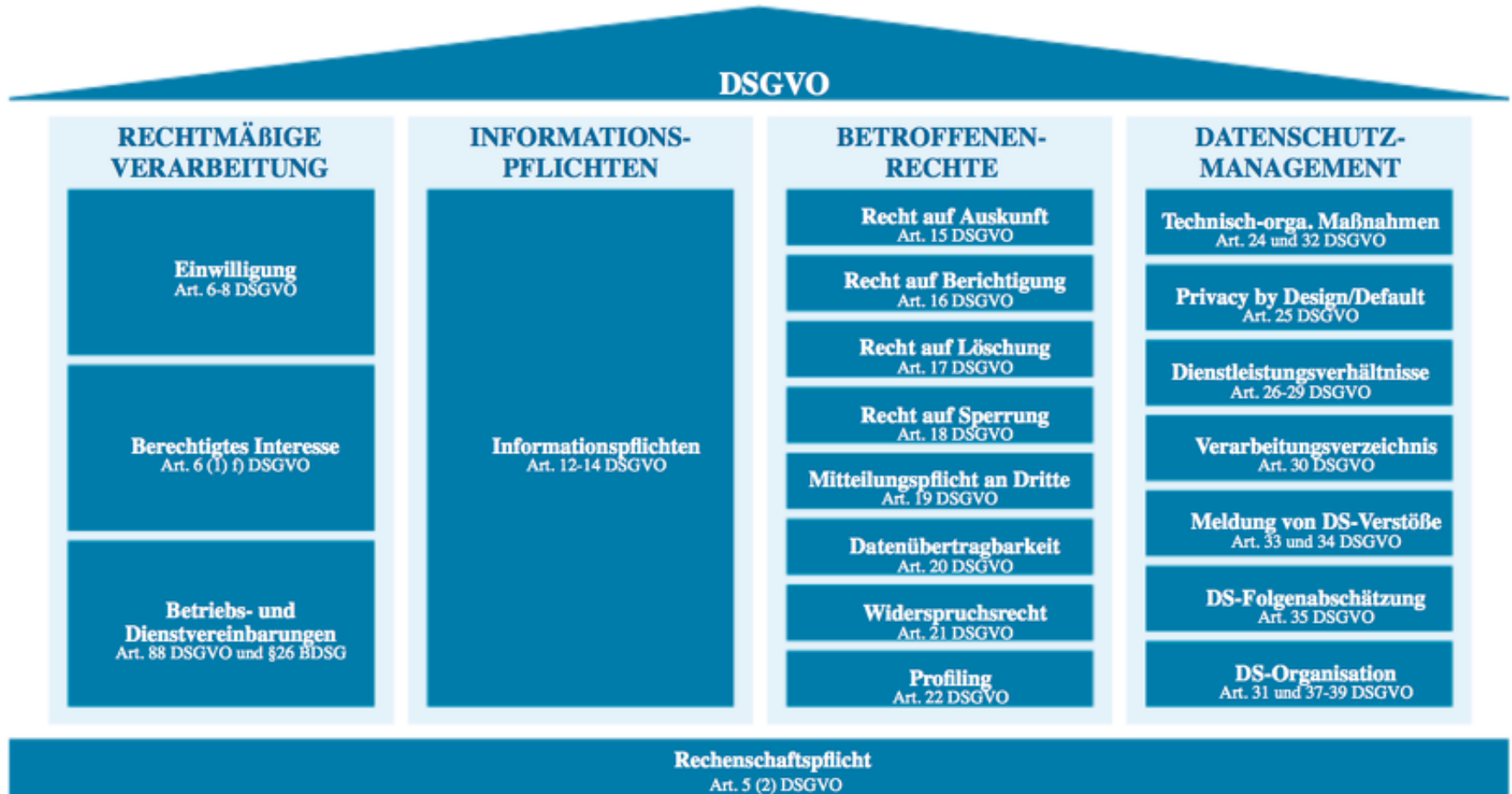
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# Anforderungen der EU-DSGVO (GDPR )



Fines Database

Fine Models by DPAs

Fines Statistics

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Filter by violation (Art.):

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## UK: Fine against British Airways finally set

Fine against British Airways for inadequate security measures finally set at approx. EUR 22 million (reduction from initially proposed EUR 202 million).

# GDPR Enforcement Tracker

tracked by **C/M/S**  
Law.Tax

The CMS.Law GDPR Enforcement Tracker is an overview of fines and penalties which data protection authorities within the EU have imposed under the EU General Data Protection Regulation (GDPR, DSGVO). Our aim is to keep this list as up-to-date as possible. Since not all fines are made public, this list can of course never be complete, which is why we appreciate any [indication of further GDPR fines and penalties](#). Please note that we do not list any fines imposed under national / non-European laws, under non-data protection laws (e.g. competition laws / electronic communication laws) and under "old" pre-GDPR-laws.

Show  entries

Search:

	Country	Date	Fine [€]	Controller/Processor	Quoted Art.	Type	Source
	ETID-23  FRANCE	2019-01-21	50,000,000	Google Inc.	Art. 13 GDPR, Art. 14 GDPR, Art. 6 GDPR, Art. 5 GDPR	Insufficient legal basis for data processing	<a href="#">link</a>
	ETID-405  GERMANY	2020-10-01	35,258,708	H&M Hennes & Mauritz Online Shop A.B. & Co. KG	Art. 5 GDPR, Art. 6 GDPR	Insufficient legal basis for data processing	<a href="#">link</a>
	ETID-189  ITALY	2020-01-15	27,800,000	TIM (telecommunications operator)	Art. 5 GDPR, Art. 6 GDPR, Art. 17 GDPR, Art. 21 GDPR, Art. 32 GDPR	Insufficient legal basis for data processing	<a href="#">link</a>
	ETID-58	2020-10-16	22,046,000	British Airways	Art. 5 (1) f) GDPR, Art. 32	Insufficient technical and organizational measures for data processing	<a href="#">link</a>