

# Data Privacy in the EU



The European Union has approved significant changes to data laws, aimed at putting individuals back in charge of their information.

It is the biggest shake-up to privacy regulation for 20 years, according to experts. The new draft policy has been in discussion since 2012, and will need to be ratified by the European Parliament in 2016.

These new data laws are intended to make Europe fit for the digital age. More than 90% of Europeans say they want the same data protection rights across the EU, regardless of where their data is processed, and this will soon be a reality.

Companies will have to start taking these issues seriously now, even though the new law does not come into force until 2018. These changes will now make privacy a board-level issue.

US technology companies already have an uneasy relationship with European regulators, with both Google and Facebook facing big fines - Facebook over its use of cookies and Google over its privacy policy. Culprits could face up to 4% fine of their global revenues. I am sure the lawyers will be looking closely at this right now!

## Clear modern rules for businesses

In today's digital economy, personal data has acquired enormous economic significance, in particular in the area of big data. By unifying Europe's rules on data protection, law makers are creating a business opportunity and encouraging innovation.

- **One continent, one law:** The regulation will establish a single set of rules which will make it simpler and cheaper for companies to do business in the EU.
- **One-stop-shop:** businesses will only have to deal with one single supervisory authority. This is estimated to save €2.3 billion per year.

## Extract from European Commission - Press release

Brussels, 15 December 2015

Agreement on Commission's EU data protection reform will boost the Digital Single Market

The new rules address these concerns by strengthening existing rights and empowering individuals with more control over their personal data.

Most notably these include:

- **easier access to your own data:** individuals will have more information on how their data is processed and this information should be available in a clear and understandable way;
- **a right to data portability:** it will be easier to transfer your personal data between service providers;
- **a "right to be forgotten":** when you no longer want your data to be processed, and provided that there are no legitimate grounds for retaining it, the data will be deleted;
- **the right to know when your data has been hacked:** For example, companies and organisations must notify the national supervisory authority of serious data breaches as soon as possible so that users can take appropriate measures.

- **European rules on European soil** – companies based outside of Europe will have to apply the same rules when offering services in the EU.
- **Risk-based approach:** the rules will avoid a burdensome one-size-fits-all obligation and rather tailor it to the respective risks.
- **Rules fit for innovation:** the regulation will guarantee that data protection safeguards are built into products and services from the earliest stage of development (“Data Protection by Design”).



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