

# Preparing your organisation for the GDPR

## What is GDPR?

The General Data Protection Regulation 2016/679 (the GDPR) aims to strengthen and unify data protection for individuals within the EU.

It will fundamentally change the current EU data protection regime by replacing the current Data Protection Directive, which forms the basis for the existing regime.

It will apply directly in each Member State and so minimise the level of national variation in data protection law.



## When does it apply?

The GDPR comes into force from 25 May 2018.

However, it is essential that Irish companies start planning their approach to GDPR compliance as early as possible.

## Key Changes

- Expands definition of personal data.
- Applies to data processors.
- Wider geographic scope.
- New rights for data subjects.
- Requirement for data breach notification.
- Requirements for Data Protection Officers.
- Data Protection Impact Assessments required.
- Enforcement and increased penalties.
- Regulatory basis for right to be forgotten.
- Increased obligation to demonstrate Privacy by Design and Privacy by Default.

## What could happen?

**Non-compliance and breaches - fines up to €20 million or 4% of annual worldwide turnover.**



## Key Practical Steps to prepare for the GDPR

1. Review all personal data held by your organisation.
2. Review and update all data privacy notices.
3. Ensure you are able to demonstrate compliance.
4. Implement internal policies and measures which take into account Privacy by Design and by Default.
5. Maintain detailed processing records.
6. Spread awareness of the GDPR in your organisation.
7. Implement training and review checklists for data protection.
8. Implement internal breach notification procedures and incident response plans.
9. Allocate responsibility and budget for data protection compliance.
10. Identify and train the Data Protection Officer.

## About ByrneWallace

As the first large Irish law firm certified with ISO 27001, ByrneWallace has a unique understanding of the challenges organisations face in relation to data security and cybercrime. We understand the potentially serious impact a data security breach can have on a business, and we understand the importance of ensuring that the appropriate procedures and control mechanisms are in place to mitigate such threats and safeguard proprietary information.

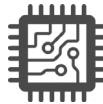
Our team comprises specialist lawyers skilled at handling all aspects of data protection and we have particular expertise advising on compliance matters, data breaches, data security, international data transfers, data privacy and cyber security, and cloud based commercial contracts.

Our clients include IT companies, banks and financial institutions, public bodies including the health authorities, healthcare providers, and private and public organisations in a variety of sectors, that handle large volumes of personal data.

## Our knowledge & expertise



First Irish law firm with ISO 27001 information security standard.



One of Ireland's premier technology law firms.



Proven experience advising companies handling large volumes of personal data.



Broad industry sector expertise - private and public.



Multi-disciplined team includes skilled litigators.



Proven track record advising on investigations and defending prosecutions & data breaches.



First and only large Irish law firm with Lexcel - the quality mark of excellence.



Ireland Client Service Award 2017\*  
Law Firm of the Year 2016\*\*  
Employment Team of the Year 2015\*\*

\* Awarded at Chambers Europe Awards

\*\* Awarded by Irish Law Awards

## Our services

- Data protection audits and compliance advice for data processors and controllers.
- Data protection registration/notification requirements.
- Advice on data access requests and interaction with the Regulator.
- Data processing contracts and cloud based commercial contracts.
- Data security procedures and policies and data retention obligations.
- Cyber security & data privacy.
- International data transfers (including Model Clauses, Binding Corporate Rules, Privacy Shield etc).
- Advice on investigations, enforcements, prosecutions, prohibition and information notices issued by the Data Protection Commissioner.

## Meet the team



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