

A Summary of the GDPR

The General Data Protection Regulation (GDPR) effective from 25th May 2018 will replace current data protection laws in the European Union.

The new law will give individuals greater control over their data by setting out additional and more clearly defined rights for individuals whose personal data is collected and used by organisations. The GDPR also imposes corresponding increased obligations on organisations that collect this data.

Personal data is any information that can identify an individual person. This includes a name, an ID number, location data or a postal address, online browsing history, images or anything relating to the physical, physiological, genetic, mental, economic, cultural or social identity of a person.

The GDPR is based on the core principles of data protection which exist under the current law. These principles require organisations and businesses to:

- collect no more data than is necessary from an individual for the purpose for which it will be used;
- obtain personal data fairly from the individual by giving them notice of the collection and its specific purpose;
- retain the data for no longer than is necessary for that specified purpose;
- to keep data safe and secure; and
- provide an individual with a copy of his or her personal data if they request it.

Under the GDPR individuals have the significantly strengthened rights to:

- obtain details about how their data is processed by an organisation or business;
- obtain copies of personal data that an organisation holds on them;
- have incorrect or incomplete data corrected;
- have their data erased by an organisation, where, for example, the organisation has no legitimate reason for retaining the data;
- obtain their data from an organisation and to have that data transmitted to another organisation (Data Portability);
- object to the processing of their data by an organisation in certain circumstances;
- not to be subject to (with some exceptions) automated decision making, including profiling.

Organisations and businesses that breach the law may be liable to sanctions and/or fines.

References to Further Information on the GDPR

The “Supervisory Authority” body for the GDPR in Ireland is the “Data Protection Commissioner” (DPC). They have more information regarding the GDPR on their website www.dataprotection.ie including a specific section to give information for individuals and organisations – see <http://gdprandyou.ie>.

The following online link gives the full text of the regulation in an easy to navigate format

<https://gdpr-info.eu/>.