

Privacy and the General Data Protection Regulation



The General Data Protection Regulation (GDPR) aims to offer protection to all EU citizens from privacy and data breaches in an increasingly data-driven world. Although the key principles of Data Protection as we know it still hold true, the many changes in policy are bound to have significant effects on business and individuals EU-wide.

Deadline:

The new, stringent requirements introduced by the GDPR will be binding as of May 2018

With decades of expertise in the fields of privacy, media and technology law, we at GTG Advocates can assist you in correctly and effectively adapting to the General Data Protection Regulation's newly-introduced requirements. Our personalized advice and solutions range from specific training to drafting and review of contractual and legal documentation, as well as providing customised data processing agreements in light of the Regulations' recently-introduced requirements.

Whilst provisions relating to Data Protection law have formed part of Malta's legal scene for a number of years, the GDPR seeks to strengthen the rights of Data Subjects through far reaching preventive and enforcement measures:

- **Extra-territorial applicability**
- **Clearly requested and easily withdrawn consent**
- **Mandatory notification of breaches within 72 hours**
- **The right to access one's data and the right to request its deletion**
- **Privacy by Design**
- **Internal record keeping requirements**

The above changes, amongst others, are bound to require wide-ranging structural and practical changes in order to meet the new requirements particularly in relation to employee and customer and client data, likely to be the biggest risk area for most companies.

For more information on GDPR and other related areas or if you have any questions, please feel free to contact Dr Ian Gauci on igauci@gtgadvocates.com



Entities in breach of the GDPR can be fined up to 4% of their annual global turnover or €20 Million, whichever is greater. This is the maximum fine that can be imposed for the most serious infringements. Smaller offences, however, also carry significant fines: a company can be fined 2% of its annual turnover for not having its records in order, not notifying the supervising authority and data subject about a breach or not conducting required impact assessments.

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