

## Preparing for the EU General Data Protection Regulation

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Professional Strategies – S21



### Session Abstract

The proposed General Data Protection Regulation (GDPR) is the first comprehensive overhaul of European Union data protection rules in 20 years - it will repeal and replace Directive 95/46/EC. The GDPR remains under negotiation but political agreement is expected in late 2015 or early 2016, with a subsequent two year transition period before the new rules go live. Data controllers and processors that process the personal data of EU residents should be aware of the following headline features of the GDPR:

**Worldwide territorial scope:** GDPR will apply to data controllers that process the personal data of EU residents, regardless of location;

**Enhanced rights, additional obligations:** new rules on consent, access rights, profiling, impact assessments, data transfers, and much more;

**One-stop shop:** lead authority model, multilateral approach to transnational cases, new European Data Protection Board;

**Enhanced sanctions:** maximum fine levels likely to be between 2% and 5% of global turnover

This session will provide an overview of the key impacts that the GDPR will have on data controller and processors as well as looking at how the EU is looking to promulgate data protection law in the global environment. There will be a focus on what the GDPR means for US-based data controllers and processors and what businesses can do to prepare for the new rules.

### Target Audience

This session will benefit all privacy and information security practitioners with an interest in the proposed new EU data protection framework. Although some understanding of general data protection principles would be advantageous, no prior knowledge of the EU framework needs to be assumed as basic features of the proposed Regulation will be covered.

### Speaker Bio

John Bowman is a Senior Principal in Promontory's privacy and data protection team. Prior to joining Promontory, John worked at the U.K. Ministry of Justice where he was the government's lead negotiator on the proposed General Data Protection Regulation. This involved leading the U.K.

delegation to the Council of the European Union's DAPIX expert working group in Brussels, developing the government's policy position on the proposed Regulation, engaging with a wide range of stakeholders and advocates, and regularly briefing ministers.

John also represented the U.K. at the European Commission's Article 31 Committee, which is responsible for determining the adequacy of non-EU data-protection regimes, including the U.S. Commerce Department's Safe Harbor privacy scheme. He earlier represented the U.K. government in negotiations on reviewing The Hague Conventions on International Child Abduction.

### Speaker Details (optional):

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