

European Data Protection Law Corporate Compliance And Regulation

Examines developments in data privacy matters here and in Europe, with special emphasis on their effect on business, particularly Internet firms, and shows how to develop strategies to comply with imminent legislation. All are agreed that the digital economy contributes to a dynamic evolution of markets and competition. Nonetheless, concerns are increasingly raised about the market dominance of a few key players. Because these companies hold the power to drive rivals out of business, regulators have begun to seek scope for competition enforcement in cases where companies claim that withholding data is needed to satisfy customers and cut costs. This book is the first focus on how competition law enforcement tools can be applied to refusals of dominant firms to give access data on online platforms such as search engines, social networks, and e-commerce platforms - commonly referred to as the 'gatekeepers' of the Internet. The question arises whether the denial of a dominant firm to grant competitors access to its data could constitute a 'refusal to deal' and lead to competition law liability under the so-called 'essential facilities doctrine', according to which firms need access to shared knowledge in order to be able to compete. A possible duty to share data with rivals also brings to the forefront the interaction of competition law with data protection legislation considering that the required information may include personal data of individuals. Building on the refusal to deal concept, and using a multidisciplinary approach, the analysis covers such issues and topics as the following: - data portability; - interoperability; - data as a competitive advantage or entry barrier in digital markets; - market definition and dominance with respect to data; - disruptive versus sustaining innovation; - role of intellectual property regimes; - economic trade-off in essential facilities cases; - relationship of competition enforcement with data protection law and - data-related competition concerns in merger cases. The author draws on a wealth of relevant material, including EU and US decision-making practice, case law, and policy documents, as well as economic and empirical literature on the link between competition and innovation. The book concludes with a proposed framework for the application of the essential facilities doctrine to potential forms of abuse of dominance relating to data. In addition, it makes suggestions as to how data protection interests can be integrated into competition policy. An invaluable contribution to ongoing academic and policy discussions about how data-related competition concerns should be addressed under competition law, the analysis clearly demonstrates how existing competition tools for market definition and assessment of dominance can be applied to online platforms. It will be of immeasurable value to the many jurists, business persons, and academics concerned with this very timely subject.

European Data Protection Law Corporate Compliance and Regulation OUP Oxford

Increasingly, algorithms regulate our lives. Personal data is routinely processed on an unprecedented scale in both private and public sectors. This shift from more subjective and less structured human decision-making processes to automated ones has provoked numerous concerns with regard to the rights and freedoms of natural persons affected. In particular, those attached to profiling that can lead to discrimination influencing crucial opportunities of individuals, such as the ability to obtain credit, insurance, education, a job or even medical treatment. To the extent that automated individual decision-making is based on personal data, in the European Union it is subject to the General Data Protection Regulation. The author examines whether this legislative act affords sufficient protection of natural persons with regard to such processing, identifying the loopholes that hinder or prevent its efficacy and the de lege lata rules and de lege ferenda postulates that could provide individuals with effective protection in relation to automated individual decision-making. She provides an in-depth analysis of such aspects as the following: the GDPR's background, terminology and material and territorial scope of application; key concerns regarding automated individual decision-making; specific and general provisions of the GDPR relevant to protection of natural persons with regard to automated individual decision-making; special and general rights of the data subject relevant to automated individual decision-making provided for in the GDPR; key limitations to algorithmic transparency; how profiling can create special categories of personal data by inference from 'ordinary' personal data; and how the version of reality derived from personal data is often at least partially inaccurate. To interpret the rules of the GDPR, the analysis draws on the travaux préparatoires, case law of the Court of Justice of the European Union and national courts that concerns the previous Data Protection Directive, guidelines and opinions of the Article 29 Working Party and the European Data Protection Board, various reports and recommendations and numerous academic writings. In its consideration of some of the most controversial issues in the realm of personal data protection - issues whose role in the information society will grow rapidly - this book represents a major contribution to research and legal guidance at the confluence of law and new technologies concerning algorithmic accountability. Policymakers, regulators and lawyers active in the ongoing development of personal data protection law will become knowledgeable about interpretations and guidelines formulated by European data protection authorities, as well as examples and best practices in the field. Moreover practitioners will find the implementation of automated individual decision-making systems in accordance with the GDPR greatly facilitated. The analysis will assist data protection authorities and judicature in assessing such systems and interpreting the GDPR framework with regard to protection of natural persons in the years to come.

Comparative Perspectives

Corporate Compliance and Regulation

Consent in European Data Protection Law

Handbook on European Data Protection Law

European Data Protection: Coming of Age

Data Privacy in the Information Age

Against the background of European legal framework, this book offers a comprehensive

analysis of the concept of consent in data protection, with a special focus on the field of electronic communications.

Data Protection & Privacy, edited by Wim Nauwelaerts of Hunton & William, covers many of the most important data protection and data privacy laws in force or in preparation across 29 jurisdictions. As laws governing data protection become ever more significant whilst information becomes indispensable to commercial and public life, Data Protection & Privacy will guide you through the major issues. Topics covered include: breaches of data protection, exemptions, other affecting laws, PII formats, legitimate processing, notifications, accuracy, security obligations and breaches, registration formalities, penalties, transfers and internet use and electronic communications marketing. In an easy-to-use question and answer format, this book is-depth comparative study of the topic from the perspective of leading experts featuring additional editorial chapters on the EU as well as Safe Harbor and the Privacy Shield. "The comprehensive range of guides produced by GTDT provides practitioners with an extremely useful resource when seeking an overview of key areas of law and policy in practice areas or jurisdictions which they may otherwise be unfamiliar with." Gareth Webster, Centrica Energy E&P

Nearly two decades after the EU first enacted data protection rules, key questions about the nature and scope of this EU policy, and the harms it seeks to prevent, remain unanswered. The inclusion of a Right to Data Protection in the EU Charter has increased the salience of these questions, which must be addressed in order to ensure the legitimacy, effectiveness and development of this Charter right and the EU data protection regime more generally. The Foundations of EU Data Protection Law is a timely and important work which sheds new light on this neglected area of law, challenging the widespread assumption that data protection is merely a subset of the right to privacy. By positioning EU data protection law within a comprehensive conceptual framework, it argues that data protection has evolved from a regulatory instrument into a fundamental right in the EU legal order and that this right grants individuals more control over more forms of data than the right to privacy. It suggests that this dimension of the right to data protection should be explicitly recognised, while identifying the practical and conceptual limits of individual control over personal data. At a time when EU data protection law is sitting firmly in the international spotlight, this book offers academics, policy-makers, and practitioners a coherent vision for the future of this key policy and fundamental right in the EU legal order, and how best to realise it.

On 25 January 2012, the European Commission presented its long awaited new "Data protection package". With this proposal for a drastic revision of the data protection framework in Europe, it is fair to say that we are witnessing a rebirth of European data protection, and perhaps, its passage from an impulsive youth to a more mature state. Technology advances rapidly and mobile devices are significantly changing the landscape. Increasingly, we carry powerful, connected, devices, whose location and activities can be monitored by various stakeholders. Very powerful social network sites emerged in the first half of last decade, processing personal data of many millions of users. Updating the regulatory network was imminent and the presentation of the new package will initiate a period of intense debate in which the proposals will be thoroughly commented upon and criticized, and numerous amendments will undoubtedly be proposed. This volume brings together some 19 chapters offering conceptual analyses, highlighting issues, proposing solutions, and discussing practices regarding privacy and data protection. In the first part of the book, conceptual analyses of concepts such as privacy and anonymity are provided. The second section focuses on the contrasted positions of digital natives and ageing users in the information society. The third section provides four chapters on privacy by design, including discussions on roadmapping and concrete techniques. The fourth section is devoted to surveillance and profiling, with illustrations from the domain of smart metering, self-surveillance and the benefits and risks of profiling. The book concludes with case studies pertaining to communicating privacy in organisations, the fate of a data protection supervisor in one of the EU member states and data protection in social network sites and online media. This volume brings together some 19 chapters offering conceptual analyses, highlighting issues, proposing solutions, and discussing practices regarding privacy and data protection. In the first part of the book, conceptual analyses of concepts such as privacy and anonymity are provided. The second section focuses on the contrasted positions of digital natives and ageing users in the information society. The third section provides four chapters on privacy by design, including discussions on roadmapping and concrete techniques. The fourth section is devoted to surveillance and profiling, with illustrations from the domain of smart metering, self-surveillance and the benefits and risks of profiling. The book concludes

with case studies pertaining to communicating privacy in organisations, the fate of a data protection supervisor in one of the EU member states and data protection in social network sites and online media.

GDPR For Dummies

A Collection of Practice Exams on European Data Protection Law

Understanding the New European Data Protection Rules

Data Protection (GDPR) (from Corporate Compliance Training EN)

Global Data Protection in the Field of Law Enforcement

Law and Practice

This book contains the General Data Protection Regulation 2016 with official justifications. Legal provisions are accompanied by their recitals. Ideal for any practitioner and anyone interested in European data privacy. "The General Data Protection Regulation is the first directly applicable legal basis valid in all EU member states for processing personal data. It was concluded in April 2016 following a three-year coordination procedure, and replaces the data protection directive from 1995. The updates in the regulation include rights related to data portability and the right to be forgotten. There are changes with regard to data transmission to third-party countries, national supervisory agencies ("one-stop-shops") and their collaboration. But above all, the drastically harsher sanctions in response to violations should be an impetus for all affected companies to review their compliance measures. The European Parliament and the Council have granted a transitional deadline of two years for this purpose."

Although Europe has a significant legal data protection framework, built up around EU Directive 95/46/EC and the Charter of Fundamental Rights, the question of whether data protection and its legal framework are 'in good health' is increasingly being posed. Advanced technologies raise fundamental issues regarding key concepts of data protection. Falling storage prices, increasing chips performance, the fact that technology is becoming increasingly embedded and ubiquitous, the convergence of technologies and other technological developments are broadening the scope and possibilities of applications rapidly. Society however, is also changing, affecting the privacy and data protection landscape. The 'demand' for free services, security, convenience, governance, etc, changes the mindsets of all the stakeholders involved. Privacy is being proclaimed dead or at least worthy of dying by the captains of industry; governments and policy makers are having to manoeuvre between competing and incompatible aims; and citizens and customers are considered to be indifferent. In the year in which the plans for the revision of the Data Protection Directive will be revealed, the current volume brings together a number of chapters highlighting issues, describing and discussing practices, and offering conceptual analysis of core concepts within the domain of privacy and data protection. The book's first part focuses on surveillance, profiling and prediction; the second on regulation, enforcement, and security; and the third on some of the fundamental concepts in the area of privacy and data protection. Reading the various chapters it appears that the 'patient' needs to be cured of quite some weak spots, illnesses and malformations. European data protection is at a turning point and the new challenges are not only accentuating the existing flaws and the anticipated difficulties, but also, more positively, the merits and the need for strong and accurate data protection practices and rules in Europe, and elsewhere.

Practically every organisation in the world processes personal data. European data protection law imposes a series of requirements designed to protect individuals against the risks that result from the processing of their data. It also distinguishes among different types of actors involved in the processing and sets out different obligations for each type of actor. The most important distinction in this regard is the distinction between 'controllers' and 'processors'. This book seeks to determine whether EU data protection law should continue to maintain its current distinction.

In this book, the protection of personal data is compared for eight EU member states, namely France, Germany, the United Kingdom, Ireland, Romania, Italy, Sweden and the Netherlands. The comparison of the countries is focused on government policies for the protection of personal data, the applicable laws and regulations, implementation of those laws and regulations, and supervision and enforcement. Although the General Data Protection Regulation (GDPR) harmonizes the protection of personal data across the EU as of May 2018, its open norms in combination with cultural differences between countries result in differences in the practical implementation, interpretation and enforcement of personal data protection. With its focus on data protection law in practice, this book provides in-depth insights into how different countries deal with data protection issues. The knowledge and best practices from these countries provide highly relevant material for legal professionals, data protection officers, policymakers, data protection authorities and academics across Europe. Bart Custers is Associate Professor and Director of Research at the Center for Law and Digital Technologies of the Leiden Law School at Leiden University, the Netherlands. Alan M. Sears, Francien Dechesne, Iilina Georgieva and Tommaso Tani are all affiliated to that same organization, of which Professor Simone van der Hof is the General Director.

Law and Practice for Data Protection Professionals

The Evolution of EU Law

Data Protection Around the World

Health Data Pools Under European Data Protection and Competition Law

New Technologies and EU Law

A Comparative Analysis of Asia-Pacific and European Approaches

This open access book comprehensively covers the fundamentals of clinical data science, focusing on data collection, modelling and clinical applications. Topics covered in the first section on data collection include: data sources, data at scale (big data), data stewardship (FAIR data) and related privacy concerns. Aspects of predictive modelling using techniques such as classification, regression or clustering, and prediction model validation will be covered in the second section. The third section covers aspects of (mobile) clinical decision support systems, operational excellence and value-based healthcare. Fundamentals of Clinical Data Science is an essential resource for healthcare professionals and IT consultants intending to develop and refine their skills in personalized medicine, using solutions based on large datasets from electronic health records or telemonitoring programmes. The book's promise is "no math, no code" and will explain the topics in a style that is optimized for a healthcare audience.

This book contains 180 multiple-choice and scenario-based questions divided into two practice exams (each contains 90 questions). Detailed answers for all questions are provided with citations to relevant articles and recitals of the General Data Protection Regulation (GDPR) to help you grasp hands-on experience on European privacy and data protection challenges that you may face in your actual CIPP/E exam. This book provides a deep understanding of privacy and data protection matters in relation to practical and theoretical aspects of existing European data protection frameworks such as the GDPR and the ePrivacy Directive.

This book also covers a broad range of legal, technological, and societal perspectives in conjunction with European privacy and data protection frameworks such as the use of Artificial Intelligence (AI), privacy dark patterns, cloud computing, direct marketing, surveillance activities, employment relationships and many other topics inspired by multiple-choice and scenario-based questions to profoundly test your existing knowledge on practical and theoretical implications of European data protection laws.

Compared to the US, European data and privacy protection rules seem Draconian. The European rules apply to any enterprise doing business in the EU. The new rules are far more stringent than the last set. This book is a quick guide to the directives for companies, particularly US, that have to comply with them. Where US organizations and businesses who collect or receive EU personal data fail to comply with the rule, the bottom line can suffer from very significant official fines and penalties, as well as from users, customers or representative bodies to pursuing litigation. This guide is essential for all US enterprises who directly or indirectly deal with EU personal data.

To execute and guarantee the right to privacy and data protection within the European Union (EU), the EU found it necessary to establish a stable, consistent framework for personal data protection and to enforce it in a decisive manner. This book, the most comprehensive guide available to the General Data Protection Regulation (GDPR), is the first English edition, updated and expanded, of a bestselling book published in Poland in 2018 by a renowned technology lawyer, expert to the European Commission on cloud computing and to the Article 29 Working Party (now: the European Data Protection Board) on data transfers who in fact contributed ideas to the GDPR. The implications of major innovations of the new system – including the obligation of businesses to consult the GDPR first rather than relevant Member State legislation and the extension of the GDPR to companies located outside of the European Economic Area – are fully analysed for the benefit of lawyers and companies worldwide. Among the specific issues and topics covered are the following: insight into the tricky nature of the GDPR; rules relating to free movement of personal data; legal remedies, liability, administrative sanctions; how to prove compliance with GDPR; direct liability of subcontractors (sub-processors); managing incidents and reporting data breaches; information on when and under what conditions the GDPR rules may apply to non-EU parties; backups and encryption; how to assess risk and adjust security accordingly and document the process; guidelines of the European Data Protection Board; and the GDPR's digest for obligated parties in a form of a draft data protection policy. The Guide often breaks down GDPR articles into checklists of specific requirements. Of special value are the numerous ready-to-adapt template compliance documents presented in Part II. Because the GDPR contains a set of new obligations and a perspective of severe administrative fines for non-compliance, this guide is an indispensable practical resource for corporate data protection officers, in-house counsel, lawyers in data protection practice, and e-commerce start-ups worldwide.

European Data Protection: In Good Health?

Data as Essential Facility

Data Protection & Privacy

European Privacy

GDPR: Personal Data Protection in the European Union

The Emergence of Personal Data Protection as a Fundamental Right of the EU

This book explores the emerging economic reality of health data pools from the perspective of European Union policy and law. The contractual sharing of health data for research purposes is giving rise to a free movement of research data, which is strongly encouraged at European policy level within the Digital Single Market Strategy. However, it has also a strong impact on data subjects' fundamental right to data protection and smaller businesses and research entities ability to carry out research and compete in innovation markets. Accordingly the work questions under which conditions health data sharing is lawful under European data protection and competition law. For these purposes, the work addresses the following sub-questions: i) which is the emerging innovation paradigm in digital health research?; ii) how are health data pools addressed at European policy level?; iii) do European data protection and competition law promote health data-driven innovation objectives, and how?; iv) which are the limits posed by the two frameworks to the free pooling of health data? The underlying assumption of the work is that both branches of European Union law are key regulatory tools for the creation of a common European health data space as envisaged in the Commissions 2020 European strategy for data. It thus demonstrates that both European data protection law, as defined under the General Data Protection Regulation, and European competition law and policy set research enabling regimes regarding health data, provided specific normative conditions are met. From a further perspective, both regulatory frameworks place external limits to the freedom to share (or not share) research valuable data.

This book provides a comparison and practical guide for academics, students, and the business community of the current data protection laws in selected Asia Pacific countries (Australia, India, Indonesia, Japan Malaysia, Singapore, Thailand) and the European Union. The book shows how over the past three decades the range of economic, political, and social activities that have moved to the internet has increased significantly. This technological transformation has resulted in the collection of personal data, its use and storage across international boundaries at a rate that governments have been unable to keep pace. The book highlights challenges and potential solutions related to data protection issues arising from cross-border problems in which personal data is being considered as intellectual property, within transnational contracts and in anti-trust law. The book also discusses the emerging challenges in protecting personal data and promoting cyber security. The book provides a deeper understanding of the legal risks and frameworks associated with data protection law for local, regional and global academics, students, businesses, industries, legal profession and individuals.

This comprehensive survey addresses the key issues and questions that arise under German data protection law. An essential reference work, it explores the fundamental principles of both German and European data protection law. It examines the role of the supervisory authorities, specifically those tasks of the Data Protection Supervisor. It gives crucial direction on how customer data can be handled for advertising purposes. It sets out the obligations of companies and corporations with regard to employee privacy. It also looks at the data transfer inside and outside the EU. A seminal text: it will be required reading for all practitioners in the field of data protection both within Germany and the wider European Union.

This online course will give you insights into important compliance topics.

Guide to the GDPR

Emerging Challenges in Privacy Law

Current Developments in ICT and Privacy/Data Protection

European Data Protection, Second Edition

An EU Perspective

General Data Protection Regulation 2016

This book on privacy and data protection offers readers conceptual analysis as well as thoughtful discussion of issues, practices, and solutions. It features results of the seventh annual International Conference on Computers, Privacy, and Data Protection, CPDP 2014, held in Brussels January 2014. The book first examines profiling, a persistent core issue of data protection and privacy. It covers the emergence of profiling technologies, on-line behavioral tracking, and the impact of profiling on fundamental rights and values. Next, the book looks at preventing privacy risks and harms through impact assessments. It contains discussions on the tools and methodologies for impact assessments as well as case studies. The book then goes on to cover the purported trade-off between privacy and security, ways to support privacy and data protection, and the controversial right to be forgotten, which offers individuals a means to oppose the often persistent digital memory of the web. Written during the process of the fundamental revision of the current EU data protection law by the Data Protection Package proposed by the European Commission, this interdisciplinary book presents both daring and prospective approaches. It will serve as an insightful resource for readers with an interest in privacy and data protection.

The rapid development of information technology has exacerbated the need for robust personal data protection, the right to which is safeguarded by both European Union (EU) and Council of Europe (CoE) instruments. Safeguarding this important right entails new and significant challenges as technological advances expand the frontiers of areas such as surveillance, communication interception and data storage. This handbook is designed to familiarise legal practitioners not specialised in data protection with this emerging area of the law. It provides an overview of the EU's and the CoE's applicable legal frameworks. It also explains key case law, summarising major rulings of both the Court of Justice of the European Union and the European Court of Human Rights. In addition, it presents hypothetical scenarios that serve as practical illustrations of the diverse issues encountered in this ever-evolving field.

This new book provides an article-by-article commentary on the new EU General Data Protection Regulation. Adopted in April 2016 and applicable from May 2018, the GDPR is the centrepiece of the recent reform of the EU regulatory framework for protection of personal data. It replaces the 1995 EU Data Protection Directive and has become the most significant piece of data protection legislation anywhere in the world. The book is edited by three leading authorities and written by a team of expert specialists in the field from around the EU and representing different sectors (including academia, the EU institutions, data protection authorities, and the private sector), thus providing a pan-European analysis of the GDPR. It examines each article of the GDPR in sequential order and explains how its provisions work, thus allowing the reader to easily and quickly elucidate the meaning of individual articles. An introductory chapter provides an overview of the background to the GDPR and its place in the greater structure of EU law and human rights law. Account is also taken of closely linked legal instruments, such as the Directive on Data Protection and Law Enforcement that was adopted concurrently with the GDPR, and of the ongoing work on the proposed new E-Privacy Regulation.

The new edition of this influential textbook gathers leading lawyers and political scientists to provide an overview of the changing legal picture in Europe, including the reforms instigated by the Lisbon Treaty negotiations. Authors analyse the evolution of the law across time, giving readers a clearer understanding of how the EU is developing.

2018 Edition

European Data Protection Law

Privacy Laws in Action

The EU General Data Protection Regulation (GDPR)

The Foundations of EU Data Protection Law

Health as a Digital Business

The aim of this handbook is to raise awareness and improve knowledge of data protection rules in European Union and Council of Europe member states by serving as the main point of reference to which readers can turn. It is designed for non-specialist legal professionals, judges, national data protection authorities and other persons working in the field of data protection.

The new edition of this acclaimed book has been expanded to give a fully updated overview of European data protection law, with a focus on data protection compliance issues affecting companies, and incorporating the important legal developments which have taken place since the last edition was published. These include the first three cases of the European Court of Justice interpreting the EU Data Protection Directive (95/46); accession of new Member States to the EU; the new Data Retention Directive; new developments on international data transfers, such as model contracts and binding corporate rules; and conflicts between US security requirements and EU data protection law. The book provides pragmatic guidance for companies faced with data protection compliance issues. It includes extensive appendices, such as texts of the relevant directives, model contracts, and overviews of Member State implementations.

This study examines a key aspect of regulatory policy in the field of data protection, namely the frameworks governing the sharing of data for law enforcement purposes, both within the EU and between the EU and the US and other third party countries. The work features a thorough analysis of the main data-sharing instruments that have been used by law enforcement agencies and the intelligence services in the EU and in the US between 2001 to 2015. The study also explores the challenges to data protection which the current frameworks create, and explores the possible responses to those challenges at both EU and global levels. In offering a full overview of the current EU data-sharing instruments and their data protection rules, this book will be of significant benefit to scholars and policymakers working in areas related to privacy, data protection, national security and EU external relations.

This volume brings together papers that offer methodologies, conceptual analyses, highlight issues, propose solutions, and discuss practices regarding privacy and data protection. It is one of the results of the eight annual International Conference on Computers, Privacy, and Data Protection, CPDP 2015, held in Brussels in January 2015. The book explores core concepts, rights and values in (upcoming) data protection regulation and their (in)adequacy in view of developments such as Big and Open Data, including the right to be forgotten, metadata, and anonymity. It discusses privacy promoting methods and tools such as a formal systems modeling methodology, privacy by design in various forms (robotics, anonymous payment), the opportunities and burdens of privacy self management, the differentiating role privacy can play in innovation. The book also discusses EU policies with respect to Big and Open Data and provides advice to policy makers regarding these topics. Also attention is being paid to regulation and its effects, for instance in case of the so-called 'EU-cookie law' and groundbreaking cases, such as Europe v. Facebook. This interdisciplinary book was written during what may turn out to be the final stages of the process of the fundamental revision of the current EU data protection law by the

Data Protection Package proposed by the European Commission. It discusses open issues and daring and prospective approaches. It will serve as an insightful resource for readers with an interest in privacy and data protection.

A Commentary

Handbook on European data protection law

Data Protection Law

Protection of Natural Persons with Regard to Automated Individual Decision-Making in the GDPR

The Cultural Dimension in EC Law

What is the nature of the relationship between the fields of new technology and EU law? What challenges do new technologies pose for the internal market and the fundamental principles of the EU? The first part of the collection explores the EU's approach to the regulation of scientific and technological risk, and the link between the regulation of technology and the internal market. In detail, the chapters analyse the interaction between EU law, bioethics and medical and health technologies. The second part of the collection enhances on this, and the chapters scrutinize specific policy areas in order to explain the alternate ways in which EU policy and technology cooperate.

Prominent privacy law experts, regulators and academics examine contemporary legal approaches to privacy from a comparative perspective.

GDPR: Personal Data Protection in the European Union Mariusz Krzysztofek Personal data protection has become one of the central issues in any understanding of the current world system. In this connection, the European Union (EU) has created the most sophisticated regime currently in force with the General Data Protection Regulation (GDPR) (EU) 2016/679. Following the GDPR's recent reform – the most extensive since the first EU laws in this area were adopted and implemented into the legal orders of the Member States – this book offers a comprehensive discussion of all principles of personal data processing, obligations of data controllers, and rights of data subjects, providing a thorough, up-to-date account of the legal and practical aspects of personal data protection in the EU. Coverage includes the recent Court of Justice of the European Union (CJEU) judgment on data transfers and new or updated data protection authorities' guidelines in the EU Member States. Among the broad spectrum of aspects of the subject covered are the following: – right to privacy judgments of the CJEU and the European Court of Human Rights; – scope of the GDPR and its key definitions, key principles of personal data processing; – legal bases for the processing of personal data; – direct and digital marketing, cookies, and online behavioural advertising; – processing of personal data of employees; – sensitive data and criminal records; – information obligation & privacy notices; – data subjects rights; – data controller, joint controllers, and processors; – data protection by design and by default, data security measures, risk-based approach, records of personal data processing activities, notification of a personal data breach to the supervisory authority and communication to the data subject, data protection impact assessment, codes of conduct and certification; – Data Protection Officer; – transfers of personal data to non-EU/EEA countries; and – privacy in the Internet and surveillance age. Because the global scale and evolution of information technologies have changed the data processing environment and brought new challenges, and because many non-EU jurisdictions have adopted equivalent regimes or largely analogous regulations, the book will be of great usefulness worldwide. Multinational corporations and their customers and contractors will benefit enormously from consulting and using this book, especially in conducting case law, guidelines and best practices formulated by European data protection authorities. For lawyers and academics researching or advising clients on this area, this book provides an indispensable source of practical guidance and information for many years to come.

From May 2018, the General Data Protection Regulation 2016/679 (GDPR) replaces the Data Protection Directive 95/46/EC, representing a significant overhaul of data protection law in the European Union. Applicable to all EU Member States, the GDPR's relevance spans not only organizations operating within the EU, but also those operating outside the EU. This commentary, published in association with German Law Publishers, provides a detailed look at the individual articles of the GDPR and is an essential resource aimed at helping legal practitioners prepare for compliance. Content includes: full text of the GDPR's articles and recitals, article-by-article commentary explaining the individual provisions and elements of each article; a general introduction to data protection law with a focus on issues such as: how to adapt a compliance management programme; whether or not to appoint a data protection officer; 'privacy by design' and 'privacy by default'; the consequences of non-compliance with the GDPR; data portability; and, the need for data protection impact assessments, a detailed index. In addition to lawyers and in-house counsel, this book is also suitable for law professors and students, and offers comprehensive coverage for law professors and students, and offers comprehensive coverage of this increasingly important area of data protection legislation. Book jacket.

Data Protection: A Practical Guide to UK and EU Law

Reforming European Data Protection Law

Data Protection in Germany

Reinventing Data Protection?

EU Personal Data Protection in Policy and Practice

Data Protection on the Move

This book explores the coming into being in European Union (EU) law of the fundamental right to personal data protection. Approaching legal evolution through the lens of law as text, it unearths the steps that led to the emergence of this new right. It throws light on the right's significance, and reveals the intricacies of its relationship with privacy. The right to personal data protection is now officially recognised as an EU fundamental right. As such, it is expected to play a critical role in the future European personal data protection legal landscape, seemingly displacing the right to privacy. This volume is based on the premise that an accurate understanding of the right's emergence is crucial to ensure its correct interpretation and development. Key questions addressed include: How did the new right surface in EU law? How could the EU Charter of Fundamental Rights claim to render 'more visible' an invisible right? And how did EU law allow for the creation of a new right while ensuring consistency with existing legal instruments and case law? The book first investigates the roots of personal data protection, studying the redefinition of privacy in the United States in the

1960s, as well as pioneering developments in European countries and in international organisations. It then analyses the EU's involvement since the 1970s up to the introduction of legislative proposals in 2012. It grants particular attention to changes triggered in law by language and, specifically, by the coexistence of languages and legal systems that determine meaning in EU law. Embracing simultaneously EU law's multilingualism and the challenging notion of the untranslatability of words, this work opens up an inspiring way of understanding legal change. This book will appeal to legal scholars, policy makers, legal practitioners, privacy and personal data protection activists, and philosophers of law, as well as, more generally, anyone interested in how law works.

This book provides a snapshot of privacy laws and practices from a varied set of jurisdictions in order to offer guidance on national and international contemporary issues regarding the processing of personal data and serves as an up-to-date resource on the applications and practice-relevant examples of data protection laws in different countries. Privacy violations emerging at an ever-increasing rate, due to evolving technology and new lifestyles linked to an intensified online presence of ever more individuals, required the design of a novel data protection and privacy regulation. The EU General Data Protection Regulation (GDPR) stands as an example of a regulatory response to these demands. The authors included in this book offer an in-depth analysis of the national data protection legislation of various countries across different continents, not only including country-specific details but also comparing the idiosyncratic characteristics of these national privacy laws to the GDPR. Valuable comparative information on data protection regulations around the world is thus provided in one concise volume. Due to the variety of jurisdictions covered and the practical examples focused on, both academics and legal practitioners will find this book especially useful, while for compliance practitioners it can serve as a guide regarding transnational data transfers. Elif Kiesow Cortez is Senior Lecturer at the International and European Law Program at The Hague University of Applied Sciences in The Netherlands.

Now in its third edition, this invaluable handbook offers practical solutions to issues arising in relation to data protection law. It is fully updated and expanded to include coverage of all of the significant developments in the practice of data protection, and takes account of the wealth of guidance published by the Information Commissioner since the last edition. The third edition includes new material on the changes to the Commissioner's powers and new guidance from the Commissioner's office, coverage of new cases on peripheral aspects of data protection compliance and examples of enforcement, the new code on CCTV processing, the new employment code, clarification on the definition of "personal data", the binding corporate rules on the exemption to the export data ban and the new ICT set of model contractual provisions for data exports, and the proposed action by the EU against the UK for failing to implement the Data Protection Directive appropriately. There are new chapters on terminology and data security.

Don't be afraid of the GDPR wolf! How can your business easily comply with the new data protection and privacy laws and avoid fines of up to \$27M? GDPR For Dummies sets out in simple steps how small business owners can comply with the complex General Data Protection Regulations (GDPR). These regulations apply to all businesses established in the EU and to businesses established outside of the EU insofar as they process personal data about people within the EU. Inside, you'll discover how GDPR applies to your business in the context of marketing, employment, providing your services, and using service providers. Learn how to avoid fines, regulatory investigations, customer complaints, and brand damage, while gaining a competitive advantage and increasing customer loyalty by putting privacy at the heart of your business. Find out what constitutes personal data and special category data Gain consent for online and offline marketing Put your Privacy Policy in place Report a data breach before being fined 79% of U.S. businesses haven't figured out how they'll report breaches in a timely fashion, provide customers the right to be forgotten, conduct privacy impact assessments, and more. If you are one of those businesses that hasn't put a plan in place, then GDPR For Dummies is for you.

EU Competition Law, Data Protection and Online Platforms: Data as Essential Facility

Data Protection Law Eu Roles Responsib

Fundamentals of Clinical Data Science

data. Furthermore, the European Union established clear basic principles for the collection, storage and use of personal data by governments, businesses and other organizations or individuals in Directive 95/46/EC and Directive 2002/58/EC on Privacy and Electronic communications. Nonetheless, the twenty-first century citizen - utilizing the full potential of what ICT-technology has to offer - seems to develop a digital persona that becomes increasingly part of his individual social identity. From this perspective, control over personal information is control over an aspect of the identity one projects in the world. The right to privacy is the freedom from unreasonable constraints on one's own identity.

Transactiondata-bothtraf?candlocationdata-deserveourparticularattention. As we make phone calls, send e-mails or SMS messages, data trails are generated within public networks that we use for these communications. While traf?c data are necessary for the provision of communication services, they are also very sensitive data. They can give a complete picture of a person's contacts, habits, interests, activities and whereabouts. Location data, especially if very precise, can be used for the provision of services such as route guidance, location of stolen or missing property, tourist information, etc. In case of emergency, they can be helpful in dispatching assistance and rescue teams to the location of a person in

distress. However, processing location data in mobile communication networks also creates the possibility of permanent surveillance.