



TECHNICAL CIRCULAR No. 494 of 06th July 2018

To:	All Surveyors/Auditors
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Applicable to flag:	All Flags
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EU General Data Protection Regulation (GDPR)	
Reference:	GDPR (EU) 2016/679

EU General Data Protection Regulation (GDPR)

The EU General Data Protection Regulation (GDPR) takes effect on 25th May 2018.

The General Data Protection Regulation (GDPR) (EU) 2016/679 is a regulation in EU law on data protection and privacy for all individuals within the European Union. It also addresses the export of personal data outside the EU.

The General Data Protection Regulation (GDPR) (EU) 2016/679 is a regulation in EU law on data protection and privacy for all individuals within the European Union (EU) and the European Economic Area (EEA). The GDPR aims primarily to give control to citizens and residents over their personal data and to simplify the regulatory environment for international business by unifying the regulation within the EU.

Superseding the Data Protection Directive 95/46/EC, the regulation contains provisions and requirements pertaining to the processing of personally identifiable information of individuals (formally called data subjects in the GDPR) inside the European Union, and applies to all enterprises, regardless of location, that are doing business with the European Economic Area. Business processes that handle personal data must be built with data protection by design and by default, meaning that personal data must be stored using pseudonymization or full anonymization, and use the highest-possible privacy settings by default, so that the data is not available publicly without explicit, informed consent, and cannot be used to identify a subject without additional information stored separately. No personal data may be processed unless it is done under a lawful basis specified by the regulation, or if the data controller or processor has received an unambiguous and individualized affirmation of consent from the data subject. The data subject has the right to revoke this consent at any time.

A processor of personal data must clearly disclose any data collection, declare the lawful basis and purpose for data processing, how long data is being retained, and if it is being shared with any third-parties or outside of the EU. Data subjects have the right to request a

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portable copy of the data collected by a processor in a common format, and the right to have their data erased under certain circumstances. Public authorities, and businesses whose core activities center around regular or systematic processing of personal data, are required to employ a data protection officer (DPO), who is responsible for managing compliance with the GDPR. Businesses must report any data breaches within 72 hours if they have an adverse effect on user privacy.

It was adopted on 14 April 2016, and became enforceable beginning 25 May 2018; because the GDPR is a regulation, not a directive, it does not require national governments to pass any enabling legislation.

REFERENCES:

- GDPR (EU) 2016/679

- ATTACHMENTS: No.

kindest Regards,

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