

Table of contents

List of abbreviations

List of Recitals of the General Data Protection Regulation

Introduction to the General Data Protection Regulation

1. Introduction
2. The most important compliance steps until the GDPR applies from May 25, 2018
3. Basic terms of the GDPR
4. The scope of the GDPR
 - 4.1 Material scope – What processing activities are covered?
 - 4.2 Personal scope – Who does the GDPR apply to?
 - 4.3 Territorial scope – Where does the GDPR apply?
5. The relationship with national data protection laws
6. The principles relating to the processing of personal data
7. Legal basis requirement for any data processing activity
 - 7.1 Available legal bases
 - 7.2 Requirements for valid consent
8. Information obligations and privacy notices
9. Rights of the data subject
10. Profiling and automated individual decision-making
11. Data protection compliance program
 - 11.1 Organizational measures including data protection strategies
 - 11.2 Technical measures including privacy by design and by default
12. Maintaining a record of processing activities
13. Data protection impact assessment and consultation obligation with supervisory authority
14. Data protection officer
15. Data security
 - 15.1 Mandatory data security measures
 - 15.2 Obligation to notify personal data breaches
16. Mandatory arrangements between joint controllers

17. Obligations in case of outsourcing

18. International data transfers

- 18.1 Transfers not subject to notification or approval
- 18.2 Transfers subject to notification
- 18.3 Transfers subject to approval

19. International jurisdiction of supervisory authorities

20. Administrative fines and other sanctions

21. Civil liability and private enforcement

Text of the General Data Protection Regulation and commentary

Chapter I – General Provisions

- Article 1 Subject-matter and objectives
- Article 2 Material scope
- Article 3 Territorial scope
- Article 4 Definitions

Chapter II – Principles

- Article 5 Principles relating to processing of personal data
- Article 6 Lawfulness of processing
- Article 7 Conditions for consent
- Article 8 Conditions applicable to child's consent in relation to information society services
- Article 9 Processing of special categories of personal data
- Article 10 Processing of personal data relating to criminal convictions and offences
- Article 11 Processing which does not require identification

Chapter III – Rights of the data subject

Section 1 – Transparency and modalities

- Article 12 Transparent information, communication and modalities for the exercise of the rights of the data subject

Section 2 – Information and access to personal data

- Article 13 Information to be provided where personal data are collected from the data subject
- Article 14 Information to be provided where personal data have not been obtained from the data subject
- Article 15 Right of access by the data subject

Section 3 – Rectification and erasure

- Article 16 Right to rectification
- Article 17 Right to erasure ('right to be forgotten')
- Article 18 Right to restriction of processing
- Article 19 Notification obligation regarding rectification or erasure of personal data or restriction of processing
- Article 20 Right to data portability

Section 4 – Right to object and automated individual decision-making

- Article 21 Right to object
- Article 22 Automated individual decision-making, including profiling

Section 5 – Restrictions

Article 23 Restrictions

Chapter IV – Controller and processor

Section 1 – General obligations

Article 24 Responsibility of the controller

Article 25 Data protection by design and by default

Article 26 Joint controllers

Article 27 Representatives of controllers or processors not established in the Union

Article 28 Processor

Article 29 Processing under the authority of the controller or processor

Article 30 Records of processing activities

Article 31 Cooperation with the supervisory authority

Section 2 – Security of personal data

Article 32 Security of processing

Article 33 Notification of a personal data breach to the supervisory authority

Article 34 Communication of a personal data breach to the data subject

Section 3 – Data protection impact assessment and prior consultation

Article 35 Data protection impact assessment

Article 36 Prior consultation

Section 4 – Data protection officer

Article 37 Designation of the data protection officer

Article 38 Position of the data protection officer

Article 39 Tasks of the data protection officer

Section 5 – Codes of conduct and certification

Article 40 Codes of conduct

Article 41 Monitoring of approved codes of conduct

Article 42 Certification

Article 43 Certification bodies

Chapter V – Transfers of personal data to third countries or international organisations

Article 44 General principle for transfers

Article 45 Transfers on the basis of an adequacy decision

Article 46 Transfers subject to appropriate safeguards

Article 47 Binding corporate rules

Article 48 Transfers or disclosures not authorised by Union law

Article 49 Derogations for specific situations

Article 50 International cooperation for the protection of personal data

Chapter VI – Independent supervisory authorities

Section 1 – Independent status

Article 51 Supervisory authority

Article 52 Independence

Article 53 General conditions for the members of the supervisory authority

Article 54 Rules on the establishment of the supervisory authority

Section 2 – Competence, tasks and powers

- Article 55 Competence
- Article 56 Competence of the lead supervisory authority
- Article 57 Tasks
- Article 58 Powers
- Article 59 Activity reports

Chapter VII – Cooperation and consistency

Section 1 – Cooperation

- Article 60 Cooperation between the lead supervisory authority and the other supervisory authorities concerned
- Article 61 Mutual assistance
- Article 62 Joint operations of supervisory authorities

Section 2 – Consistency

- Article 63 Consistency mechanism
- Article 64 Opinion of the Board
- Article 65 Dispute resolution by the Board
- Article 66 Urgency procedure
- Article 67 Exchange of information

Section 3 – European data protection board

- Article 68 European Data Protection Board
- Article 69 Independence
- Article 70 Tasks of the Board
- Article 71 Reports
- Article 72 Procedure
- Article 73 Chair
- Article 74 Tasks of the Chair
- Article 75 Secretariat
- Article 76 Confidentiality

Chapter VIII – Remedies, liability and penalties

- Article 77 Right to lodge a complaint with a supervisory authority
- Article 78 Right to an effective judicial remedy against a supervisory authority
- Article 79 Right to an effective judicial remedy against a controller or processor
- Article 80 Representation of data subjects
- Article 81 Suspension of proceedings
- Article 82 Right to compensation and liability
- Article 83 General conditions for imposing administrative fines
- Article 84 Penalties

Chapter IX – Provisions relating to specific processing situations

- Article 85 Processing and freedom of expression and information
- Article 86 Processing and public access to official documents
- Article 87 Processing of the national identification number
- Article 88 Processing in the context of employment
- Article 89 Safeguards and derogations relating to processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes
- Article 90 Obligations of secrecy
- Article 91 Existing data protection rules of churches and religious associations

Chapter X – Delegated acts and implemented acts

- Article 92 Exercise of the delegation
- Article 93 Committee procedure

Chapter XI – Final provisions

- Article 94 Repeal of Directive
95/46/EC
- Article 95 Relationship with Directive
2002/58/EC
- Article 96 Relationship with previously
concluded Agreements
- Article 97 Commission reports
- Article 98 Review of other Union legal
acts on data protection
- Article 99 Entry into force and
application

Keyword Index

<http://www.pbookshop.com>