



A new era for data protection in the EU

What changes after May 2018

The Facebook/Cambridge Analytica revelations show the EU has made the right choice to propose and carry out an ambitious data protection reform through the General Data Protection Regulation (GDPR). The General Data Protection Regulation rules will apply as of 25 May 2018. They will bring several improvements to deal with data protection violations in the future:

CLEAR LANGUAGE



TODAY

Often businesses explain their privacy policies in lengthy and complicated terms

TOMORROW

Privacy policies will have to be written in a **clear, straightforward language**

CONSENT FROM USER



TODAY

Businesses sometimes assume that the user's silence means consent to data processing, or they hide a request for consent in long, legalistic, terms and conditions — that nobody reads

TOMORROW

The user will need to give an **affirmative consent** before his/her data can be used by a business. Silence is no consent



MORE TRANSPARENCY

TODAY	TOMORROW
The user might not be informed when his/her data is transferred outside the EU	Businesses will need to clearly inform the user about such transfers
Sometimes businesses collect and process personal data for different purposes than for the reason initially announced without informing the user about it	Businesses will be able to collect and process data only for a well-defined purpose . They will have to inform the user about new purposes for processing
Businesses use algorithms to make decisions about the user based on his/her personal data (e.g. when applying for a loan); the user is often unaware about this	Businesses will have to inform the user whether the decision is automated and give him/her a possibility to contest it





STRONGER RIGHTS

TODAY	TOMORROW
Often businesses do not inform users when there is a data breach, for instance when the data is stolen	Businesses will have to inform users without delay in case of harmful data breach
Often the user cannot take his/her data from a business and move it to another competing service	The user will be able to move his/her data , for instance to another social media platform
It can be difficult for the user to get a copy of the data businesses keep about him/her	The user will have the right to access and get a copy of his/her data, a business has on him/her
It may be difficult for a user to have his/her data deleted	Users will have a clearly defined “ right to be forgotten ” (right to erasure), with clear safeguards



STRONGER ENFORCEMENT

TODAY	TOMORROW
Data protection authorities have limited means and powers to cooperate	The European Data Protection Board grouping all 28 data protection authorities, will have the powers to provide guidance and interpretation and adopt binding decisions in case several EU countries are concerned by the same case
Authorities have no or limited fines at their disposal in case a business violates the rules	The 28 data protection authorities will have harmonised powers and will be able to impose fines to businesses up to 20 million EUR or 4% of a company's worldwide turnover

Visit the European Commission's online guidance on data protection reform — available in all EU languages:
europa.eu/dataprotection