

# GDPR FAQ

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## What does GDPR mean?

General Data Protection Regulation

## When does GDPR go in to effect?

The GDPR was approved and adopted by the EU Parliament in April 2016. The regulation will take effect after a two-year transition period and, unlike a Directive it does not require any enabling legislation to be passed by government; meaning it will be in force May 2018.

## What is GDPR?

GDPR is a regulation that requires businesses to protect the personal data and privacy of EU citizens. Also businesses outside the EU who process the personal data of EU residents and offer them goods and services, irrespective of whether payment is required; or where the processing by a business relates to the monitoring of the behavior of EU residents in so far as their behavior takes place within the EU. It provides protection of EU citizens' private information and provides them manageability.

The EU member states are:

Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the UK.

## Why do we care about GDPR?

“Profiling” falls under GDPR. “Profiling” means any form of automated processing of personal data consisting of the use of **personal data to evaluate certain personal aspects relating to a natural person, in particular to analyze or predict aspects concerning that natural person's** performance at work, economic situation, health, personal preferences, **interests, reliability, behavior**, location or movements. That's US!!

## What is the difference between data processor and data controller?

A controller is the entity that determines the purposes, conditions and means of the processing of personal data, while the processor is an entity which processes personal data on behalf of the controller.

## What types of data does the GDPR protect?

GDPR will protect an individual's **data collected for profiling, name, email address, telephone number, login name, gender/race**, and **geographical data**.

GDPR also protects lots of other information about a person that we don't necessarily collect: an individual's unique national identification number, tax, passport or identity card, vehicle registration plate number, driver's license number, biometric data: face, fingerprints, or handwriting, credit card numbers, date of birth and birthplace, genetic medical information, screen name, nickname, or handle, IP address (in some cases), qualifications, criminal record data, employment details.

## The Right to be Forgotten...what's that and what does it have to do with GDPR?

The GDPR provides individuals the right to removal ("right to be forgotten"). The data subject shall have the right to obtain from the data controller the deletion of personal data concerning him or her without undue delay **and at the latest within one month of the receipt**. The controller shall have the obligation to **erase** personal data without undue delay **and at the latest within one month of the receipt**.

Processes should be in place to fulfill the subject's rights under this regulation, including mechanisms to request and, if applicable, obtain, free of charge access to and update or deletion of personal data and the exercise of the right to object.

## Who does GDPR apply to?

The GDPR not only applies to organizations located within the EU but it will also apply to organizations located outside of the EU if they offer goods or services to, or monitor the behavior of, EU data subjects. It applies to all companies processing and holding the personal data of data subjects residing in the European Union, regardless of the company's location.

[A PricewaterhouseCoopers survey](#) showed that 92 percent of U.S. companies consider GDPR a top data protection priority.

## Why is GDPR a concern for non-EU countries?

Many of your clients have employees or business units in EU Countries who will be affected by GDPR. Individuals can file claims against U.S. companies that are non-compliant.

## What happens if we are not in compliance with GDPR?

The GDPR allows for steep penalties of up to €20 million or 4 percent of global annual turnover, whichever is higher, for non-compliance.