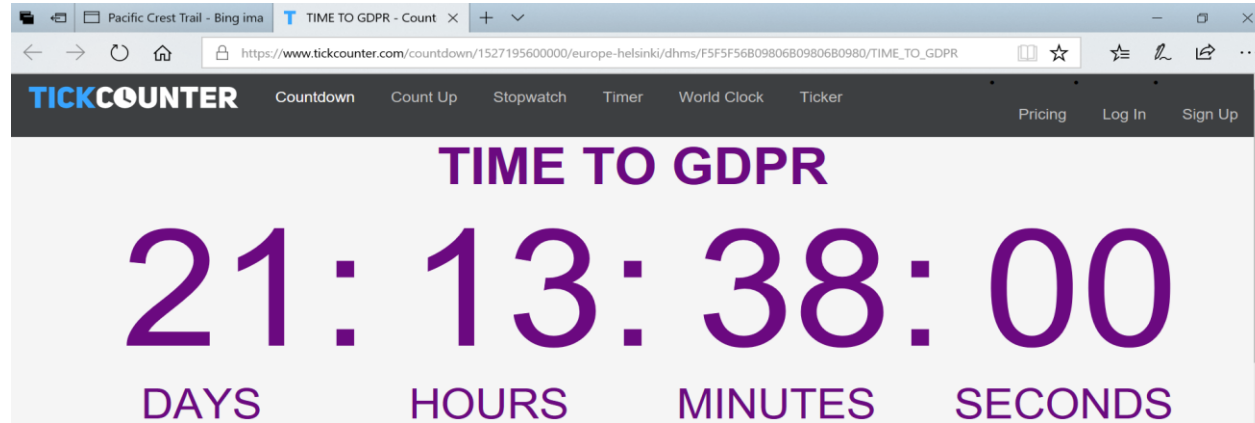


O DPO

Rocking ou a nova profissão
maldita?



ARMAGEDDON



Europe is finally frightening the world.

How? with the GDPR

Why: FINES OF 20 000 000 EUR!!! Don't forget this figure!!

DO I HAVE YOUR ATTENTION NOW?

CHANGES ON THE MODEL

From the Directive 95/46/CE to the Regulation 2016/679 (RGDP)

“Protection” paradigm (from the application with the DPA) 1995



“Accountability” (proactive responsibility) – 2018

THERE'S A NEW STAR IN TOWN

O encarregado de protecção de dados - DPO



PRIOR NOTES

DISCLAIMING THE DPO: Data controllers (ie companies) and processors have to adopt and are responsible to comply with the GDPR AND through the all chain of processing

INTERNAL REGISTRATION: a) 250 employees; b) processing likely to result in a risk to the rights and freedoms of data subjects; c) the processing is not occasional, d) or the processing includes special categories of data

VS DPO Article 37/1 GDPR

SOFT GUIDELINES

- (i) UNICORNS: all must have DPO (exception – steel industry)
- (ii) BIG COMPANIES: almost all must have a DPO
- (iii) MEDIUM ENTERPRISES: many of them must have a DPO
- (iv) SMALL ENTERPRISES: some of them must have a DPO

THE DPO CAREER

(i) **INHOUSE VS OUTSOURCED:** Inhouse DPO? Are you CRAZY?????

Outsourced: a team is allowed!!!

(ii) Full time vs part time

And

Conflicts of interests: Managers are not allowed

THE DPO CAREER

(iii) *Lawyers or technicians?*: no pure technical reference... (n. 5)

My old line is: “**não é possível o direito sem a técnica, nem a técnica sem o direito**”

THE DPO CARRER . The future

Mechanical boring career? “accounts” on data protection?

DPO vs Lawyers: DPO Rockstar...

... within a couple of years In the future: poshy lawyers – LAWYERS SHALL BE ALWAYS LAWYERS

THE DPO CARRER . The future

DPO vs Lawyers:

Lawyers as cross-checking reviewing and scrutinizing the DPO action

Low cost career?

Yes! 50€ vs 250€top lawyers

SOLUTION?

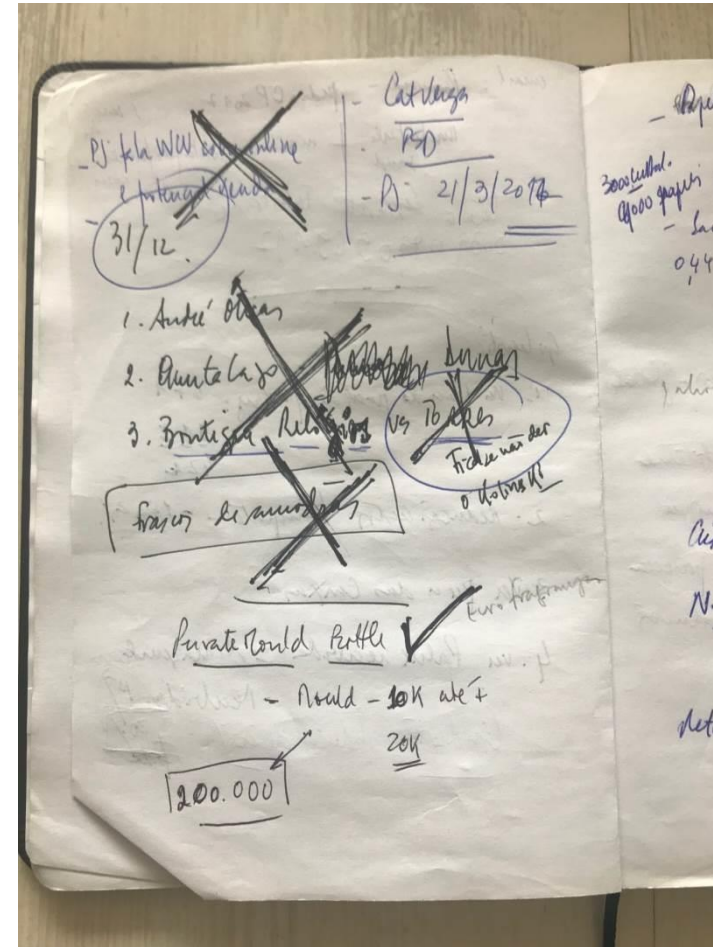
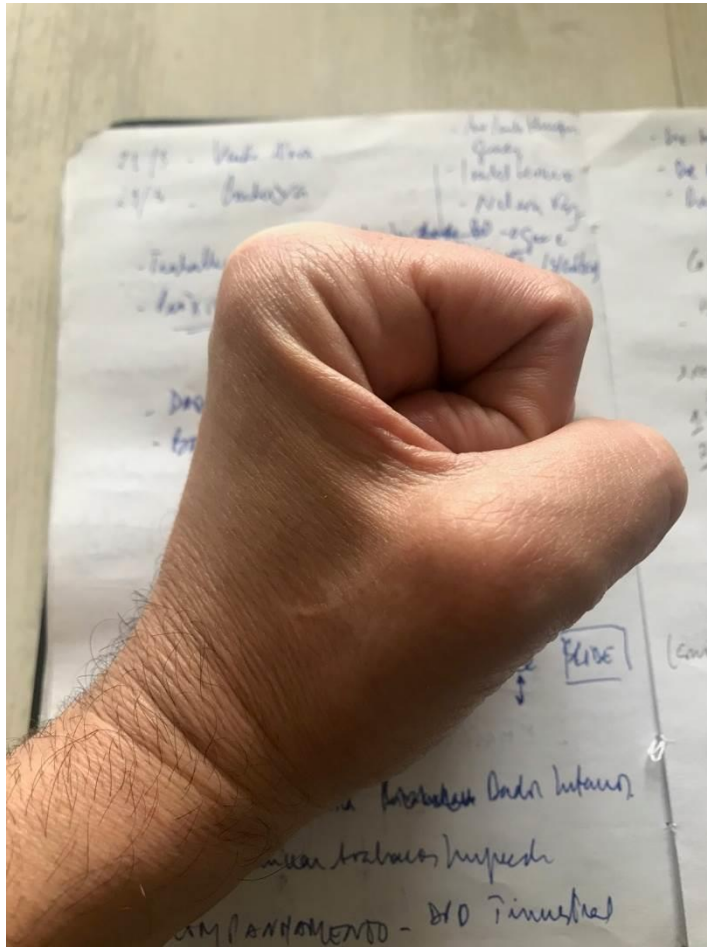
Scale

Scale

Scale

THERE'S A COP IN TOWN

O DPO



RED FLAGS/MAJOR CHALLENGE

STRICKING THE BUSINESS

My old line on a modern twist: “a lei não pode ir contra o que toda a gente faz e que não é desrazoável!!!!”

perpetual recording of data
vs “for no longer than is
necessary for the purposes
for which the personal data
are processed”

Solutions?

Baseline: processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes



Encryption or pseudonymisation?

“HISTORICAL PURPOSES”

NEW FANCY BUSINESS: please don't act as a DPO

Please start up a HISTORY RESEARCH
company

TIME TO QUIZZ SHOW