

Continuity and Resilience (CORE)

ISO 22301 BCM Consulting Firm

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General Data Protection Regulation
1 Year Anniversary

What the new EU GDPR means in 1 minute

The EU GDPR will increase privacy for individuals and give regulatory authorities greater powers to take action against businesses that breach the new laws. Here's what it means for your business:

Tough penalties:
fines of up to

4% of annual global revenue
or
€20 million,
whichever is **greater**.



The regulation also applies to **non-EU companies** that process personal data of individuals in the EU.



The **definition of personal data** is now broader and includes identifiers such as



genetic



mental



cultural



economic



social identity.

The **international transfer of data** will continue to be governed under EU GDPR rules.

Obtaining consent for processing personal data must be clear, and must seek an affirmative response.



Parental consent is required for the processing of **personal data of children** under age 16.



Data subjects have the **right to be forgotten** and erased from records.

Users may request a copy of personal **data in a portable format**.

Image Credit
Matthew Stephenson

INDIAN IT ACT & THE GDPR*

Differences & Similarities

RIGHTS

Similarities

Some rules under of the IT Act loosely correspond to the rights under GDPR. These are right to rectification, right to be informed and the right to withdraw consent

Differences

Unlike the GDPR, IT Act does not use the word "Right." IT Act excludes reference to some important rights given in GDPR. These are right of access, right to restrict processing, right to data portability, right to object, right to erasure, right in relation to automated decision making and profiling

* General Data Protection Regulation

CONSENT

Similarities

- Consent prior to data collection is needed
- The provider has the option to withdraw consent

Differences

- GDPR defines consent
- It lists special conditions for child's consent
- It requires demonstration of consent by the data controller

PUNISHMENT FOR DISCLOSURE OF INFORMATION

Similarities

Both provide a provision for fines in case of breach

Differences

GDPR imposes civil liability only. IT Act imposes criminal liability also

(Source: The Centre for Internet and Society's report "GDPR and India")







Google

€ 50 000 000
GDPR FINE

**The French Data
Protection Authority
issues a record fine
against Google of 50
million euros (£44m)**

Key changes under GDPR



Personal privacy

Individuals have the right to:

- Access their personal data
- Correct errors in their personal data
- Erase their personal data
- Object to processing of their personal data
- Export personal data



Controls and notifications

Organizations will need to:

- Protect personal data using appropriate security
- Notify authorities of personal data breaches
- Obtain appropriate consents for processing data
- Keep records detailing data processing



Transparent policies

Organizations are required to:

- Provide clear notice of data collection
- Outline processing purposes and use cases
- Define data retention and deletion policies



IT and training

Organizations will need to:

- Train privacy personnel and employees
- Audit and update data policies
- Employ a Data Protection Officer (if required)
- Create and manage compliant vendor contracts