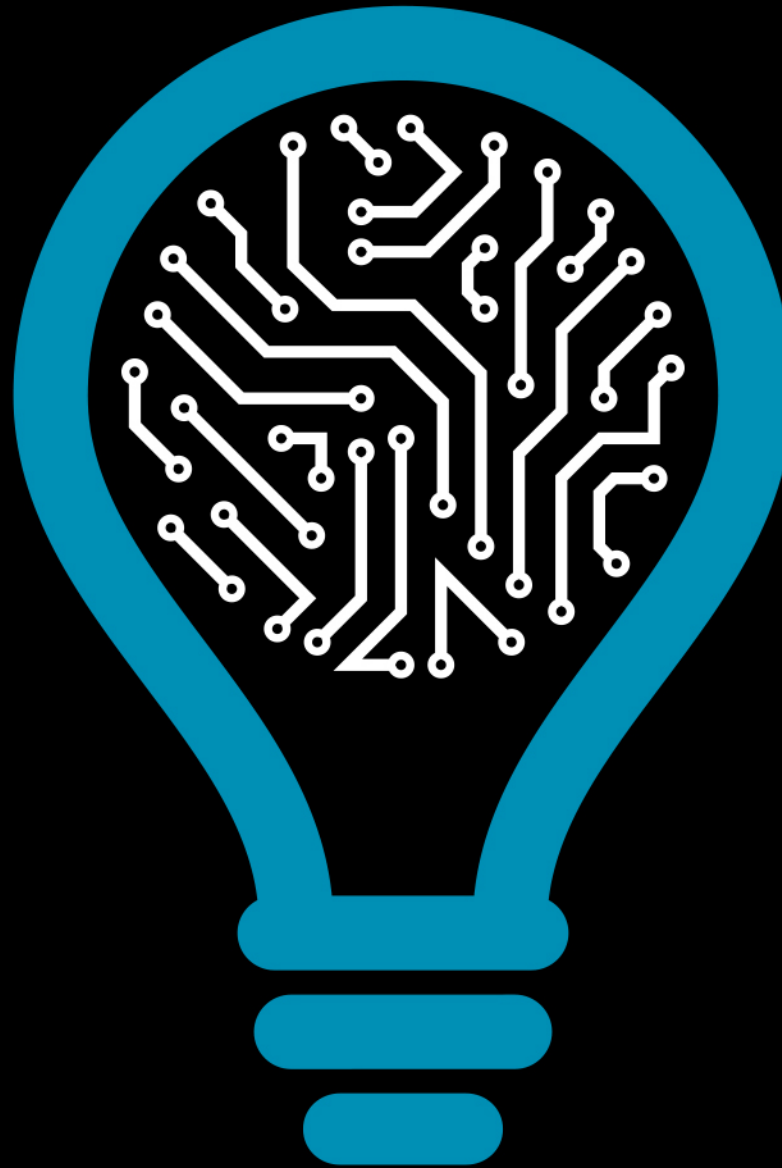


from knowledge
production to
science-based
innovation



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TECHNOLOGY AND SCIENCE**

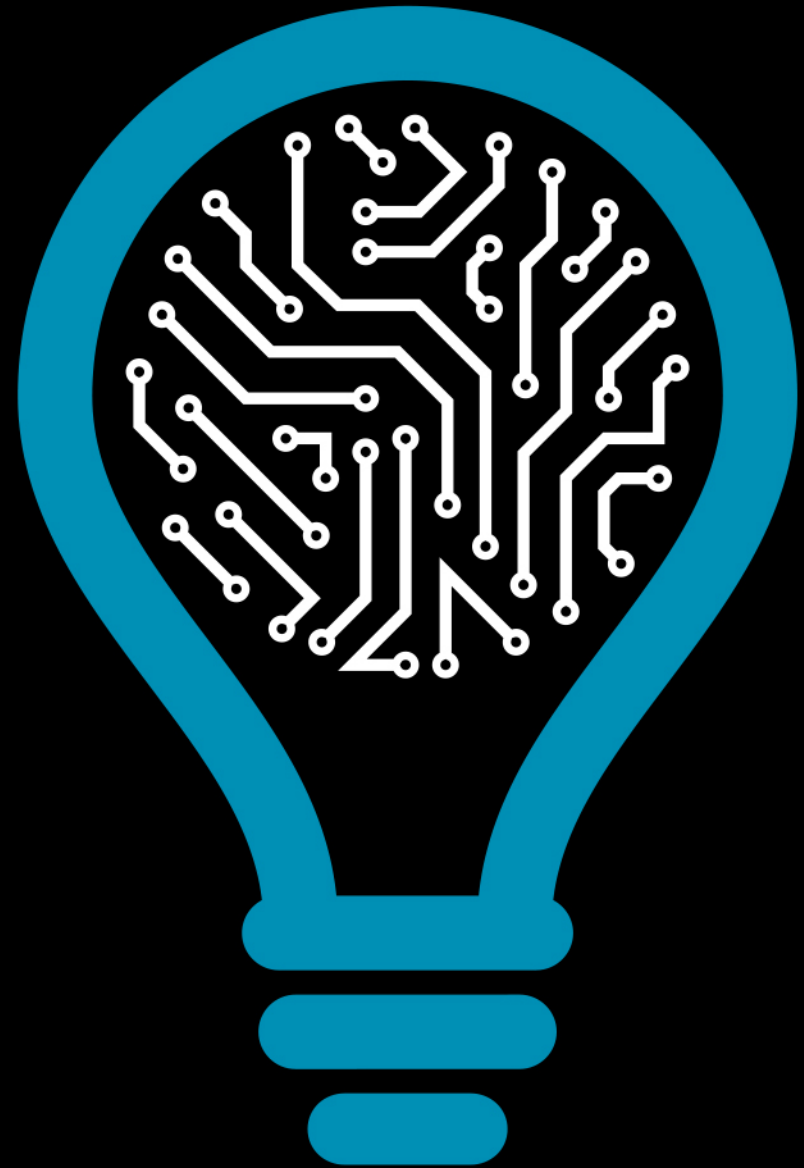
General Data Protection Regulation

Susana Pereira

25-05-2018

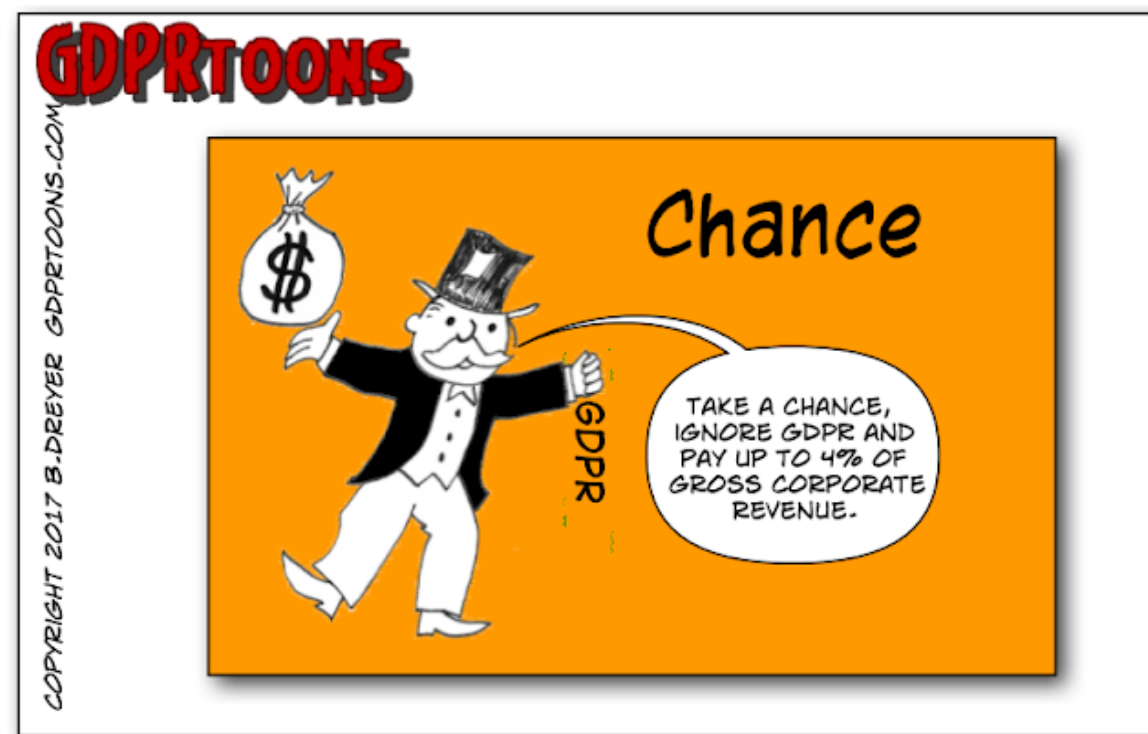


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GDPR – What's New?

- Uniform Legislation Across European Union
- Responsibility transferred from National Authorities to the Institutions
- Fines – up to 20 000 000 EUR or 4% of annual turnover



A Few Definitions

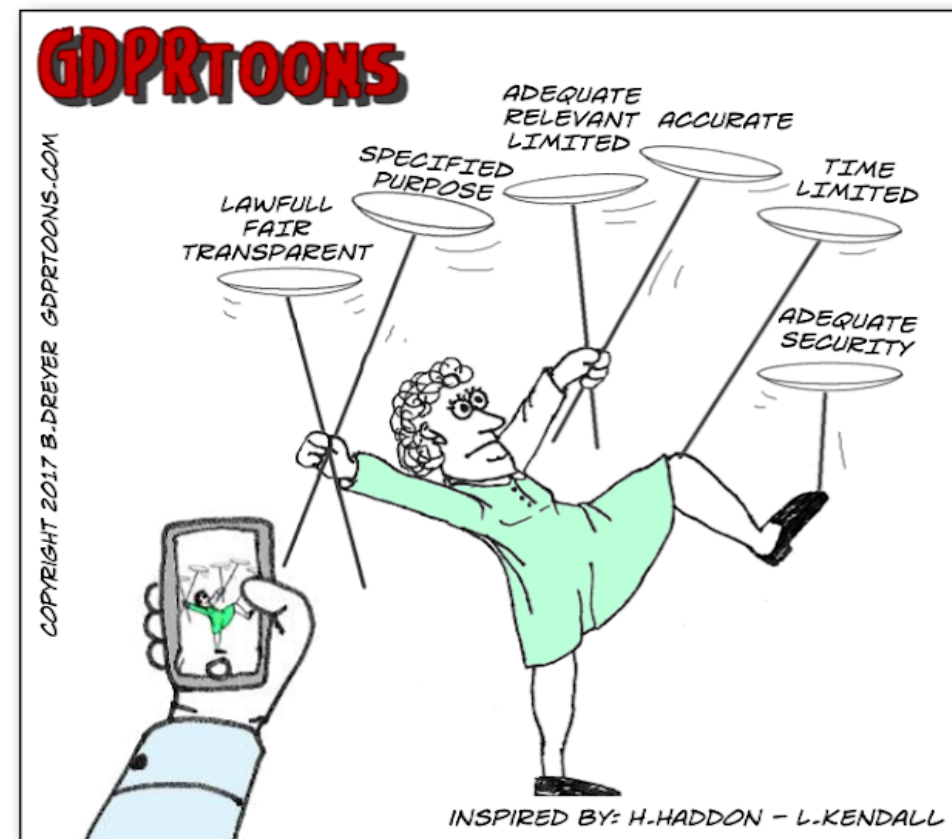
- **Personal Data** is any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person
- **Processing** is any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction

A Few Definitions

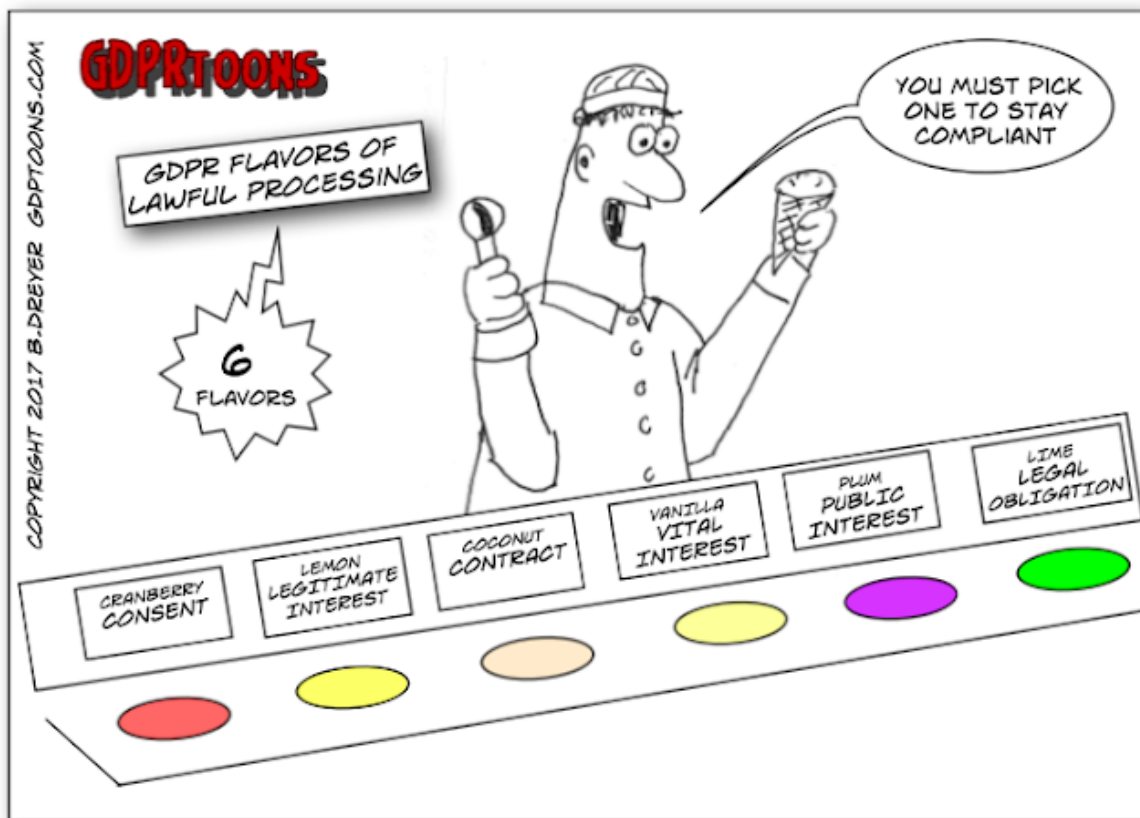
- **Data Controller** is the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law
- **Data Processor** is a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller;

Basic Principles

- Lawful, fair and transparent
- Purpose Limitation
- Data Minimization
- Data Accuracy
- Storage Limitation
- Data Integrity and Confidentiality
- Accountability



Lawful Processing



- Data Subject Consent
- Performance of a Contract
- Legal Obligation
- Vital Interests
- Public Interest (official authority)
- Legitimate Interests

Lawful Processing

- R&D Activities
- Internal Processes
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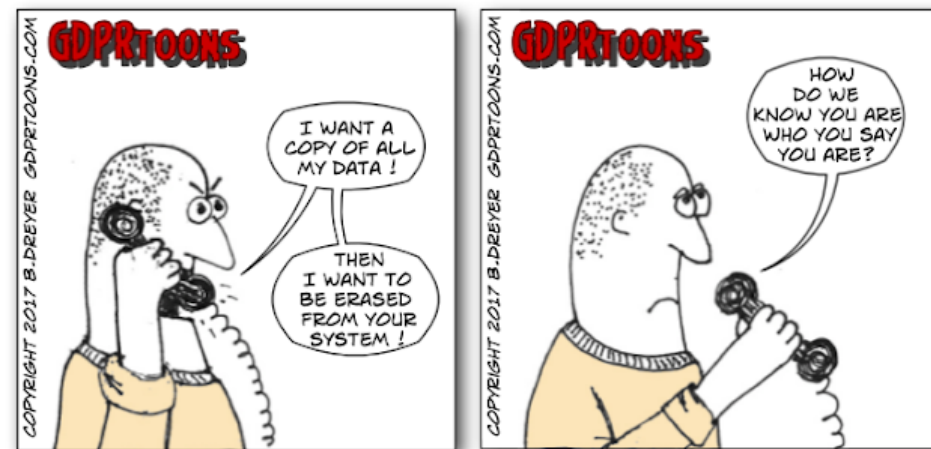
Conditions for Consent

- Free
- Explicit
- Informed
- Specific
- As easy to withdraw as it is to give
- Demonstrable
- Parental consent for children under 16



Data Subject Rights

- Right to be Informed
- Right of Access
- Right to Rectification
- Right to Erasure ('right to be forgotten')
- Right to Restriction of Processing
- Right to Data Portability
- Right to Object



Data Controller Obligations

- Keeping Records of Processing Activities (more than 250 employees)
- Ensuring Security of Processing (Confidentiality, Availability and Integrity)
- Notifying Data Breaches (to National Authority and in some cases to Data Subjects)
- Performing Data Protection Impact Assessments (when the Data Processing is likely to result in a high risk)
- Designating a Data Protection Officer (in specific cases)

Data Protection Officer tasks

- To inform and advise the controller or the processor, and the employees who carry out processing, of their obligations
- To monitor compliance with this Regulation (...) including the assignment of responsibilities, awareness-raising and training of staff involved in processing operations, and the related audits
- To provide advice where requested as regards the data protection impact assessment and monitor its performance
- To act as the contact point for the supervisory authority on issues relating to processing

Data Protection @ INESC TEC

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- Ricardo Castro
- Jaime Dias (SAS)
- Vasco Dias (AJ)
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- Gabriel David (CA)

