\*\*\*\*\* IEEE CONFIDENTIAL \*\*\*\*\*

**What is the EU GDPR?**

 “The **General Data Protection Regulation** (**GDPR**) (Regulation (EU) 2016/679) is a regulation by which the European Parliament, the European Council and the European Commission intend to strengthen and unify data protection for individuals within the European Union (EU). It also addresses export of personal data outside the EU. The primary objectives of the GDPR are to give citizens back the control of their personal data and to simplify the regulatory environment for international business by unifying the regulation within the EU. [1] When the GDPR takes effect it will replace the data protection directive (officially Directive 95/46/EC) [2] from 1995. The regulation was adopted on 14 April 2016. It enters into application 25 May 2018 after a two-year transition period and, unlike a directive, it does not require any enabling legislation to be passed by national governments. [3]”

See http://www.eugdpr.org/.

**What you need to know**

**EU General Data Protection Regulation (GDPR) Quick Facts**

* GDPR went into effect May 2016
* Enforcement date is 25 May 2018 - at which time those organizations in non-compliance will be subject to heavy [fines](#Fines)
* We, IEEE, need to demonstrate accountability for all [personal data and personal information](#personal) processing activities (any operation performed on personal data, whether or not by automated means, including collection, use, recording, etc.) in explicit and easy-to-understand terms
* There is a requirement to demonstrate that [consent](#Consent) from the individual has been given for IEEE to have the individual’s personal data/information

**Applicability**

* GDPR applies to the processing of personal data (information concerning an identified or identifiable natural person) by controllers and processors, where goods and services are offered (irrespective of whether payment is required)
* Business does not have to be in EU for GDPR to apply
	+ Previous regulations did make that differentiation
	+ GDPR is intended to have a broader global scope
* GDPR applies to IEEE
	+ Other countries are considering similar regulations

**Personal Data**

* Differs from Personally Identifiable Information (PII)
* Any information related to a Data Subject that can either directly or indirectly identify the person
	+ Examples, include but not limited to:
		- Name
		- Photo
		- Email address
		- Bank details
		- Posts on social networks
		- IP address

**Consent**

* Must be explicit for sensitive data
* Must be requested in an intelligible and easily understandable way
* Must be opt-in
* Must be as easy to withdraw as to give
* Existing consent will only work if it meets the new requirements

**User Rights**

* Right to Access/Data Portability - If asked, Data Controller must provide a copy of personal data in a commonly used and machine readable electronic format
* Right to Object - If Data Controller is processing data for direct marketing, the user must be informed and can object
* Right of Correction – If asked, Data Controller must rectify inaccurate personal data
* Right to be Forgotten - If asked, Data Controller must erase data (unless there are legitimate or legal grounds for processing) and stop further distribution even if this requires informing third parties to stop using previously provided personal data

**Fines**

* Up to 4% of global turnover or EUR20 million; whichever is higher

**The IEEE EU GDPR Task Force Needs Your Help**

IEEE established the IEEE EU GDPR Task Force, which is comprised of staff representatives from each IEEE operational unit. The Task Force is in the process of determining how personal data is being collected and used for all IEEE products and services. The Task Force will need to

* Catalogue and characterize data collected from all sources
* Develop method to obtain consent for use of data
* Determine compliance obligations

**The IEEE Standards Association is requesting the following information from our standards development groups and other IEEE-SA activities:**

1. **Does the group download personal information from any IEEE systems, and if so, from which systems?**
2. **Does the group collect personal information?**
3. **If yes to either 1) or 2), how is personal data collected (including any systems used), where is the data stored, and how is the data used?**
4. **Is the data passed along to another system or to another entity (e.g., third-party vendors)?**
5. **How long is the data kept, and when is it destroyed?**

**We will need this information as soon as possible, with information provided by 6 October 2017, at the latest.**

If there are any questions or concerns, please contact IEEE-SA GDPR Task Force Representatives, Yvette Ho Sang (y.hosang@ieee.org) or Markus Plessel (m.plessel@ieee.org).

Resources:

1. Presidency of the Council: "Compromise text. Several partial general approaches have been instrumental in converging views in Council on the proposal for a General Data Protection Regulation in its entirety. The text on the Regulation which the Presidency submits for approval as a General Approach appears in annex.", 201 pages, 11th June 2015, PDF, <http://data.consilium.europa.eu/doc/document/ST-9565-2015-INIT/en/pdf>
2. ["Directive 95/46/EC"](http://eur-lex.europa.eu/legal-content/EN/LSU/?uri=celex:31995L0046)
3. Blackmer, W.S. (5 May 2016). ["GDPR: Getting Ready for the New EU General Data Protection Regulation"](http://www.infolawgroup.com/2016/05/articles/gdpr/gdpr-getting-ready-for-the-new-eu-general-data-protection-regulation/). *Information Law Group*. InfoLawGroup LLP. Retrieved 22 June 2016.