

Plenary Session 1: Overview of the Data Privacy Act of 2012 and the General Data Protection Regulation (GDPR)

Macro View of the GDPR



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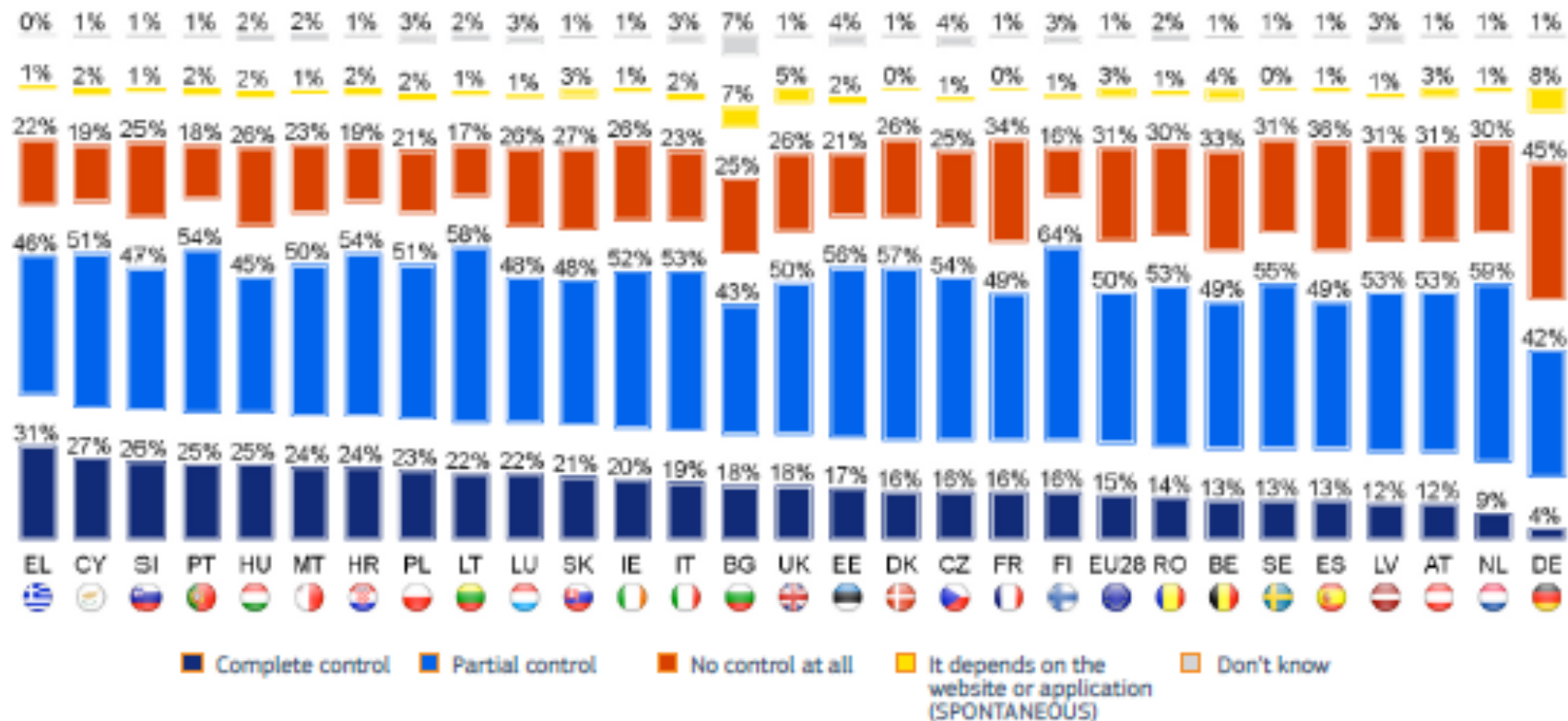
European
Commission

EU GENERAL DATA PROTECTION REGULATION



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PERSONAL DATA & TRUST



Base: respondents who provide personal information online (n=19,430 in EU28)



EU GDPR

- One set of rules across the continent,
- Same rules apply to all companies offering services in the EU, even if companies are based outside the EU.
- Stronger protection against data breaches
- Rules with teeth and deterrent fines
- Transfer of personal data outside the EU only where destination of data ensures adequate level of protection
- Stronger and new rights for citizens



> **A right to receive clear and understandable information** about who is processing your data, what data they are processing and why they are processing it.

(Art. 12-14 of the Regulation)

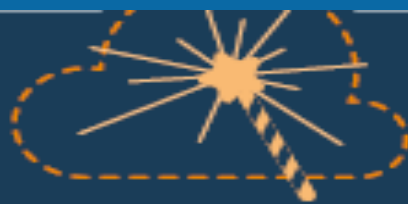
> **A right to request access to the personal data** an organisation has about you.

(Art. 15 of the Regulation)



> **A right to request one service provider to transmit your personal data** to another service provider, e.g. when switching from one to another internet social network, or switching to another cloud provider.

(Art. 20 of the Regulation)



- > **A right 'to be forgotten'**. You will be able to ask to delete your personal data if you no longer want it to be processed, and there is no legitimate reason for a company to keep it. For example, when you type your name into an online search engine, and the results include links to an old newspaper article about the debt you long paid, you will be able to ask the search engine to delete the links (unless you are a public figure or your interest in removing the article outweighs the general public's interest in accessing the information).

(Art. 17 of the Regulation)

- > In cases when companies need your **consent** to process your data, they will have to ask you for it and clearly indicate what use will be made of your personal data. Your consent must be an unambiguous indication of your wishes and be provided by an affirmative action by you. So, the companies won't be able to hide behind long legalistic terms and conditions that you never read.

(Art. 4 (11) and 7 of the Regulation)



- > If your **data is lost or stolen**, and if this data breach could harm you, the company causing the data breach will have to inform you (and the relevant data protection supervisory authority) without undue delay. If the company doesn't do this, it can be fined. Recent attacks, such as WannaCry, Meltdown and Spectre, or the Uber case show how important this new right is.

(Art. 33-34 of the Regulation)

- > **Better protection of children online**. Children may be less aware of the risks and consequences of sharing data and are less aware of their rights. This is why any information addressed specifically to a child will need to be adapted to be easily accessible, using clear and plain language.

(Art. 8 of the Regulation)



KEY PRINCIPLES

- Collect personal data with **clearly defined purpose**
- Don't use them for something else
- Don't collect more data than you need
- **Be mindful** of the personal data under your control

BUSINESS OPPORTUNITIES

How the GDPR can benefit your company

- 👤 **One Union, one law:** a single set of rules makes it simpler and cheaper for companies to do business in the EU.
- 👤 **One-stop-shop:** in most cases, companies only have to deal with one Data Protection Authority (DPA).
- 👤 **European rules on European soil:** companies based outside the EU must apply the same rules as European companies when offering their goods or services to individuals in the EU.
- 👤 **Risk-based approach:** the GDPR avoids a burdensome, one-size-fits-all obligation and instead tailors obligations to the respective risks.
- 👤 **Rules fit for innovation:** the GDPR is technology neutral.

SMEs

- **SMEs need not appoint a data protection officer**
- **SMEs need not keep records of processing activities SMEs will not be under an obligation to report all data breaches**
- The new right to **data portability**: Start-ups and smaller companies will be able to access data markets



**STEP
1**

CHECK THE PERSONAL DATA YOU COLLECT AND PROCESS, THE PURPOSE FOR WHICH YOU DO IT AND ON WHICH LEGAL BASIS

**STEP
2**

INFORM YOUR CUSTOMERS, EMPLOYEES AND OTHER INDIVIDUALS WHEN YOU COLLECT THEIR PERSONAL DATA

**STEP
3**

KEEP THE PERSONAL DATA FOR ONLY AS LONG AS NECESSARY

**STEP
4**

SECURE THE PERSONAL DATA YOU ARE PROCESSING

**STEP
5**

KEEP DOCUMENTATION ON YOUR DATA PROCESSING ACTIVITIES

**STEP
6**

MAKE SURE YOUR SUB-CONTRACTOR RESPECTS THE RULES

**STEP
7**

CHECK IF YOU ARE CONCERNED BY THE PROVISIONS BELOW

Data protection Officer
Data Protection Impact Assessment



BUILD COMPETITIVE ADVANTAGE

- GDPR gives flexibility to make innovative use of big data while protecting individuals' rights
- It incentivises businesses to innovate and develop new ideas and technologies for securing and protecting personal data
- **Be a frontrunner by protecting data by design and default**
- **Essential principle for future business.**
- And help tap into a €12 trillion market 😊

2 **rd largest EXPORTING PARTNER OF PH**

5 **th largest IMPORTING PARTNER OF PH**

14.1 **billion € total bilateral trade**

7.5 **billion € EU imports from PH**

6.6 **billion € EU exports to PH**

27 **% of PH total exports to the EU under GSP**

3.4 **billion \$ remittances sourced from the EU**

553 **thousand visitors from the EU**

28 **thousand Filipino seafarers (officers) in EU**



24% APPROVED INVESTMENTS FROM EU

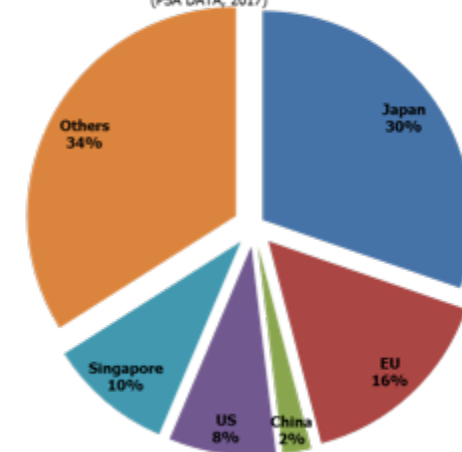


PH Approved FDI (PSA data, in mn pesos)

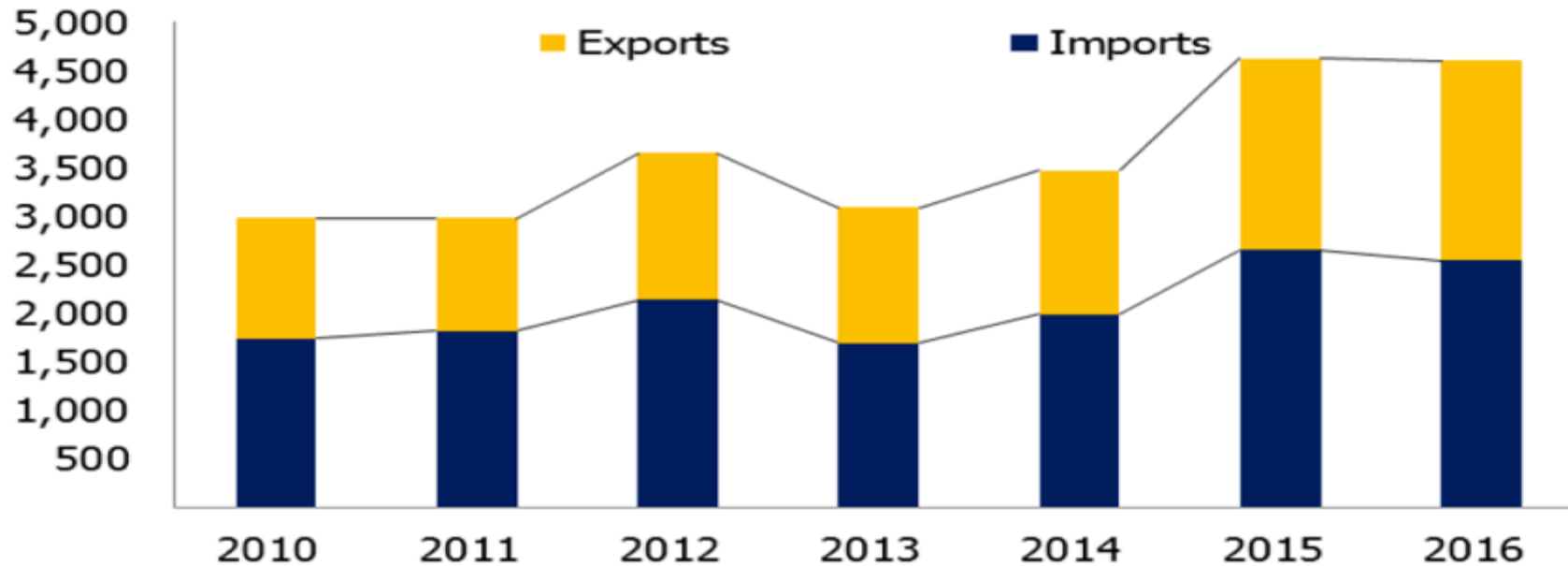
	2013	2014	2015	2016	2017	5 yr share
EU	30,312.50	49,875.28	89,962.70	59,535.10	16,500.20	23.8%
China	1,241	11,476	1,455	1,519	2,334	1.7%
Japan	44,784.40	17,423.00	54,711.10	27,058.70	31,989.80	17.0%
US	55,343.60	35,659.90	21,740.60	31,427.80	8,741.00	14.8%
S Korea	8,527.30	13,994.80	23,165.60	16,134.50	1,815.70	6.2%
Singapore	9,242.10	4,155.10	16,817.20	24,056.00	10,155.80	6.2%
Others	124,562.80	56,261.52	37,363.40	59,307.10	34,102.30	30.2%
Total	274,013.6	188,846.0	245,215.7	219,038.6	105,638.7	100.0%



SHARE OF TOTAL APPROVED FDI BY ORIGIN
(PSA DATA, 2017)



EU-PH Trade in Services (in mn€)



Top 5 Services Imports from PH in 2016 (mn €)

Transport	692
Other business services inc BPOs	660
Travel	599
Manufacturing services on physical inputs owned by others	283
Telecommunications, computer, and information services	168