

General Data Protection Regulations **VS** Data Protection Act



SYNECTICS SOLUTIONS

GDPR REPLACES DPA ON 25 MAY 2018

NUMBER OF EU STATES

DPA -
Directive - sets aims and requirements, implemented through national legislation

GDPR -
Regulation - binding for all member states



MAXIMUM PENALTIES

DPA -
£500,000

GDPR -
4% of annual global revenue or €20million (whichever is greater)



DEFINITION OF PERSONAL DATA



DPA -
Personal data and sensitive personal data

GDPR -
Now includes online identifiers, location data, and genetic data



RESPONSIBILITIES

DPA -
Data controllers only

GDPR -
Both controllers and processors



BREACH NOTIFICATIONS

DPA -
Not mandatory for most organisations

GDPR -
Mandatory (and within 72 hours)



PARENTAL CONSENT

DPA -
No

GDPR -
Parental consent required



ACCOUNTABILITY

DPA -
Limited

GDPR -
Explicit



RIGHT TO CLAIM COMPENSATION

DPA -
Any person who's suffered 'material damage'

GDPR -
Any person who's suffered 'material or non-material damage'



SUBJECT ACCESS REQUESTS

DPA -
£10 fee chargeable, respond within 40 days

GDPR -
Free of charge, respond within 30 days



DATA CONSENT

DPA -
Freely given, specific, and informed

GDPR -
Clear, affirmative action with the ability to be withdrawn at a later date



DATA PROTECTION GOVERNANCE

DPA -
Best endeavors / management commitment

GDPR -
Appointment of Data Protection Officer for companies employing more than 250 people OR processing more than 5,000 subject profiles per annum

