

The role of Data Protection Officer within GDPR

.I Position of the Data Protection Officer (DPO)

- The controller and or processor shall ensure that the DPO is involved properly in all concerned issues and there are no conflicts of interest.
- The controller and or processor shall support the DPO in its tasks.
- The data subjects can contact DPO for any enquiries about processing of personal data
- The DPO is bound to confidentiality.

.II Duties

1. Designation of the Data Protection Officer

Who?

- Controller(s) and processor(s)
- A group of undertakings (e.g. a DPO for several start-up's)
- Public authority or bodies

When?

- Processing by public authority or bodies except for courts acting in their judicial capacity
- Core activities that require regular and systematic monitoring of data subject on a large scale
- Core activities that consist of processing on a large scale of special categories (*e.g. biometric, genetic, ethnic ...*) and personal data to criminal convictions (*e.g. criminal record*)

Example: Tax services include in tax returns payment of fine for speed

What?

- Professional qualities
- Expert knowledge of Data protection law and practice
e.g. lawyer specialised in data protection, lawyer with specific knowledge in computer sciences, compliance officer, quality manager
- staff member of controller(s) and /or processor(s) or outsourced within a service contract

3. Tasks and duties

What?

- Inform about obligations pursuant this Regulation
- Monitor compliance with
 - ➔ This Regulation
 - ➔ Provisions from member's states
 - ➔ Policies of controller(s) and processor(s)

Example : training course, information campaign, audits

Who?

- Advice regarding impact assessments and monitor its performance
- Cooperate with supervising authority
- Act as contact point for supervisory authority in **prior consultation**
- Consider the risk associated with processing operations
- Controller(s) and or processor(s) and their staff members
- Supervising authority
- Data subject