

EU's New Data Protection Law

What is the issue?

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- The European Union has proposed a new data protection law, which can have potential policy ramifications across the world.

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- Notably, the law seeks to prevent the export of personal data outside EU.

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What is the EU law about?

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- General Data Protection Regulation (GDPR) was introduced by the EU recently and it is expected to harmonise data laws across EU member countries.

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- GDPR ensures data protection and privacy for all those living within the EU, and also prevents the export of personal data outside its territories.

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- It deals with three primary areas: personal data collection, its use, and design privacy - although what constitutes personal data remains a little ambiguous.

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- The law demands that clear consent is to be sought from the concerned person to use personal data after providing sufficient information on the same.

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- GDPR changes are expected to drastically alter the landscape for most Internet companies, which are fuelled in every sense by the data of users.

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- Notably, their entire business model of the internet big-wings is based on small bits of data they collect from users.

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What are the likely implications?

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- A lot of data is offered voluntarily by users, but often, they are not fully aware of what data they are creating, what they are transmitting, and how it is used.
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- The explicit consent requirement under GDPR hence expected to reduce the volume of data transmitted.
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- While the overall implications are still under study, experts vouch that the effective functionality of some internet services might get affected.
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- GDPR is also likely to bar a lot of Internet services for those under age 16 and also curtail the unsolicited marketing emails.

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How does the future look?

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- While Facebook has stated that it would comply with GDPR within the stated deadline of May 25th, most other internet biggies seem under prepared.
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- This could result in a spate of litigations in the coming days.
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- **The Worry** - “Right of Access” clause that is expected to worry companies the most, as this will make data collection extremely transparent.
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- The clause provides for users to demand internet companies to display all information related to them, which is in the company’s possession.
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- This can be followed through with requests for correction or even erasure, which might affect their business and also prove to be a compliance nightmare.
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- **Default Standard** - The European data protection standards might end up becoming the default for the rest of the world, even without clear enactments.
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- Notably, Microsoft announced that it would implement GDPR standards to all its customers worldwide, a move to get its backend infrastructure

streamlined.

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- If more companies follow suit, it will be good for consumers in countries like India, where user data is still up for grabs for the highest bidder.

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Source: Indian Express

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