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# EU'S NEW GDPR SETS NEW STANDARD IN DATA PRIVACY



**THE GENERAL** Data Protection Regulation (GDPR) has gone into effect on May 25, 2018. It's a new era of personal data protection and privacy for EU citizens. However, despite its target subjects, businesses around the world should educate themselves on what it entails and how it affects their organizations.

In a nutshell, GDPR protects EU customers from both individuals and organizations regardless of the nexus of the data-collecting businesses or organizations in four ways. So, even if your company or institution isn't based in the EU, you still need to comply with it when it comes to dealing with EU customers.

First, EU consumers have the right to demand any data provided to businesses and organizations immediately. Second, EU consumers connect with organizations that use their data more meaningfully. Third, businesses and organizations are compelled to use data more carefully, especially when it comes to monetizing. Fourth, businesses and organizations focus on building trust with consumers while providing the highest level of service in the GDPR requirements.

The 15 essential points on implementing GDPR in your organization:

- Always store all data on employees, customers and suppliers very carefully. Make sure to back them up both online and offline in multiple places.
- Parental consent is required for children under 16 years when using online services.
- Only keep data when it's necessary—unused data need to be purged immediately.
- Have a privacy policy in effect, which should be presented free from legal jargons.
- Guidelines on what to include in a privacy policy.
  1. Who is collecting it? It's your business.
  2. What information is being obtained? The data

subject's personal information.

3. How is it collected? Online via subscription form or other methods.
  4. Why is it being collected? Describe the reason, such as for servicing or marketing purposes.
  5. How will it be used? Describe how it will be used, such as to deliver products or send promotional emails.
  6. Whom will it be shared with? Describe the third parties with whom the data will be shared.
  7. Is the intended use likely to cause individuals to object or complain? Describe the intention clearly.
  8. What will be the effect of this on the individuals concerned? Describe the impact of the data subjects.
- Always be ready to respond when asked for data information within one month and free of charge.
  - Be ready to delete data if asked wholly and immediately.
  - Consumers must opt-in to be included in data storing. It can be in the form of ticking "accept" or double opt-in like when confirming the e-mail subscription.
  - Use a layered opt-in form with two boxes and embedded with statements like this: "Yes, I want to receive the latest marketing tips from ABC Company. Read more about how your information is used." It should be linked to a page of explanations on how their information will be used.
  - Design the form for people to easily opt-out or unsubscribe. No small prints and no legal jargons are allowed.
  - Train all employees about the new GDPR laws and how it affects their business.
  - If you purchase a list, perform due diligence on it to ensure that it's GDPR ready.
  - When selling your organization to another party, make sure to sign the "assignment clause," which allows the new owner to store and use data for identical purposes.
  - If you want to use the existing data, ask them to opt-in again after May 25, 2018.
  - In the case of breach of the data record, you must comply with local data protection authority, report to them and the owners of data within 72 hours. Failure to do so may result in substantial penalties, as high as \$20 million.

In conclusion, any business or organization that might encounter EU-based customers should implement GDPR policies to be on the safe side. It's a new era for data protection and privacy. 