

At a Glance: Progress on EU Data Protection Reform – *The Trilogue*



During negotiations between the Commission, Parliament and Council (so called “Trilogue”) the engaged parties attempt to find a compromise and a final single set of rules for data protection in the EU.

The timeline is currently set to find such agreement by the end of 2015, whether this keen intention can be upheld is not yet foreseeable.

If agreed according to the proposed timeline Europe’s new data protection law would then likely come into force in 2018.

Common Ground – Aspects generally approved by all three Trilogue parties

✓	Single set of Rule for Data Protection directly applicable in all EU Member Sates
✓	Decrease administrative burden imposed on companies through national authority notification or approval requirements
✓	Right to be Forgotten
✓	Extra-territorial application of EU data protection law for non-EU companies doing business there
✓	Significantly increase monetary fines for violation of data protection rules
✓	EU wide data breach notification scheme
✓	One-Stop-Shop approach for authority supervision

Disagreements – Aspects to be negotiated

- Liability concept for data processors
- Strict purpose limitation for data processing activities and interpretation of “legitimate interest” allowing data processing without consent
- Mandatory data protection officer for companies
- Deviation rights for Member Sates
- Restrictions on data transfer to / data access by non-EU authorities

For an informal comparison of all three drafts click [here](#).

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