



EU's Adequacy Decision on the UK's GDPR

Overview

What we already know

As the UK is no longer a member of European Union the UK doesn't need to comply with the EU's General Data Protection Regulation. As a result, the EU need to direct the UK on what safeguards they require when the data of EU citizens is being processed by a country outside of the EU, in particular the transfer of personal data into the UK. When the EU & UK ended the transition period on the 31st December 2020 there was no adequacy decision or agreement in place and therefore a 'bridging' period was agreed until the end of April 2021. During the bridging period the flow of data into the UK remains uninterrupted and continues as is it did prior to the ending of the transition period. The worst case scenario is that the EU refuses to give an adequacy decision resulting in additional measures and changes to be implemented by UK businesses when transferring & processing personal data of EU citizens in the UK.

Update

What is the update from the ICO?

The European Commission published its draft UK adequacy decision on February 23rd 2021. If the draft decision is agreed by the European Data Protection Board (EDPB) the UK will continue to process & transfer personal data of EU citizens without interruption or change, complying with the UK's Data Protection Act 2018 which remains adopted from the original EU's General Data Protection Regulation.

This draft decision brings the UK a step closer to having a clearer picture on their obligations in compliance with Data Protection



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Beacon can help

It's worth noting that the pending adequacy decision does not remove the need for an EU or UK representative to be appointed.

Article 27 of the EU & UK GDPR obligates organisations who process data on citizens in the UK, for EU organisations or EU citizens for UK organisations where they have no establishment or representative in that country.

Contact us

To find out how we can help you comply with Article 27 or any other type of Data Protection service you require.

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Or give us a call / drop us an email



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