

## GDPR Implementation

### State of play in the Member States – on 20 February 2018

	<b>Information provided by national authorities</b>
<b>AT Public info</b>	<ul style="list-style-type: none"> <li>• The law covering both the GDPR and the Police Directive has been adopted by Parliament and will enter into Force on 25.5.2018. The text can be found under the following link: <a href="http://www.ris.bka.gv.at/Dokumente/BgblAuth/BGBLA_2017_I_120/BGBLA_2017_I_120.pdf">http://www.ris.bka.gv.at/Dokumente/BgblAuth/BGBLA_2017_I_120/BGBLA_2017_I_120.pdf</a></li> <li>• Work on sector specific laws is still ongoing.</li> </ul>
<b>BE Public info</b>	<ul style="list-style-type: none"> <li>• Draft law for implementing GDPR and transposing Police Directive was submitted to Government.</li> <li>• Following agreement at Government level, the draft law will be sent to Council of State and DPA for advice, and will then be submitted to Parliament.</li> </ul>
<b>BG</b>	No public info
<b>CZ public info</b>	<ul style="list-style-type: none"> <li>• Plan to adapt to GDPR and to implement Police directive and PNR Directive in two related pieces of legislation, the draft laws were submitted to inter-ministerial consultation in August with closure date 15/09/17:               <ul style="list-style-type: none"> <li>○ a new Act on Data Processing, which will contain general adaptation rules, general implementation rules and position of DPA, and</li> <li>○ several amendments to existing laws on police, other law enforcement authorities, courts and public prosecutors, which will address to the extent appropriate in each case the specific rules on DPOs, on lawfulness, purposes, third country transfers, and in the case of Police and Customs, also on PNR.</li> </ul> </li> <li>• Draft law was submitted to the Government in January 2018.</li> <li>• Draft law to be submitted to Parliament by beginning of April 2018.</li> <li>• Adoption expected by end May 2018.</li> </ul>
<b>CY public info</b>	<ul style="list-style-type: none"> <li>• Working Group with Ministry and DPA to prepare general legislation (2 laws one on GDPR one on Police Directive)</li> <li>• Draft bill will be submitted to public consultation at the end of March</li> <li>• Plan to submit it in the Parliament after the public consultation</li> </ul>
<b>DE Public info</b>	<ul style="list-style-type: none"> <li>• The new Federal Data Protection Act (covering both GDPR and Police Directive and some amendments to the laws of the federal intelligence agencies) was adopted in the two chambers in May 2017 and published in the official journal on 30 June 2017. The Act will with one exception enter into force on 25 May 2018. The exception is an amendment to the current Federal Data</li> </ul>

	<p>Protection Act. This amendment enables the supervisory authorities in DE to lodge an application for a decision of the Federal Administrative Court if it believes that a decision by the European Commission violates the law.</p> <ul style="list-style-type: none"> <li>• New Federal Data Protection Act can be found at: <a href="https://www.bgbl.de/xaver/bgbl/start.xav?startbk=Bundesanzeiger_BGBI#_bgbl_%2F%2F*%5B%40attr_id%3D%27bgbl117s2097.pdf%27%5D_1519203215836">https://www.bgbl.de/xaver/bgbl/start.xav?startbk=Bundesanzeiger_BGBI#_bgbl_%2F%2F*%5B%40attr_id%3D%27bgbl117s2097.pdf%27%5D_1519203215836</a>, or <a href="https://germanlawarchive.iuscomp.org/?p=712">https://germanlawarchive.iuscomp.org/?p=712</a></li> <li>• The Government is working on roughly 200 amendments to sector specific legislation. A first (smaller) part of amendments to some federal legal acts in the tax and social security area was adopted in July 2017 and published in the official journal on July 17; it will enter into force on 25 May 2018. The objective is to finalize the adaption of the remaining parts of the federal legislation until May 2018.</li> <li>• The 16 Bundesländer are currently working on the adaption of their general data protection acts and their sector specific legislation.</li> </ul>
<b>DK Public info</b>	<ul style="list-style-type: none"> <li>• Report on the national law and the GDPR was published in May 2017</li> <li>• Draft law went through public hearing process, which was finalized end of August 2017</li> <li>• Draft law was submitted to Parliament at the end of October 2017</li> <li>• Expected end of the legislative process: April 2018</li> </ul>
<b>EL Public info</b>	<ul style="list-style-type: none"> <li>• Draft law elaborated by a group of experts has been submitted to the Ministry of Justice.</li> <li>• Ongoing public consultation on draft law: <a href="http://www.opengov.gr/ministryofjustice/wp-content/uploads/downloads/2018/02/sxedio_nomou_prostasia_pd.pdf">http://www.opengov.gr/ministryofjustice/wp-content/uploads/downloads/2018/02/sxedio_nomou_prostasia_pd.pdf</a></li> <li>• Draft law is to be submitted to Parliament for adoption before 8 April (Orthodox Easter). (date tbc)</li> </ul>
<b>EE Public info</b>	<ul style="list-style-type: none"> <li>• Draft law went through public consultation until end of November</li> <li>• Still mapping the specific laws whose number is increasing. Objective is to submit their amendments as a package with the general law to Parliament</li> <li>• Draft law has gone through inter-governmental process.</li> <li>• Draft law to be submitted to Parliament by beginning of March 2018.</li> <li>• Adoption expected by end of May 2018.</li> </ul>
<b>ES Public info</b>	<ul style="list-style-type: none"> <li>• On 10<sup>th</sup> of November the Spanish Government approved the Bill of organic law for the protection of personal data (PROYECTO DE LEY ORGÁNICA DE PROTECCIÓN DE DATOS DE CARÁCTER</li> </ul>

	<p>PERSONAL) and sent it to Parliament.</p> <ul style="list-style-type: none"> <li>The bill is now available on the Ministry of Justice website: <a href="http://www.mjusticia.gob.es/cs/Satellite/Portal/es/actividad-legislativa/normativa/proyectos-remitidos-cortes">http://www.mjusticia.gob.es/cs/Satellite/Portal/es/actividad-legislativa/normativa/proyectos-remitidos-cortes</a></li> </ul>
<b>FR Public info</b>	<ul style="list-style-type: none"> <li>Working group composed by relevant parts of the Ministry, law professors and CNIL – 7 meetings took place. Working group has completed its work.</li> <li>Consultation with several concerned Ministries (research, archives, home affairs, etc.) is over.</li> <li>Proposal to new Justice Minister for policy choices on situations such as Art 8, 89 took place in September 2017.</li> <li>Draft law was submitted for opinion of Conseil d’Etat and CNIL.</li> <li>Draft law was submitted to Parliament in December 2017. The first reading in Assembly was concluded on 13 February 2018. The process in Senate is expected to be finalized by end of March 2018.</li> <li>Draft law can be found at: <a href="http://www.assemblee-nationale.fr/15/dossiers/donnees_personnelles_protection.asp">http://www.assemblee-nationale.fr/15/dossiers/donnees_personnelles_protection.asp</a></li> </ul>
<b>FI Public info</b>	<ul style="list-style-type: none"> <li>Intergovernmental working group prepared a Memorandum with changes to national law on DP (changes to the present DPA structure) to be given to the Ministry in the week of 19 June 2017.</li> <li>The draft law went through a public consultation, which ended on 15 September 2017. They received about 100 contributions.</li> <li>Draft law was submitted to Parliament on 1 March 2018.</li> <li>The process for assessing sector specific legislations is ongoing (the intergovernmental working group will look also into these laws).</li> </ul>
<b>HU Public info</b>	<ul style="list-style-type: none"> <li>Work on draft law for reviewing the provisions on the procedures conducted by the DPA and introducing other changes required by the GDPR</li> <li>Draft law covers both GDPR and Police Directive</li> <li>Consultations with stakeholders on the horizontal issues were carried out (started in August closed in September)</li> <li>Consultation with stakeholders on sector-specific laws is still ongoing</li> <li>Government discussed the draft law and decided on the need of further examinations (concerning sectoral laws)</li> <li>A high-level consultation group was established with the participation of relevant stakeholders (bank, insurance, telecom industry) as well as the responsible line ministries and authorities including the DPA aiming at awareness-raising, identifying potential difficulties in the course of implementation and application</li> <li>Draft law amending the currently applicable horizontal data protection law, as well as certain sectoral legal provisions is</li> </ul>

	<p>planned to be submitted to the Parliament during the ordinary session in spring 2018.</p>
<b>HR Public info</b>	<ul style="list-style-type: none"> <li>• An intergovernmental group (ministries, DPA, academics) was set up to examine necessary changes and finished its work.</li> <li>• Draft law is undergoing a public consultation procedure for a period of 30 days until 22 March 2018. The draft law is available at: <a href="https://esavjetovanja.gov.hr/ECon/MainScreen?entityId=6988">https://esavjetovanja.gov.hr/ECon/MainScreen?entityId=6988</a></li> <li>• Then draft law will be submitted to Parliament.</li> </ul>
<b>IE Public info</b>	<ul style="list-style-type: none"> <li>• The General Scheme has undergone pre-legislative scrutiny by the relevant Parliamentary Committee.</li> <li>• The Data Protection Bill 2018 (draft law) was submitted to Parliament on 30 January. Discussions commenced already in Parliament on 8 February. The Bill will— <ul style="list-style-type: none"> <li>• Establish the Data Protection Commission (with up to three Commissioners) to replace the Data Protection Commissioner;</li> <li>• give further effect to the GDPR in areas where national law is permitted;</li> <li>• transpose the law enforcement Directive;</li> <li>• provide for enforcement of both the GDPR and Directive;</li> <li>• amend cross-references to existing data protection law in various Acts and regulations.</li> </ul> </li> <li>• The bill is expected to be adopted by May 2018. The draft bill can be found at: <a href="http://www.oireachtas.ie/viewdoc.asp?DocID=37646&amp;&amp;CatID=59">http://www.oireachtas.ie/viewdoc.asp?DocID=37646&amp;&amp;CatID=59</a></li> </ul>
<b>IT</b>	<ul style="list-style-type: none"> <li>• Commission of experts has been set up and is working on a draft legislative act, with a view to adapt national legislation. Most of the Italian Code for Data Protection will be substituted by the GDPR and will be repealed.</li> <li>• Draft legislative act expected to be ready by end of April 2018.</li> </ul>
<b>LT Public info</b>	<ul style="list-style-type: none"> <li>• Separate draft laws on GDPR and Police Directive</li> <li>• Public consultation took place in September 2017</li> <li>• Draft law was submitted to Government in February 2018.</li> <li>• Draft law to be submitted to Parliament by end of March/beginning of April 2018.</li> </ul>
<b>LU Public info</b>	<ul style="list-style-type: none"> <li>• Draft general law with different parts: <ul style="list-style-type: none"> <li>• 1<sup>st</sup>: DPA rules (keep structure; give more resources)</li> <li>• 2<sup>nd</sup>: specifications of the GDPR (e.g. rules for Art 89)</li> </ul> </li> <li>• Draft law was submitted to Parliament early September 2017</li> <li>• The draft law is available at: <a href="http://chd.lu/wps/portal/public/Accueil/TravailALaChambre/Recherche/RoleDesAffaires?action=doDocpaDetails&amp;backto=/wps/portal/public/Accueil/Actualite&amp;id=7184">http://chd.lu/wps/portal/public/Accueil/TravailALaChambre/Recherche/RoleDesAffaires?action=doDocpaDetails&amp;backto=/wps/portal/public/Accueil/Actualite&amp;id=7184</a></li> </ul>
<b>LV Public</b>	<ul style="list-style-type: none"> <li>• Draft law focusing on the DPA rules was submitted to Government beginning of January 2018</li> </ul>

<b>info</b>	<ul style="list-style-type: none"> <li>• Consultation of NGOs</li> <li>• Draft law to be submitted to Parliament beginning of March 2018</li> </ul>
<b>MT Public info</b>	<ul style="list-style-type: none"> <li>• Interministerial Cte established for implementation GDPR and Police Directive has reviewed the GDPR for end of July and has prepared a draft law.</li> </ul>
<b>NL Public info</b>	<ul style="list-style-type: none"> <li>• Draft general law for implementing GDPR</li> <li>• Draft law was submitted to public consultation (closed)</li> <li>• Draft law for consultation to DPA (closed)</li> <li>• Council Ministers adopted the draft law; the Council of State gave advice</li> <li>• Draft law to was submitted to Parliament on 13 December 2017 <a href="https://www.tweedekamer.nl/kamerstukken/wetsvoorstellen/detail?cfg=wetsvoorstel&amp;qry=wetsvoorstel%3A34851">https://www.tweedekamer.nl/kamerstukken/wetsvoorstellen/detail?cfg=wetsvoorstel&amp;qry=wetsvoorstel%3A34851</a></li> <li>• On 13 March 2018 the Netherlands' second Chamber of parliament adopted its national implementation bill for the GDPR. The bill is now with the First Chamber.</li> </ul>
<b>PL Public info</b>	<ul style="list-style-type: none"> <li>• Draft law on DPA rules and other aspects in the making</li> <li>• Draft law was published on 14 September</li> <li>• Public consultation until mid-October and pre-legislative consultation</li> <li>• Inter-governmental consultation ongoing on new draft</li> <li>• Draft law expected to be sent to Parliament by end of March 2018.</li> </ul>
<b>PT Public info</b>	<ul style="list-style-type: none"> <li>• Draft law in discussion at Government level</li> <li>• Draft law will be sent to Parliament by end of March 2018</li> </ul>
<b>RO Public info</b>	<ul style="list-style-type: none"> <li>• 3 draft laws: DPA; implementing GDPR; transposing Police Directive. Work has been completed.</li> <li>• The draft law on DPA was submitted to Government.</li> <li>• The draft law on Police and Justice Directive is in public consultation</li> <li>• Draft law on GDPR was submitted to parliament in March 2018</li> </ul>
<b>SE Public info</b>	<ul style="list-style-type: none"> <li>• Draft law submitted to the Council on Legislation for scrutiny in December 2017.</li> <li>• Draft law was submitted to Parliament on 20 February 2018. <a href="http://www.regeringen.se/492373/contentassets/561c615d11104ad38c42b59cda9c33bc/ny-dataskyddslag-prop.-201718105">http://www.regeringen.se/492373/contentassets/561c615d11104ad38c42b59cda9c33bc/ny-dataskyddslag-prop.-201718105</a></li> <li>• Several draft laws adapting sector specific data protection rules will be submitted to Parliament in February 2018.</li> </ul>
<b>SI Public info</b>	<ul style="list-style-type: none"> <li>• Considering a type of "Omnibus act" to amend a number of sector laws plus a draft law on GDPR</li> <li>• Draft law will go through public consultation from October to 10 November.</li> <li>• Draft general law to be submitted to Parliament by beginning of March 2018.</li> </ul>

<b>SK Public info</b>	<ul style="list-style-type: none"> <li>• New Act on Protection of Personal Data is signed by the President. The law has been published in the Collection of Laws (the official instrument) under the number 18/2018, and it will enter into force on 25 May 2018.</li> <li>• It will repeal existing Act on protection of personal Data</li> <li>• New Act on Protection of Personal Data <ol style="list-style-type: none"> <li>1. applies to the processing that are not covered by GDPR,</li> <li>2. applies in certain parts also to processing covered by GDPR</li> <li>3. implement Police Directive</li> </ol> </li> </ul>
<b>UK Public info</b>	<ul style="list-style-type: none"> <li>• Issued a "call for views" on the GDPR specifications (10/04-10/05)</li> <li>• The UK's Data Protection Bill and explanatory notes was introduced in Parliament on 13/09/2017 and published on 14/09: <a href="https://www.gov.uk/government/collections/data-protection-bill-2017">https://www.gov.uk/government/collections/data-protection-bill-2017</a></li> <li>• The bill is expected to be adopted by May 2018.</li> </ul>
<b>IS</b>	No public info
<b>LI Public info</b>	<ul style="list-style-type: none"> <li>• Draft law is undergoing legislative process. A first reading will take place in June 2018. A second reading is scheduled in September 2018.</li> <li>• The law is expected to be adopted by end 2018.</li> </ul>
<b>NO Public info</b>	<ul style="list-style-type: none"> <li>• Work on-going on draft law and on sector laws</li> <li>• Draft law submitted to public consultation ending 16 October</li> <li>• Draft law to be submitted to Parliament in spring 2018</li> </ul>