SHOULD YOUR COMPANY APPOINT A DATA PROTECTION OFFICER (DPO) UNDER THE EU GDPR?

IS YOUR COMPANY SUBJECT TO THE EU GDPR?

NO

DPO not required (1)

YES

Do your core activities consist of processing which requires regular and systematic monitoring of individuals on a large scale?

Yes

Appoint a DPO

No

DPO not required by the GDPR (1)

NOT SURE

Do your core activities consist of processing which is about special categories of data (3) on a large scale or about criminal convictions and offences?

Yes

Appoint a DPO

No

DPO not required by the GDPR (1)

Are you processing personal data? (2)

Yes

Is your company based in the EU? (4)

The processing relates either to the offering of goods/services to the data subjects in the EU or to the monitoring of their behaviour taking place in the EU?

Yes

Company subject to the GDPR, follow orange box!

No

The processing relates neither to the offering of goods/services to the data subjects in the EU nor to the monitoring of their behaviour taking place in the EU?

Company not subject to the GDPR, follow green box!

No

Company not subject to the GDPR, follow green box!

No

DPO not required by the GDPR (1)

(1) EU Member States may have / introduce other laws which require appointment of DPOs. Organizations may also opt to appoint DPOs even if there is no legal requirement at EU or Member State level. (2) For a definition of personal data, consult Article 4(1) of the EU GDPR. (3) For a definition of special categories of personal data, consult Article 9(1) of the EU GDPR. (4) See here list of EU Member States.

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