

FINES AND PENALTIES

What are the penalties for noncompliance with any applicable data protection laws?

Noncompliance with data privacy laws and data breaches may lead to sanctions, fines, and penalties. The amounts are usually calculated according to the risk to which personal rights were exposed and the preventive measures taken by the data controllers, processors and sub-processors in relation to their respective role in the chain of personal data processing.

The remedies available under the European Union's General Data Protection Regulation (GDPR) are significant and go up to maximum of €20 million or four percent of worldwide turnover.

Data subjects are able to take action against processors and claim damages where they have "suffered material or immaterial damage" as a result

of an infringement of the processor obligations under the GDPR.

As well as damages claims from data subjects, non-compliant data controllers and data processors are also vulnerable to

sanctions by the regulator. The sanctions range from access and audit rights, to administrative orders and, ultimately, to fines of up to 4% of annual global turnover for certain breaches.

HR Best Practices:

Before processing personal data, make sure to be in line the security measures necessary to ensure data security within your organization. Furthermore, ensure all data processors have data breach response plans in place.



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