Hands-on Guide to "General Data Protection Regulations" (GDPR)

NMDA
NATIONAL MOTORCYCLE DEALERS ASSOCIATION

What is it?

The General Data Protection Regulations (GDPR) set out the key principles, rights and obligations for processing of personal data

What do I need to do?

Under GDPR, a business **must follow** these seven key principles when dealing with *personal data*:

Lawfulness, fairness and transparency	Processed lawfully, fairly and in a transparent manner in relation to individuals
Purpose limitation	Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes
Data minimisation	Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed
Accuracy	Data must be accurate and kept up to date
Storage limitation	Identification of data subjects kept for no longer than is necessary for the purposes for which the *personal* data are processed.
Integrity and confidentiality	Ensure appropriate security of the *personal data*, including protection against unauthorised or unlawful *processing* and against accidental loss, destruction or damage.
Accountability	The *controller* Shall be responsible for, and be able to demonstrate compliance with all of the above

What happens if I do not follow the guidance?

The fines for violating the GDPR can be very high. The higher maximum amount is **€20 million** or **4% of total annual global turnover** (whichever is higher), plus *data subjects* have the right to seek compensation for damages.

Conclusions

Organisations should consider what types of they collect and the reason for its collection to ensure that they have a good Data Retention Policy in place. This will not only help reduce the risks of a breach, but also ensure that a business has sufficient information to defend itself and comply with its legal obligations.

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Remember, as an NMDA member you have access to our dedicated legal helpline, as well as a number of industry experts for your assistance. Should you require further information in respect of the article above, contact the legal advice line at any stage for advice and assistance as appropriate.

Helpful terms

Personal data — Any information that relates to an individual who can be directly or indirectly identified. Names and email addresses are obviously personal data. Location information, ethnicity, gender, biometric data, religious beliefs, web cookies, and political opinions can also be personal data.

Data processing — Any action performed on data, whether automated or manual. The examples cited in the text include collecting, recording, organizing, structuring, storing, using, erasing… so basically anything.

Data subject — The person whose data is processed. These are your customers or site visitors.

Data controller — The person who decides why and how personal data will be processed. If you're an owner or employee in your organization who handles data, this is you.

Data processor — A third party that processes personal data on behalf of a data controller. The GDPR has special rules for these individuals and organizations.

The Full Terms and Guidance

NMDA has further guidance and case studies available online.

If you have any questions regarding GDPR or would like to suggest further topics for these operational guides, please contact our dedicated member helpline on **01788 538303**