

# GDPR Carl Vermeulen



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**Q:** Question.

**A:** Answer.

The purpose of this document is to provide our clients with a better understanding of how Carl Vermeulen is compliant for the GDPR.

### **Q: What is the GDPR?**

**A:** The GDPR will replace the existing EU data protection law (the Data Protection Directive 95/46/EC) and will be the biggest revision of privacy laws in over a decade.

The aim of the GDPR is to harmonize privacy law across all EU member states and to help promote the digital economy. It will also introduce new legal rights for individuals to better control and protect their personal data. Organizations holding personal data will need to provide evidence of compliance if requested to do so by clients or regulators.

### **Q: When does the GDPR come into force?**

**A:** The GDPR will come into effect across the EU from 25 May 2018.

### **Q: Who does the GDPR apply to?**

**A:** In addition to those organizations based within the EU, the GDPR will also apply to an organization operating outside of the EU if that organization offers goods/services to or monitors the behavior of people in the EU. For example, the GDPR could catch a US-based client whose website uses tracking technology to collect personal data to create profiles of EU residents.

### **Q: Does “Brexit” mean the GDPR won’t apply to the UK?**

**A:** The GDPR will come into effect across the EU from 25 May 2018. As the UK will still be a member of the EU at this date, the GDPR will also apply to the UK, and will continue to apply after its eventual exit from the EU. The UK government has confirmed this approach.

### **Q: How is Carl Vermeulen preparing for the GDPR?**

**A:** Carl Vermeulen has a dedicated team of data protection as partners, legal and technology specialists who review its processing of personal data. They will ensure Carl Vermeulen is compliant with the GDPR in time for the May 2018 deadline. Carl Vermeulen only processes consumer data in line with clients’ instructions. We work with our clients to ensure they understand and are comfortable with how their consumers’ personal and other data is being used.

### **Q: How does Carl Vermeulen securely manage data?**

**A:** Carl Vermeulen recognizes that the security environment is constantly evolving. Our security program is regularly reviewed and aligned to industry standards, including ISO 27001 and NIST. In the unlikely event of a data security incident, processes are in place to isolate and manage incidents to conclusion.

### **Q: Will the GDPR stop Carl Vermeulen using personal data?**

**A:** The GDPR does not stop or hinder the use of personal data in advertising; however it does place a greater focus on business accountability and transparency to consumers around how their personal data is being used. Carl Vermeulen sees the GDPR as an opportunity for brands to build greater consumer trust and confidence through these new requirements, like privacy by design and data portability, as well as the new standard for consent.

### **Q: What is the new standard for consent?**

**A:** Under the GDPR, there will be a stronger focus on obtaining consumer consent in a transparent and unambiguous manner e.g. not ‘hidden’ in terms and conditions or assumed through pre-ticked boxes. This may require a change in practice for some businesses that currently rely on “deemed” or assumed consent. It is worth bearing in mind that consent is not the only way of lawfully collecting consumer data. Legitimate interests may prove a useful alternative to consent. Carl Vermeulen shall be working closely with its clients and suppliers to ensure appropriate and necessary protections for consumers within the overall GDPR compliance framework.

Carl Vermeulen thanks you for reading this document (date of online placement: 12/12/22).