

NEW GUIDE FOR THE CITIZEN ABOUT THE NEW EUROPEAN REGULATION ON DATA PROTECTION

Last May, 25th 2017, the Spanish Data Protection Agency (AGPD) published a document named "Data Protection: Guide for the citizen" which gathers in a practical way the necessary keys so that the citizens know what rights they have, how to exercise them and to know which duties have to be followed by those who process personal data.

This Document was carried out as a response to the enquiry made by the citizens concerned about the latest changes that imply the New European Regulation of Data Protection.

The General Data Protection Regulation (RGPD), which will be implemented on May 25th, 2018, implies changes regarding to the current regulations. Therefore, the Citizen's Guide contains numerous references to the new regulations, including the main novelties regarding the exercise of rights, detailing what can be requested in each case.

The Guide reviews the traditional rights of access, rectification, cancellation and opposition (ARCO rights), how to exercise them and the legal deadlines in which the citizen must obtain a response, including also aspects related to the new right to portability, in what it consists and how to exercise the right to forget, or how to request the removal of photos and videos from the internet.

Additionally, the Guide contains examples of the data processing which most impact could have on citizens, such as happens with the called "defaulter list", describing the requirements that must be met in order to include a person's data in one of these files. In this sense, the improper inclusion in the defaulter list produces some negative effects for those affected, so it is imperative that the companies extreme their diligence before communicating inaccurate information. On the other hand, the document includes other specific areas in which data processing takes place, such as neighborhood communities, video surveillance or advertising.

Finally, the Spanish Data Protection Agency continues to work and develop initiatives, not only for the changes in the new European Regulation but also about Data Protection in a more generic area and adjusted to the needs of the citizens.