

# BREXIT: DATA PROTECTION CONSEQUENCES TO ADDRESS

**AS DISCUSSIONS ABOUT THE UK'S FUTURE RELATIONSHIP WITH THE EU ARE STILL ONGOING, IT IS IMPORTANT THAT COMPANIES PREPARE FOR ANY SCENARIO, ESPECIALLY REGARDING DATA FLOWS BETWEEN THE TWO ECONOMIC BLOCKS.**

It now becomes increasingly likely that the UK will be considered as a 'third country' for data protection purposes in the EU. There are several reasons for this, the main one being that for personal data to flow freely from the EU to the UK, the UK needs to be granted an 'adequacy decision' by the EU. The absence of progress of the discussions, in addition to the recent Schrems II case, have made such an outcome unlikely by the end of 2020.

However, there are some preparatory steps you can take to anticipate the situation and prevent a rupture in your data flows and secure your data protection compliance.

The Data Protection team at Gemserv are experts in supporting businesses from various industries to prepare for the 1st January 2021 and beyond.

## KEY BENEFITS

- Identify, prioritise and focus on near-to-medium term data protection challenges, which are the direct consequence of Brexit
- Ensure the continuity of your data flows between the EU and the UK and prevent any interruption in business
- Consolidate and sustain your data protection compliance both in the UK and EU
- Preserve your capacity of doing business outside of the UK

## DELIVERABLES

Gemserv is able to assist your business in a number of ways, including:

- Mapping and reviewing of your data flows between the UK and the EU and identification of the different roles of each party involved, sender and recipient (controller and processor)
- Identification of the best option for your One-Stop shop Data Protection Authority and review of current Data Protection Officer (DPO) arrangements
- Assess whether a representative in the EU or UK is required.
- Safeguard personal data transfers to and from the UK through appropriate mechanisms, such as Standard Contractual Clauses, not only with the EU but with other destinations (U.S., EU adequate countries etc.)



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