**GDPR Implementation**

**State of play in the Member States – on 18 September 2017**

**Information publicly available**

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| **AT** | * The law covering both, the GDPR and the Police Directive, has been adopted by Parliament and will enter into Force on 25.5.2018. The text can be found under the following link: <http://www.ris.bka.gv.at/Dokumente/BgblAuth/BGBLA_2017_I_120/BGBLA_2017_I_120.pdf>.
* Work on sector specific laws is still ongoing.
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| **BE** | * Draft law main focus will be on the powers of the DPA (changes to the powers and the structure in comparison to present situation) sent and adopted in first reading ; pending advice of Conseil d'Etat and second reading in Government. Then will be submitted to Parliament by the summer
* Draft law for implementing GDPR and transposing Police Directive in drafting; submitted to Government after the summer
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| **CZ** | * Plan to adapt to GDPR and to implement Police directive and PNR Directive in two related pieces of legislation, the draft laws were submitted to inter-ministerial consultation in August with closure date 15/09 (draft will be submitted to Cabinet in the first part of October and to Parliament later following the elections):
	+ a new Act on Data Processing, which will contain general adaptation rules, general implementation rules and position of DPA, and
	+ several amendments to existing laws on police, other law enforcement authorities, courts and public prosecutors, which will address to the extent appropriate in each case the specific rules on DPOs, on lawfulness, purposes, third country transfers, and in the case of Police and Customs, also on PNR.
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| **CY** | * Working Group with Ministry and DPA to prepare general legislation (2 laws one on GDPR one on Police Directive)
* Objective is to have public consultation and subsequently the draft to be sent to Parliament before end of this year
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| **DE** | * The new Federal Data Protection Act (covering both GDPR and Police Directive and some amendments to the laws of the federal intelligence agencies) was adopted in the two chambers in May 2017 and published in the official journal on June 30. The Act will with one exception enter into force on 25 May 2018. The exception is an amendment to the current Federal Data Protection Act. This amendment enables the supervisory authorities in DE to lodge an application for a decision of the Federal Administrative Court if it believes that a decision by the European Commission violates the law.
* The government is working hard on roughly 200 amendments to sector specific legislation. A first (smaller) part of amendments to some federal legal acts in the tax and social security area was adopted in July 2017 and published in the official journal on July 17; it will enter into force on 25 May 2018. The objective is to finalize the adaption of the remaining parts of the federal legislation until May 2018.
* The 16 Bundesländer are currently working on the adaption of their general data protection acts and their sector specific legislation.
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| **DK** | * Report on the national law and the GDPR was published in May
* Draft law went through public hearing process, which has just been finalized beginning of September
* Draft law expected to be submitted to Parliament by end of October 2017
* Expected end of the legislative process – December 2017
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| **EE** | * Draft law to be submitted to Government in late autumn
* Draft law to be submitted to Parliament by beginning of December
* Still mapping the specific laws whose number is increasing. Objective is to submit their amendments as a package with the general law to Parliament
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| **FR** | * Working group composed by relevant parts of the Ministry, law professors and CNIL – 7 meetings took place. Working group has completed its work.
* Consultations with several concerned Ministries (research, archives, home affairs, etc.) is over.
* Proposal to new Justice Minister for policy choices on situations such as Art 8, 89 took place in September.
* Draft will be submitted for opinions of CNIL, Conseil d'Etat etc.
* Draft law submitted to Parliament by end of the year for adoption beginning 2018.
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| **FI** | * Intergovernmental working group prepared a Memorandum with changes to national law on DP (changes to the present DPA structure) to be given to the Ministry in the week of 19 June
* The draft law went through a public consultation, which ended on 15 September. They received about 100 contributions.
* Draft law submitted to Parliament in late autumn (week 48)
* The process for assessing sector specific legislations is ongoing (the intergovernmental working group will look also into these laws).
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| **HU** | * Work on draft law for reviewing the provisions on the procedures conducted by the DPA and introducing other changes required by the GDPR
* Consultations with stakeholders were carried out (closed).
* Draft law amending the currently applicable horizontal data protection law is planned to be submitted to the Parliament in October and to be adopted by end of the year.
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| **HR** | * A intergovernmental group (ministries, DPA, academics) set up to examine necessary changes
* Law to be passed in November 2017
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| **IE** | * The General Scheme of the Data Protection Bill 2017 was published in May. The draft Bill:

 · gives further effect to the GDPR; · transposes the Directive into national law; and · replaces the Data Protection Commissioner with a Data Protection Commission with the possibility of up to three Commissioners depending on future workload and gives the Commission the necessary means to supervise and enforce application of the new data protection rules in an efficient manner.* The General Scheme is currently undergoing pre-legislative scrutiny by the relevant Parliamentary Committee and the Bill is being drafted by the Office of Parliamentary Counsel. The draft bill is to be submitted to Parliament by November.
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| **LT** | * Separate draft laws on GDPR and Police Directive
* Public consultation –June
* Draft law submitted to Government at the end of October.
* Draft law submitted to Parliament in December
* The Ministry of Justice together with the Office of the Government is organising public consultations on 19 September with stakeholders on certain issues related to ongoing personal data protection reform and Draft Law of the Republic of Lithuania on Legal Protection of Personal Data such as the age limit for child’s consent in relation to information society services (Art 8 of GDPR), ID number and rules on employment.
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| **LU** | * Draft general law with different parts:
* 1st: DPA rules (keep structure; give more resources)
* 2nd: specifications of the GDPR (e.g. rules for Art 89)
* Draft law was submitted to Parliament early September 2017
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| **LV** | * Draft law focusing on the DPA rules to be submitted to Government in autumn
* Consultation of NGOs
* Draft law submitted to Parliament in November 2017
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| **MT** | * Interministerial Cte established for implementation GDPR and Police Directive has reviewed the GDPR for end of July and has a draft law.
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| **NL** | * Draft general law for implementing GDPR
* Draft law was submitted to public consultation (closed)
* Draft law for consultation to DPA (closed)
* Council Ministers adopted the draft law; the draft was sent to the Council of State for advice
* Draft law to be submitted to Parliament in November
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| **PL** | * Draft law on DPA rules and other aspects in the making; more than 130 specific legal acts to be amended
* Draft law was published on 14 September
* Public consultation until mid-October and pre-legislative consultation
* Draft law to Parliament in late autumn
* Adoption expected for beginning of 2018
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| **RO** | * Task force Ministers and DPA to implementing GDPR and Police Directive
* An interministerial memorandum adopted regarding the calendar
* 3 draft laws: DPA; implementing GDPR; transposing Police Directive.
* Public consultation till August.
* Draft law submitted to Government end August
* Draft law submitted to Parliament – mid September
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| **SE** | * First report of the working groups published; others to come
* Public consultation
* Draft law submitted to Parliament beginning 2018
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| **SK** | * Draft of new law on data protection is in legislative procedure
* It will repeal existing law on data protection
* It covers both GDPR and Police Directive, in particular specifications/options to the GDPR, rules on supervisory authority and its procedures, amendments of other pieces of legislation, but also issues not falling within the scope of GDPR
* It is planned to be submitted to the Parliament end of September 2017
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| **UK** | * Issued a "call for views" on the GDPR specifications (10/04-10/05)
* The UK's Data Protection Bill and explanatory notes was introduced in Parliament on 13/09 and published on 14/09: <https://www.gov.uk/government/collections/data-protection-bill-2017>
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| **NO** | * GDPR not yet incorporated into the EEA agreement
* Work on draft law
* Draft law submitted to public consultation ending 16 October
* Draft law submitted to Parliament in early 2018
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