SHOULD YOUR COMPANY APPOINT A DATA PROTECTION OFFICER (DPO) UNDER THE GDPR?

IS YOUR COMPANY SUBJECT TO THE GDPR?

NO

DPO not required (1)

Do your core activities consist of processing which requires regular and systematic monitoring of individuals on a large scale?

Yes

Appoint a DPO

No

DPO not required by the GDPR (1)

YES

Do your core activities consist of processing which is about special categories of data (3) on a large scale or about criminal convictions and offences?

Yes

Appoint a DPO

No

DPO not required by the GDPR (1)

NOT SURE

Are you processing personal data? (2)

Yes

Is your company based in the EU? (4)

Yes

Company subject to the GDPR, follow orange box!

No

The processing relates either to the offering of goods/services to the data subjects in the EU or to the monitoring of their behaviour taking place in the EU?

Yes

Company subject to the GDPR, follow orange box!

No

The processing relates neither to the offering of goods/services to the data subjects in the EU nor to the monitoring of their behaviour taking place in the EU?

Yes

Company subject to the GDPR, follow green box!

No

Company not subject to the GDPR, follow green box!

No

Company not subject to the GDPR, follow green box!

(1) EU Member States may have or introduce other laws which require appointment of DPOs. Businesses can also choose to voluntarily appoint DPOs even if they are not legally obliged to do so. (2) For a definition of personal data, consult Article 4(1) of the GDPR. (3) For a definition of special categories of personal data, consult Article 9(1) of the GDPR. (4) See here list of EU Member States.

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