



IT'S THEIR
RESPONSIBILITY
FIRST.

Privacy in IoT

The unique opportunity to learn and discuss where the Internet of Things meets GDPR, and where Hyperconnectivity meets Privacy & Security. Who wouldn't be totally confused!? In our Open Webinars, Arthur's Legal will address the Pains & Gains of the GDPR, X By Design & Resilience.



Arthur
van der Wees



Dimitra
Stefanatou



Janneke
Breeuwsma

Arthur's Legal organizes seven (7) webinars on Privacy in IoT with the focus on GDPR, supported by AIOTI and Create-IoT

Go to arthurslegal.com/iot/ for more information and subscription for the webinars.



Privacy in IoT

Open Webinars by Arthur's Legal, supported by:
AIOTI WG3 Privacy-in-IoT Taskforce, and
H2020 CSA CREATE-IoT & LSPs AG Trust in IoT
Mrs. Janneke Breeuwsma LL.M

Arthur's Legal, the global tech-by-design law firm & strategic knowledge partner

Expert Advisor to the European Commission (Cloud, IoT, Data Value Chain, Cybersecurity, Privacy & Accountability)

Project Leader H2020 IoT LSPs & CSAs Activity Group on Trust, Security, Privacy, Accountability & Liability

Founding Member, EC's Alliance for IoT Innovation (AIOTI)

Task Force Leader AIOTI Security in IoT & Privacy in IoT



Privacy in IoT Open Webinar Series

Webinar 1: GDPR: Processing, Protection, Security & Strategies

Webinar 2: X-by-Design: Upstream & Downstream Resilience

Webinar 3: State of the Art Privacy Principles & Requirements

Webinar 4: Consent Management & Engagement in IoT

**Webinar 5: Compliance, Accountability, Assurance & Penalties
Right Now!**

**Webinar 6: IoT Ecosystems, Pre-Procurement & Collaboration
Wednesday 16 May 2018, 10.00 - 11.00 CET**

**Webinar 7: Data Subject Rights & Data Management in IoT
Wednesday 23 May 2018, 10.00 - 11.00 CET**



Please subscribe to the Privacy in IoT Mailing List at: www.arthurslegal.com/IoT, in which we will keep you up to date with dates, login details and the latest news on the GDPR, Privacy in IoT and related topics.



Privacy in IoT

Webinar Nr. 5

Compliance, Accountability, Assurance & Penalties



All Markets Are Dynamic

From 2018, Digital & Data become Highly Regulated Domains

PSD2: 13 January 2018

NIS: 9 May 2018

Identifying operators of 'Essential Services'
9 November 2018

GDPR: 25 May 2018

Trade Secrets Directive 9 June 2018

e-Privacy Regulation (draft)

Free Flow of Data Regulation (draft)

Cyber Security Act & Certification Scheme (draft)

Public Services Information Directive (revision)

1 January 2018

16 Days

to Effective Date GDPR

25 May 2018



Accountability

Queries that GDPR Addresses:

Who is accountable for Privacy?

Who is accountable for Security?

Who is accountable for IoT?



Balancing Out Allocation of Risk & Liability

#Accountability

Is compliance as we know it dead?

Yes. It is not a static, binary world anymore



Technical and Organisational Measures

Article 25 sub 1 GDPR

“The controller shall implement appropriate technical and organisational measures for ensuring that, by default, only personal data which are necessary for each specific purpose of the processing are processed. That obligation applies to the amount of personal data collected, the extent of their processing, the period of their storage and their accessibility.”

- State of the art
- Cost of implementation
- Nature of PII
- Scope, context and purposes of processing
- The risks
- Rights and freedoms of natural persons

Sanctions in case of non-compliance

Failure to meet the above requirements exposes the organisation to an administrative fine of up to €10,000,000 or in case of an undertaking, up to 2% of the total worldwide annual turnover of the preceding financial year, whichever is higher.

Fines and Penalties

A. High threshold 20 million or 4% of the company's net annual turnover

B. Lower threshold 10 million or 2 % of the company's net annual turnover

#DPIA

Excellent to Start with: Impact Assessments

State of the Art DPIAs & State of Play DPIAs

1. **Data Classification**
2. **Actors & Stakeholders**
3. **Technical Stack**
4. **Legal Grounds**
5. **Legitimate Purposes**
6. **Data Life Cycle**
7. **Personal Data Flows**

Sanctions in case of non-compliance

- i. Failure to carry out a DPIA when the processing is subject to a DPIA,
- ii. carrying out a DPIA in an incorrect way, or
- iii. failing to consult the supervisory authority where required,

can each result in an administrative fine of up to EUR 10.000.000, or in case of an undertaking up to 2% of the total worldwide annual turnover of the preceding financial year.

State of the Art Security

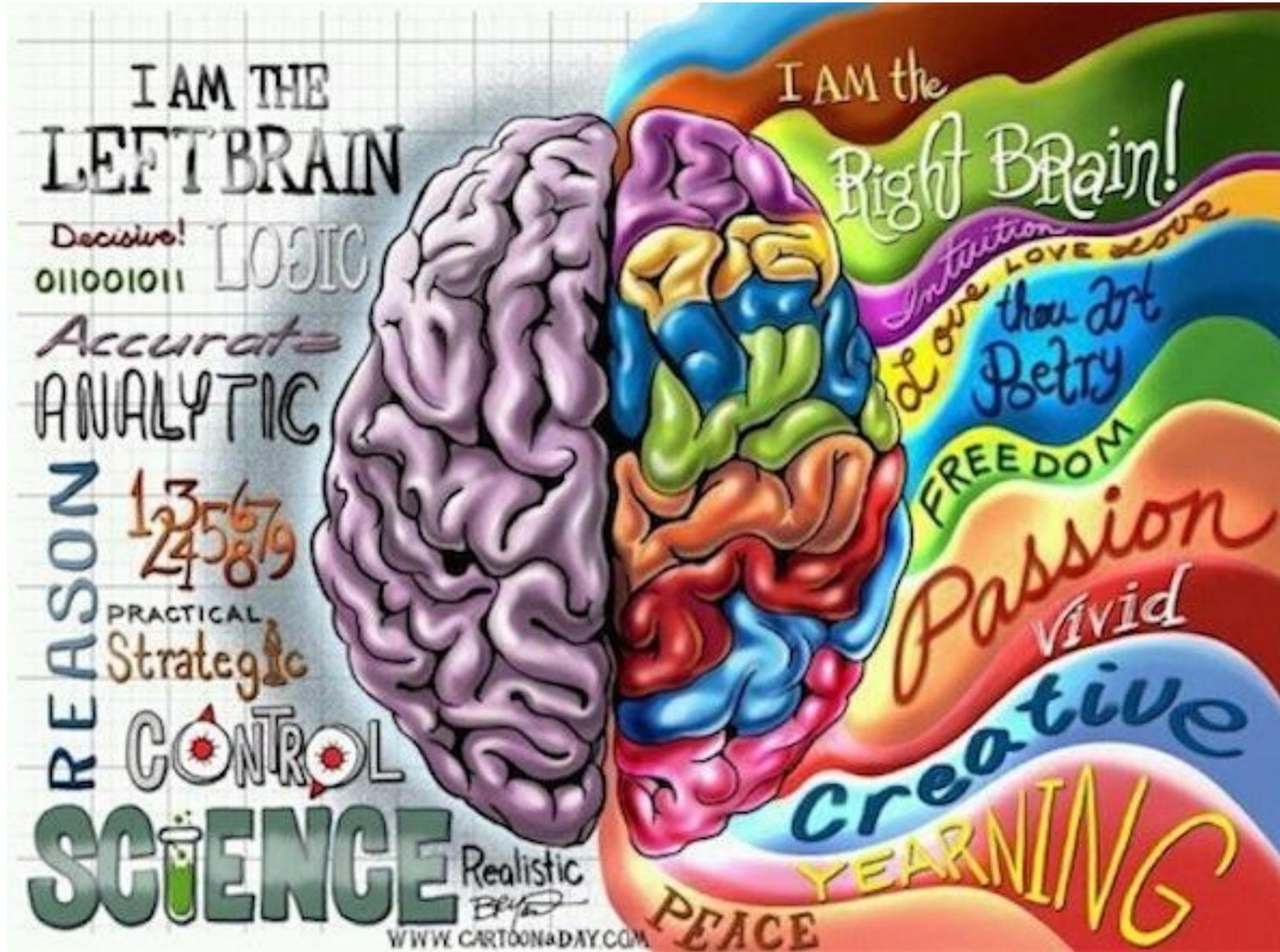
The GDPR offers an equation for finding the appropriate level of protection, per purpose, per impact assessment, and per economic feasibility. See the Articles 25 & 32 GDPR.

We call this the **Appropriate Dynamic Accountability (ADA) Formula**:

State of the Art Security – Costs – Purposes + Impact

Although the current information security standards aim for ‘**achieving continual improvement**’, the GDPR aims to ensure up-to-date levels of protection by requiring the levels of data protection and security to continuously meet the ADA formula.

Man & Technology Symbiosis: Hyperconnectivity!



Q&A:
Anything
Goes!

breeuwsma@arthurslegal.com

Arthurslegal.com
[@Arthurslegal](https://www.instagram.com/Arthurslegal)

Arthur's Strategic Services & Systems } Global Tech & Strategies by Design. Est. 2001

Arthur's Legal: Arthur's Legal a global tech and strategic x-by-design law firm. Arthur's Legal is founded in 2001 and since its incorporation provides integrated full services, and mainly focuses on local and global private and public organizations that are active as customer, user, vendor, integrator, consultant, legislator or policy maker in the fields of IT, licensing, cloud computing, internet of things, data analytics, cybersecurity, robotics, distributed ledger (block chain) technology and artificial intelligence. Arthur's Legal is also a leading deal making expert; it has already structured and negotiated out more than 5.000 major technology and related deals with and for global Fortune companies as well as other major organizations in the public and private sector worldwide.

Arthur's Global Digital Strategies: The counsels of Arthur's Legal are legal experts, strategists, technologists, standardization specialists and frequent speakers worldwide, with in-depth experience and are well-connected in the world of technology, combinatoric innovation, data, digital, cybersecurity, (personal) data protection, standardization, risk management & global business. On these topics, its managing director Arthur van der Wees LLM is expert advisor to the European Commission, Dutch government as well as other public and private sector organizations and institutes worldwide.

Trust, Digital Data, Cybersecurity, Algorithms, AI, Robotics & Internet of Things: Arthur's Legal is Founding Member of European Commission's (EC) Alliance of IoT Innovation (AIOTI), Co-Chair of AIOTI WG4 (Policy), Project Leader of both the AIOTI Security in IoT and Privacy in IoT taskforces, co-author of EC's Cloud SLA Standardisation Guidelines, co-author of Cloud Security Alliance's Privacy Level Agreement (PLA) 2.0, co-contributor to ISO standards such as ISO/IEC 19086 (Cloud Computing), co-author of the IERC Handbooks 2016 (Strategic & Legal Challenges in IoT) and 2017 (Security & Privacy in IoT), member of ESCO and co-author of the Dutch National Smart Cities Strategy. Arthur's Legal is co-founder of CloudQuadrants on the maturity of cloud offerings, the Cyberchess Institute that landscapes the real-life cybersecurity arena, the Cyber Trust Institute that sets trust trajectories and orbital requirements and parameters for technology-as-a-service, the Institute for Next Generation Compliance that promotes the restructuring and automation of compliance and related procurement, and the Institute for Data and Evidence Based Trust that aims to build and enhance trust and data protection in open, decentralized digital, cyber-physical and virtual ecosystems. Furthermore, Arthur's Legal is EC H2020 project IoT CREATE consortium partner and activity group leader on trust, security, safety, privacy, legal and compliance topics in IoT in five EU large scale pilots on smart healthcare, smart cities, wearables, smart farming, food safety and autonomous vehicles with EUR 250M of accrued EC and other funding. Together with IDC Arthur's Legal is also doing research and policy making for the Commission on data portability & application portability. One can build it's own AI with Zapplied.

Connected & Hyper-connected: Arthur's Legal has an unique interdisciplinary 3D-angle & x-by-design approach, connecting vital topics such as usability, security, data management, (personal) data protection, compliance with technology, infrastructure, architecture and global standardization thereof, with the capability and ability to connect those components in hyper-connected ecosystems much earlier (read: pro-active, preventative) than the traditional policy-making, legal and compliance practice does. For upcoming events, key notes and other activities, please check out website, stay up to date via its social media channels, or contact us.



www.arthurslegal.com | vanderwees@arthurslegal.com





Trustworthy Internet of Everything & Everybody for the Wellbeing of People and Planet

Legal Notices

All rights reserved, Arthur's Legal. The content of this document is provided 'as-is' and for general information purposes only; it does not constitute strategic, legal or any other professional advice. The content or parts thereof may not be complete, accurate or up to date. Notwithstanding anything contained in this document, Arthur's Legal disclaims responsibility (including where Arthur's Legal or any of its officers, employees or contractors have been negligent) for any direct or indirect loss, damage, claim, or liability any person, company, organisation or other entity or body may incur as a result, this to the maximum extent permitted by law.