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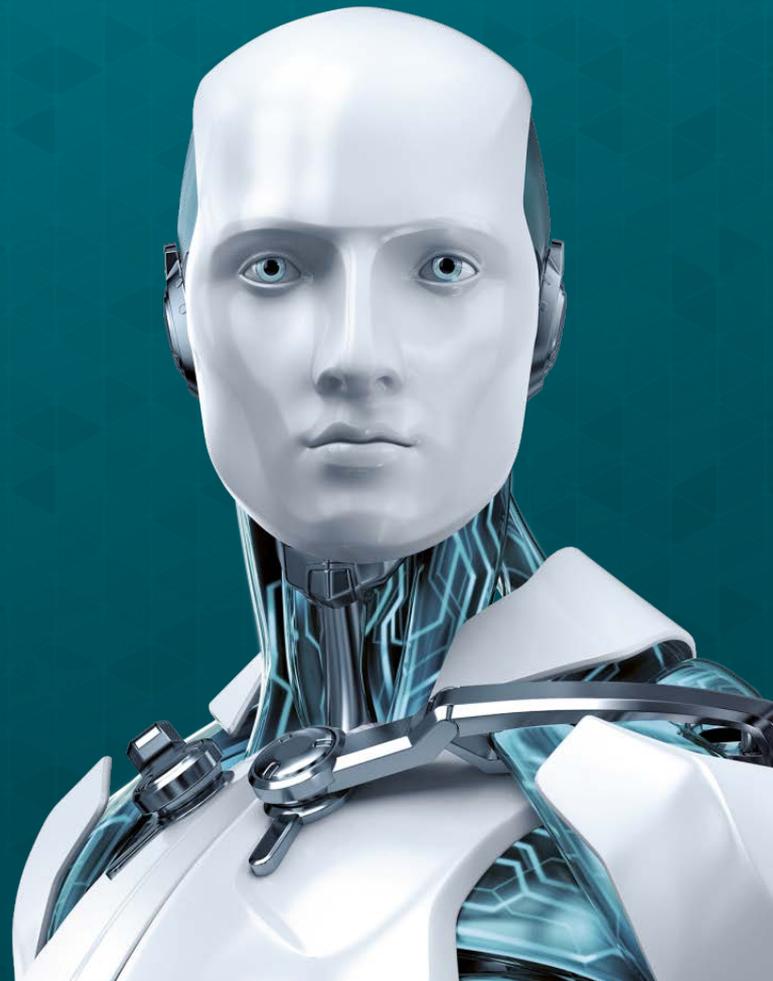


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# IS GDPR GOOD OR BAD NEWS?

**Urban Schrott**

IT Security & Cybercrime Analyst, ESET Ireland



## More than half of Irish Companies have suffered a data breach within the past year

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According to the results of our National Data Protection Survey - more than half of Irish companies say that they have suffered a data breach in the last 12 months.

The results also show that data breaches, hacking attacks and employee negligence have all risen in the last year in Irish organisations.

External attacks have also increased, with almost one in five



Monday 3 July 2017

 Business Newsletter

## Tsunami of data breaches strikes Irish companies as half report incidents

Irish companies still suffer data breaches in huge numbers, according to industry figures - and much of it is being put down to 'negligent' employees



*'Negligent employees' are responsible for a large amount of security breaches.*



Adrian Weckler  

January 21 2016 2:30 AM



Over half of Irish companies have suffered at least one data breach in the last 12 months, new industry figures show.

A total of 55pc of Irish organisations say that they have seen company data stolen, hacked or otherwise compromised over the last year, largely due to "negligent employees".

## Irish hospital fended off 5,000 cyber-attacks, says HSE

Only only healthcare organisation impacted by WannaCry in Ireland

© Wed, May 17, 2017, 20:15 | Updated: Wed, May 17, 2017, 20:37

Peter Murtagh



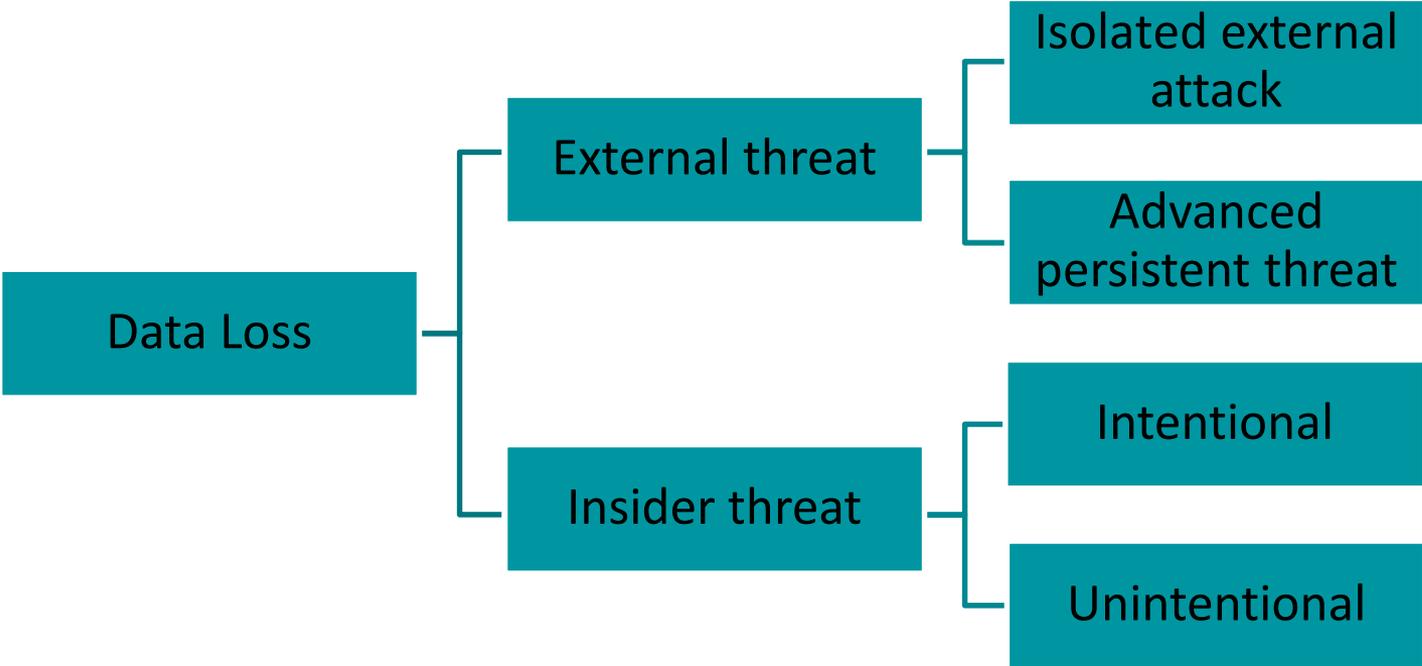
Photograph: Dominic Lipinski/PA Wire



# Data loss Ireland

- Bord Gais laptop loss with info of 75,000 customers
- Phoenix Ireland loss of personal details of about 62,000 customers
- Bank of Ireland's missing USB key with about 900 customer account numbers, names and addresses
- Ireland Department of Social and Family Affairs stolen laptop with personal information of 380,000

# Types of data loss





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# Internal threats

# Data loss statistics



*Source: [PrivacyRights.org/Data-Breach](https://www.privacyrights.org/Data-Breach)*

# Data loss statistics

Of those over **3.500 (68 %)**

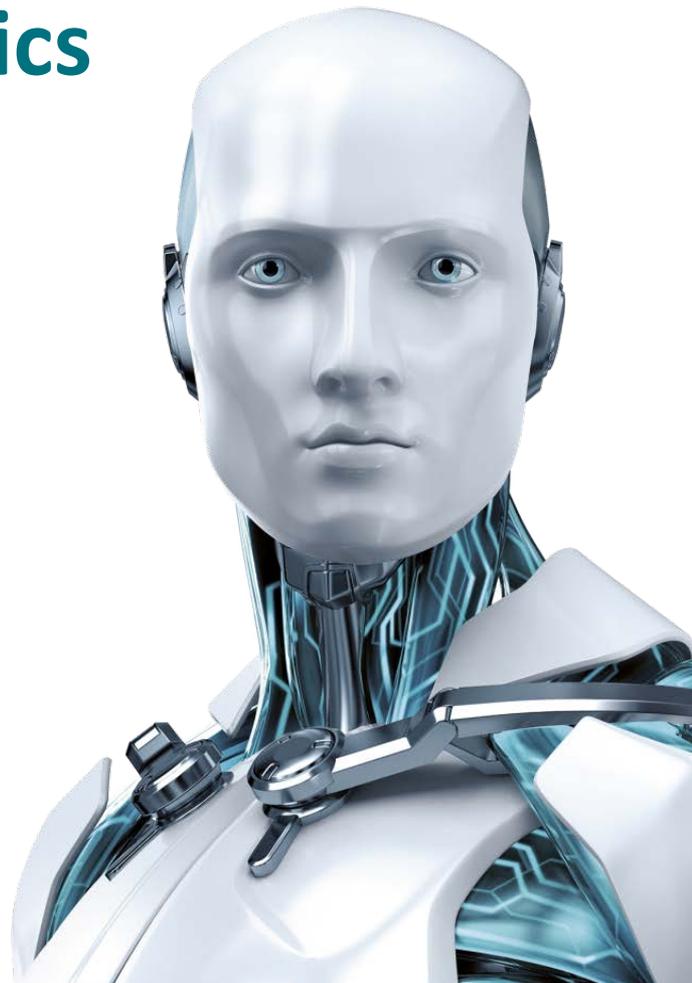


Source: [PrivacyRights.org/Data-Breach](https://www.privacyrights.org/Data-Breach)

# Data loss statistics

- 59% of corporate workers surveyed stated they would have no qualms leaving with sensitive company data upon layoff or departure
- 79% of these respondents admitted their company did not permit them to leave with company data and approximately
- 68% were planning to use email lists, customer contact lists and employee records for their own business

*from Ponemon Institute study*





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# Intro to GDPR

What, when, where, who and more

# What?

## ***General Data Protection Regulation or GDPR***

*A new single data protection law concerning all businesses processing personal data of Europeans.*

# When?

*Entering into force on **May-25 2018***

Where?



# Who?

- **Basically anyone that handles any sort of ‘personally identifiable data’.**
- **Name, phone number and address are considered ‘personally identifiable data’**

# Current Fines

Up to **n\*100.000 €**  
(depending on the member state)

# Fines under GDPR

**Up to € 10 million or 2% of annual turnover**

in the preceding financial year for violations of internal record keeping, data processor contracts, data security and breach notification, data protection officers, and data protection by design and default

**Up to € 20 million or 4% of annual turnover**

in the preceding financial year for violations relating to breaches of the data protection principles, conditions for consent, customers' or employees' rights and international data transfers

# Increased powers for NDPAs

National Data Protection Authorities will be able to:

- Impose fines
- Carry out audits
- Require businesses to provide information
- Obtain access to company premises



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# New requirements

# Consent, consent, consent...

**Before May 2018:**

**Ordinary consent** was necessary for non-sensitive personal data and **explicit consent** for sensitive personal data.

# It's all about the consent...



\*I consent to processing  
of my personal data

# It's all about the consent...



# It's all about the consent...



\*I consent to processing  
of my personal data

# It's all about the consent...

I consent to processing purpose #1

I consent to processing purpose #2

I consent to processing purpose #3

I consent to processing purpose #4

I consent to processing purpose #5

# It's all about the consent...



I consent to processing purpose #1



I consent to processing purpose #2



I consent to processing purpose #3



I consent to processing purpose #4



I consent to processing purpose #5

# It's all about the consent...

- Burden of proof lies on businesses
- Data subjects must be able to **withdraw consent** at any time – **easily!**
- Business **cannot require consent in exchange for their service**

# Privacy by design and default

Appropriate measures:

- Minimization of data processing
- **Encrypting** or pseudonymising data
- Transparency, enabling data subjects to monitor handling of their data



# Privacy impact assessment (PIA)

Necessary:

- **Prior to any data processing**
- For any systematic and extensive evaluation by **automated processing with legal effects concerning data subjects** – such as profiling

## Data processors too...

- Required to be **GDPR compliant**
- Keep **records of categories** of activities they carry out on behalf of data controllers
- **Subject to fines** under GDPR
- Review of contracts with data controllers might be needed

# Data Breach Notifications

- All data breaches must be reported without undue delay
- Within maximum of 72 hours
- If not possible -> reasoned justification needed

# Data Breach Notifications

Businesses need to:

- Create a data breach response plan
- Designate specific roles and responsibilities within the company
- Train employees
- Prepare notification templates

# Encryption

- If personal data is **unintelligible**, data subjects **don't need to be notified** about a breach
- **Encryption** is named by GDPR as appropriate mean to achieve this goal
- Powerful, widely available, relatively low costs
- Embraced even by national authorities



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# New rights for individuals

What's new for end-users and employees

# Right to be forgotten

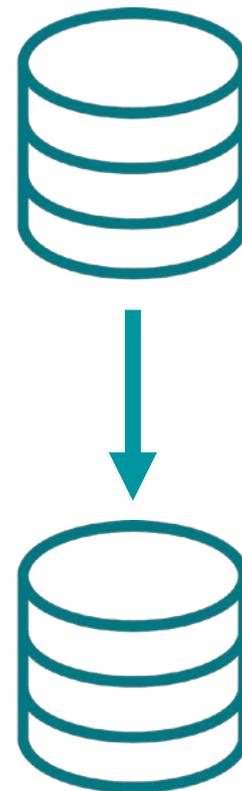
- If data **no longer necessary** or data subject **withdraws consent**

# Right to object to profiling

- Right to object to personal data being processed

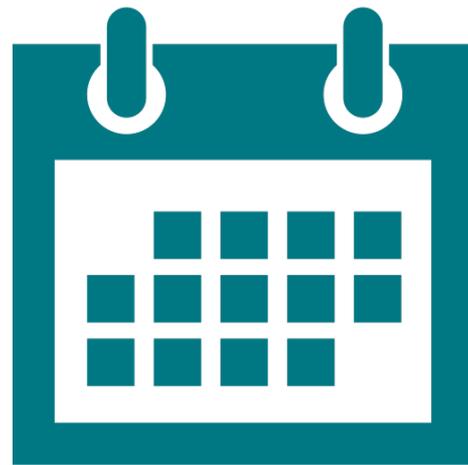
# Right to data portability

- Right to obtain a copy of personal data from controlling company



# Data subject access request

*Business must reply within **one month** from the date of receipt of the request and provide more information than was required by the regulations previous to GDPR.*





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# Solutions

# How can an organization protect its data?

1. Use data classification
2. Implement a data loss prevention solution
3. Data encryption
4. Define data responsibility in contracts

# How can an organization protect its data?

5. Introduce internal policies and directives
6. Organise regular awareness trainings
7. Motivate and appreciate employees
8. Do detailed background checks of jobseekers

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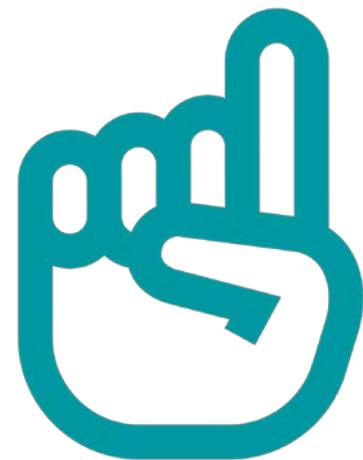
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# IS GDPR GOOD OR BAD NEWS?

Pros and cons of the new regulation

# The Good News

- One common set of rules
- Less national variations
- One-stop shop – single National Data Protection Authority



# The “Bad” News

- Need for new technical and organizational measures
- More responsibility on the shoulders of organizations
- Possible need to redesign systems and renegotiate contracts
- Higher fines = more risk





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# How can ESET help?

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**ESET's (est. 1987) antimalware now protects over 100 million users worldwide.**

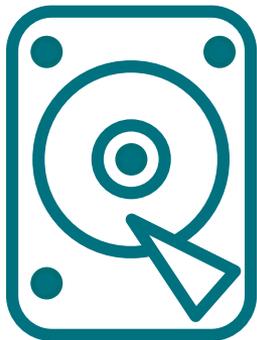
- Endpoints
- Servers
- Networks
- Mobile devices
- Email
- Services

# How can ESET help?



# How can ESET help?

## DESLock Data Encryption by ESET



# How can ESET help?

## DESLock Data Encryption by ESET



**128-bit AES**



**7 billion**



**1 billion/s**



**1,5 trillion years**

# How can ESET help?

**[encryption.eset.com/ie](https://encryption.eset.com/ie)**

**Check your GDPR compliance on ESET's website**



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# Thank You!