

GDPR IMPLEMENTATION IN NATIONAL LAND SURVEY OF FINLAND

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Nordic IT and Development Working Group
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GDPR PROJECTS IN NLS 2016/2018

- A preparatory project 22.10.2016-31.1.2017
- An implementation project 25.4.2017-30.9.2018
 - The tasks of the implementation project were in brief the following:
 - Personal Data Inventory
 - Agreement Inventory
 - Data Protection Responsibilities
 - Management Reporting – Data Balance Sheet
 - Instruction of Personnel
 - Communication and Documentation

GDPR PROJECTS IN NLS 2017/2018

- System Projects and Application Development
- Observation of Data Protection in Procurements
- Risk Management Development
- Log Collection regarding Personal Data
- Data Protection Descriptions and Validity of Disclosure of Personal Data
- Legislation Inventory and Needs of Change Analysis regarding National Acts on Personal Data

The Finnish Data Protection Act (1050/2018) entered into force on 1.1.2019

DISCUSSION ON POSSIBLE FUTURE COOPERATION ON GDPR ISSUES

- According to the minutes of the Meeting of the Directors General GDPR poses common challenges in the Nordic countries in relation to geospatial data and their classification.
- The NIC group has been asked to come up with a proposal of a way to move forward for exchanging knowledge and challenges in respect of GDPR in the Nordic countries.
- The proposal shall be considered at the Meeting of the Directors General on 3.4.2019.
 - Which are the issues for cooperation?
 - What is the expected outcome and timeline
 - What is the estimate on resources needed?

EXAMPLES OF ISSUES FOR COOPERATION ON GDPR

- Finnish Professor Päivi Korpisaari (Professor in Communication Law at University of Helsinki) has made a report "Personal Data and Geographic Data – How the Data Protection Legislation Affects Publishing and Disclosure of Geographic Data" for the Finnish Ministry of the Environment.
 - The report was published on 21 February 2018 (Reports of the Ministry of the Environment 10/2018, 106 pages, available at <http://julkaisut.valtioneuvosto.fi/handle/10024/160578>).
- The report studies the relationship of personal data and data protection to geographic data. Geographic data is data combined to a specific location. A reference to geographic data can be direct, such as coordinates, or indirect, such as an address, identifier, or a name referring to a location or area.

EXAMPLES OF ISSUES FOR COOPERATION ON GDPR

- Geographic data may include personal data, in which a set of geographic data may form a filing system. The processing of such data (e.g. storing, using or disclosing) is limited by the legislation concerning personal data.
- *Is there a joint view on what geographic data is considered personal data in the Nordic Countries?*
- *What is the legal basis for processing geographic data considered as personal data?*
Processing is necessary for compliance with a legal obligation to which the controller is subject or processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller (GDPR Article 6 paragraph 1 points (c) and (e))?

EXAMPLES OF ISSUES FOR COOPERATION ON GDPR

- More extensive utilisation of geographic information would be possible if a separate regulation was enacted on processing and disclosing geographic information. The new regulation should authorise the processing of geographic information containing personal information, and if certain requirements were met, the increasingly extensive disclosing of such information. In the preparation of the regulation, a possibility for a more extensive authorisation for disclosing indirect personal information, compared to the disclosure of direct personal information, could perhaps be considered.
- *Is there a need for such regulation in the Nordic Countries? Should the regulation be on a national level or on EU level, and if on a national level, should the national regulations be harmonized? What information should be considered as open information and what is the impact of the principle of publicity in the different Nordic Countries on the issue?*

SHOWING THE WAY

