

# **Nordic IT Group Meeting in Helsinki January 2019**

# **Status Report from The Danish Mapping Authority**

# GDPR-related roles and responsibilities that come into play



The Danish Register of Underground Cable Owners (LER)



The Danish Elevation Model



Denmark's Administrative Boundaries (DAGI)



Denmark's Address Registry



Danish Place Names



Photos and GeoDanmark-data



Geodata-info



# Which type of data does The Danish Mapping Authority consider personal?

- An address if it can be linked to an individual
- Cadastral parcels owned by an individual
- Agriculture land parcels taken in isolation if they can be linked to the owner
- Aerial imagery identifying cadastral parcels owned by individuals (the question is whether the satellite images contain information about an identified or identifiable natural person or not)

# Issues related to article 5

## Principles relating to processing of personal data

**Clarification by data protection authorities and the jurisprudence is needed in order to meet the acceptable level of compliance with following principles**

- ~~lawfulness, fairness and transparency~~ (often not an issue when using the legal basis “necessary for compliance with a legal obligation” or “in the exercise of official authority/public interest”)
- **purpose limitation** (applicable examples of specified, explicit and legitimate purpose are lacking)
- **data minimization** (e.g. can the chosen resolution of aerial imagery be challenged?)
- ~~accuracy (technical and organizational measures to ensure deletion and data quality)~~
- **storage limitation** (when keeping Open Data up to date, are we obliged to delete old versions?)
- **integrity** and ~~confidentiality~~ (sometimes a fluffy criteria to work with in practice)
- **accountability** (how much documentation are needed? What does it take to fully demonstrate our compliance?)

# Issues related to CHAPTER III

## Rights of the data subject

**Clarification by data protection authorities and the jurisprudence is needed in order to fully understand the scope of the rights of the data subject in relation to specific processes**

- the right to be informed
- the right of access
- the right to rectification
- the right to erasure
- the right to restrict processing
- ~~• the right to data portability~~
- the right to object to processing
- ~~• the rights in relation to automated decision making and profiling~~

# Issues related to CHAPTER IV

## General obligations and security of personal data

**Clarification by data protection authorities and the jurisprudence is needed in order to fully understand the scope of following obligations**

- **Responsibility of the controller** (Article 24)
  - How do we define appropriate measures? When is it a must to implement data protection policies? How often do we need to review and update the implemented measures?
- **Security of personal data** (Article 32-34)
  - When are the technical and organizational measures appropriate to ensure a level of security appropriate to the risk? E.g. Do we have to encrypt the data to provide integrity?
  - When is it safe to say that the breach is unlikely to result in a risk to the rights and freedoms of natural persons?
  - How can we define if the breach is likely to result in a high risk to the rights and freedoms of natural persons?

# It's only spatial data...

The **processing** of personal data should be **designed to serve mankind**.

The right to the protection of personal data is **not an absolute right**; it must be considered in relation to its function in society and be **balanced against other fundamental rights**, in accordance with the principle of **proportionality** (Recital 4).



This Regulation respects all fundamental rights (...) in particular the respect for **private and family life, home and communications**, the **protection of personal data**, freedom of thought, conscience and religion, **freedom of expression and information**, freedom to conduct a business, the right to an effective remedy and to a fair trial, and cultural, religious and linguistic diversity (Recital 4).

Natural persons should have **control of their own personal data** (Recital 7).