

Learn more about GDPR

What is GDPR?

EU's General Data Protection Regulation (GDPR) is a game changer in data protection and privacy laws. The EU has realized that while technology has evolved drastically in the last few decades, privacy laws have not. In 2016, EU regulatory bodies decided to update the current Data Protection Directive to suit the changing times. This law creates a comprehensive list of regulations that govern the processing of EU residents' (Data Subject) personal data.

Does the GDPR require EU personal data to stay in the EU?

No, the GDPR does not require EU personal data to stay in the EU, nor does it place any new restrictions on transfers of personal data outside the EU.

Who does it apply to?

GDPR applies to any organization that works with the personal data of EU residents. This law introduces new obligations for data processors (Media Services) while clearly stating the accountability of data controllers (Media Services Clients).

Where does the GDPR apply?

This law doesn't have territorial boundaries. It doesn't matter where your organization is from — if you process the personal data of subjects of the EU, you come under the jurisdiction of the law.

What is personal data or Personally Identifiable Information (PII)?

Any information relating to an identified or identifiable natural person. The identifiers are classified into two types: direct (e.g., name, email, phone number, etc.) and indirect (e.g., date of birth, gender, etc.).

What are the penalties for non-compliance?

A breach of the GDPR incurs a fine of up to 4% of annual global turnover or €20 million (whichever is greater).

Who are the key stakeholders?

- Data subject - A natural person residing in the EU who is the subject of the data.
- Data controller - Determines the purpose and means of processing the data.
- Data processor - Processes data on the instructions of the controller.
- Supervisory authorities - Public authorities who monitor the application of the regulation.

What are the key changes from the previous regulations?

- New & enhanced rights for data subjects - This law gives an individual the right to exercise complete authority over their personal data. Some of the rights highlighted in the regulation are:
 - Explicit consent: Data subjects must be informed about how their personal data will be processed. Organizations must make it as easy for data subjects to withdraw their consent as it is to grant it.
 - Right to access: At any point in time, the data subject can ask the controller what personal data is being stored or retained about him/her.
 - Right to be forgotten: The data subject can request the controller to remove their personal information from the controller's systems.
 - Data portability: The controller must be able to provide data subjects with a copy of their personal data in machine readable format. If possible, they must be able to transfer the data to another controller.
- Obligations of the processors - GDPR has raised the bar for the responsibilities and liabilities of data processors as well. Processors must be able to demonstrate compliance with the GDPR and they must follow the data controller's instructions.
- Data Protection Officer - Organizations may need to appoint a staff member or external service provider who is responsible for overseeing GDPR, general privacy management compliance and data protection practices.
- Privacy Impact Assessments (PIA) - Organizations must conduct privacy impact assessments of their large-scale data processing to minimize the risks and identify measures to mitigate them.

- Breach notification - Controllers must notify the stakeholders (the supervisory authority, and where applicable, the data subjects) within 72 hours of becoming aware of a breach.

Where is my data located?

Elan cloud customers data reside in the following US data centers;

- Primary Site: Los Angeles, CA
- Recovery Site: Reston, VA