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Art 83(4)
                                                                               non-compliance with Art 33 Notification of breach to SAuthority
                                                                       non-compliance with Art 34 Communication of breach to Data Subjects
                                       the obligations of the controller and the processor pursuant to Articles 8, 11, 25 to 39 and 42 and
                                      the obligations of the controller and the processor pursuant to Articles 8, 11, 25 to 39 and 42 and 43;
                                                                      the obligations of the certification body pursuant to Articles 42 and 43;
                                                                             the obligations of the monitoring body pursuant to Article 41(4).
                                            Section 1 General obligations
                                           Article 24 Responsibility of the controller
                                           Article 25 Data protection by design and by default
                                           Article 26 Joint controllers
                                           Article 27 Representatives of controllers or processors not established in the Union
                                           Article 28 Processor
                                           Article 29 Processing under the authority of the controller or processor
                                           Article 30 Records of processing activities
                                           Article 31 Cooperation with the supervisory authority
                                            Section 2 Security of personal data
                                            Article 32 Security of processing
                                                                                                                                   Art 25-39
                                            Article 33 Notification of a personal data breach to the supervisory authority
                                            Article 34 Communication of a personal data breach to the data subject
                                            Section 3 Data protection impact assessment and prior consultation
                                            Article 35 Data protection impact assessment
                                           Article 36 Prior consultation
                                            Section 4 Data protection officer
                                           Article 37 Designation of the data protection officer
                                           Article 38 Position of the data protection officer
                                           Article 39 Tasks of the data protection officer
                                                                        Section 5 Codes of conduct and certification
                                                                        Article 40 Codes of conduct
                                                                                                                                 Art 42 & 43:
                                                                        Article 41 Monitoring of approved codes of conduct
                                                                                                                                 Art 41(4)
                                                                        Article 42 Certification
                                                                        Article 43 Certification bodies
                                                                                                                                    Art 83(5)
                                       (e) non-compliance with an order or a temporary or definitive limitation on processing or the
                                      suspension of data flows by the supervisory authority pursuant to Article 58(2) or failure to provide
                                       access in violation of Article 58(1).
                                              Article 58 Powers (2) Each supervisory authority shall have all of the following corrective powers:
                                              (e) to order the controller to communicate a personal data breach to the data subject;
                                   Article 5 Principles relating to processing of personal data
                                   Article 6 Lawfulness of processing
                                   Article 7 Conditions for consent
                                   Article 8 Conditions applicable to child's consent in relation to information society service
                                                                                                                                  Art 5,6,7,9
                                   Article 9 Processing of special categories of personal data
                                   Article 10 Processing of personal data relating to criminal convictions and offences
                                   Article 11 Processing which does not require identification
Section 1 Transparency & Modalities
Article 12 Transparent information, communication and modalities for the exercise of the rights of the
Section 2 Information and access to personal data
Article 13 Information to be provided where personal data are collected from the data subject Article
                                                                                                                                                   EUR20M or 4% Global turnover
14 Information to be provided where personal data have not been obtained from the data subject
Article 15 Right of access by the data subject
Section 3 Rectification and erasure
                                                                                                            Data Subjects' rights Art 12-22
Article 16 Right to rectification
Article 17 Right to erasure ('right to be forgotten')
Article 18 Right to restriction of processing
Article 19 Notification obligation regarding rectification or erasure of personal data or restriction of
Article 20 Right to data portability
Section 4 Right to object and automated individual decision-making
Article 22 Automated individual decision-making, including profiling
                Article 44 General principle for transfers
                Article 45 Transfers on the basis of an adequacy decision
                Article 46 Transfers subject to appropriate safeguards
                                                                                                                            Transfer of data
                Article 47 Binding corporate rules
                Article 48 Transfers or disclosures not authorised by Union law Article 49 Derogations for specific
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data subject

processing

Article 21 Right to object

situations

## **EUR10M or 2% Global turnover**

→ GDPR fines

Scope & Rights not absolute

Art 5 Principles relating to processing of personal data

Art 34 Communication of a personal data breach to data subject

Art. 83 GDPR General conditions for imposing administrative fines

Administrative fines shall, depending on the circumstances of each individual case, be imposed in addition to, or instead of, measures referred to in points (a) to (h) and (j) of Article 58(2). When deciding whether to impose an administrative fine and deciding on the amount of the administrative fine in each individual case due regard shall be given to the following:

the nature, gravity and duration of the infringement taking into account the nature scope or purpose of the processing concerned as well as the number of data subjects affected and the level of damage suffered by them;

the intentional or negligentcharacter of the infringement;

any action taken by the controller or processor to mitigate the damage suffered by data subjects;

the degree of responsibility of the controller or processor taking intoaccount technical and organisational measures implemented by them pursuant to Articles 25 and 32

any relevant previous infringements by the controller or processor;

the degree of cooperation with the supervisory authority, in order to remedy the infringement and mitigate the possible adverse effects of the infringement;

the categories of personal data affected by the infringement;

the manner in which the infringement became known to the supervisory authority, in particular whether, and if so to what extent, the controller or processor notified the infringement;

where measures referred to in Article 58(2) have previously been ordered against the controller or processor concerned with regard to the same subject-matter, compliance with those measures;

adherence to approved codes of conduct pursuant to Article 40 or approved certification mechanisms pursuant to Article 42;

and any other aggravating or mitigating factoapplicable to the circumstances of the case, such as financial benefits gained, or losses avoided, directly or indirectly, from the infringement.