

DATA PROTECTION OFFICER

What is, and which organizations have to appoint a DPO?

A Data Protection Officer (DPO) is a person in charge of verifying the compliance of personal data processing with the applicable law. The DPO communicates information on processing personal data such as its: purposes, interconnections, types, categories of data subjects, length of retention and department(s) in charge of implementing processing. DPOs may be required by law or recommended.

The European General Data Protection Regulation requires that data controllers and data processors designate a DPO in any case where:

- the processing of personal data is carried out by a public authority or body, except for courts acting in their judicial capacity;
- the core activities of the controller or the processor consist of processing operations which,

by virtue of their nature, their scope and/or their purposes, require regular and systematic monitoring of data subjects on a large scale; or

- the core activities of the controller or the processor consist of processing, on a large scale, special categories of data and personal data relating to criminal convictions and offences.



Under Belgium's law on the protection of natural persons with regard to the processing of personal data (2018), designating a DPO may be required for employers (and others) who process personal data for or from Federal authorities if the processing could result in a high risk to individuals' rights and freedoms. A DPO is not mandatory for every organization but is highly recommended.

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