

# TECHNOLOGY AND PRIVACY FORUM

Sponsored by the Department of Commercial Law, University of Auckland

**Date:** Wednesday, 1 June 2016  
**Time:** 12:00-1:00 pm  
**Venue:** Decima Glenn Room, Level 3, Owen G Glenn Building  
12 Grafton Rd, University of Auckland Business School, Auckland

## Privacy impact assessment in the reformed European data privacy frameworks: Will implementation meet the high expectations?

**Dariusz Kloza**, Vrije Universiteit Brussel; Peace Research Institute Oslo and visiting scholar Bond University, Australia

The pending reforms of European data privacy legal frameworks – both the European Union’s General Data Protection Regulation (GDPR) and the Council of Europe’s modernised Convention 108 – attempt to address challenges arising from globalisation and technological developments. They will introduce a requirement to assess the ‘risk for the rights and freedoms of individuals’ posed by certain data processing. GDPR calls this requirement a ‘data protection impact assessment’ having a ‘legal hook’ and spelling out only the minimum conditions. Convention 108 has an even more succinct requirement: simply to ‘examine the likely impact’.

The open-ended nature of these requirements makes it possible to bring all the advantages of impact assessments to data privacy protection or – conversely – to render them a ‘dead letter’. This talk will argue that while this policy choice offers some flexibility and reduces red tape, it satisfies only a few criteria of a desired impact assessment policy.

### About the presenter:

Dariusz (Darek) Kloza, LL.M is a researcher at the Research Group on Law, Science, Technology, and Society (LSTS) at the Vrije Universiteit Brussel (VUB) and the Peace Research Institute Oslo (PRIO). His expert area is the governance of privacy and personal data protection, in particular impact assessments for emerging data-intensive technologies.

Dariusz holds both an LL.M in Law and Technology (2010) from the Tilburg Institute for Law, Technology, and Society (TILT) at Tilburg University (with distinction) and a master degree in law from the University of Bialystok (2008).



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