



PRESS RELEASE

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German Data Privacy Officers See Urgent Need for Reform

2B Advice presents "Data Protection Practice 2012" study to Viviane Reding, Vice President of the European Commission

The data privacy officers of German companies see an urgent need for legislative action. A clear majority welcomes the reform proposals put forward by the European Commission, but some doubt how enforceable the data protection and privacy rights are. For example, two-thirds of German experts consider the provision calling for a right to deletion of data on social networks to be correct, but one-third also see it as not being feasible in technical terms. In addition, the analyzed practical experience of data privacy officers in the business sector confirms the effectiveness and efficacy of this model of entrepreneurial self-monitoring and control. These are the main statements made by the study "Data Protection Practice 2012", conducted by the Bonn, Germany-based data privacy consulting firm 2B Advice GmbH and Technische Universität Dortmund. The study was presented today by 2B Advice to Viviane Reding, Vice President of the European Commission and commissioner responsible for justice, and Axel Voss, a member of the Civil Liberties, Justice and Home Affairs Committee of the European Parliament, during a press conference.

"With this study, which we repeat regularly, our aim is to help ensure that the practical experiences of data privacy officers in enterprises is included in European and international data protection and privacy legislation," says Marcus Belke, an attorney and the managing director of 2B Advice.

Of the 2,800 data privacy officers whose input was solicited, 375 participated in the survey. "This study represents the first ever systematic snapshot of data privacy officers' practical experiences. It shows that having a data privacy officer within an enterprise is a successful model, so the European Commission's proposal to introduce the role of the data privacy officer Europe-wide is a step in the right direction," says Karsten Neumann, retired data commissioner for the state of Mecklenburg-Vorpommern and one of the study's authors.

Practitioners praise some aspects of the planned EU data protection reform, such as EU-wide standardization of data privacy and having only one national supervisory body be responsible for

international data transfers. They take a more critical view of other aspects, such as the provision setting a lower limit of 250 employees for enterprises to be required to appoint a data privacy officer. In Germany, the limit is currently ten employees.

The study also shows that 73 percent of all data privacy officers confirm that their managing directors are meeting their data protection and privacy obligations. Still, 38 percent complain that they do not receive sufficient information regarding data protection and privacy violations in their own companies. Respondents see lack of knowledge and inattention as the main causes of these violations, especially in marketing and sales, but regular training reduces these violations by one-third. The same is true of early inclusion of data privacy officers in new processes for the processing of personal data. A broad majority would also like to see an official training and certification program regulated by law.

“The data protection study gives political decision-makers and the private sector specific figures on the work done by data privacy officers. It enables decisions based on empirical data,” Belke says.

The “Data Protection Practice 2012” study is available in German and English. It can be downloaded as a PDF file from the 2B Advice website:

German: http://www.2b-advice.com/Studie_2012-10-19_PDF_DE.pdf

English: http://www.2b-advice.com/ws/GmbH-en/Studie_2012-11-12_PDF_EN.pdf

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About 2B Advice:

2B Advice - the privacy benchmark is an international corporate consulting firm with locations in Berlin, Bonn, Brezno (2B Advice s.r.o., Slovakia), Munich, and New York (2B Advice LLC). 2B Advice offers solutions on all issues having to do with data privacy: consulting, implementation, software, testing, and certification in an international context. 2B Advice bridges the gap between

technology and law, combining legal expertise and outstanding technical and organizational skill with years of experience serving international corporate groups.

About the study:

The "Data Protection Practice 2012" study was conducted by 2B Advice - the privacy benchmark and the Chair for Economic and Social Statistics, headed by Prof. Walter Krämer, at Technische Universität Dortmund. The study was aimed at data privacy officers in the business sector. The survey was performed anonymously or on an anonymized basis. The results reflect the opinions and assessments of data privacy officers at larger companies. Forty percent of respondents work for companies with more than 500 employees, ten percent for companies with more than 5,000 employees. Plans call for data collection to be continued every two years, providing the political and academic sectors with current facts, opinions, and suggestions regarding data protection and privacy practice in enterprises.