

## Data Protection Guidelines

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### New Data Protection Guidelines with effect from 1 April 2014

The protection of personal data is recognized in any organisation or private company, international or national, to protect their own staff's personal data, and to protect data received by external partners and business partners.

The EPO is proud to look back on a strong history regarding data protection. As one of the first International Organisations it launched its first internal Data Protection Guidelines in 1992. A revision of the complete set of Guidelines was necessary due to technological progress and changes in the professional environment.

The [Data Protection Guidelines](#) ("DPG") presented today take into consideration experience gained within the EPO, general data protection principles, regulations and experience of other international organisations and the current legal framework within the European Union. Of course, all basic principles of data protection are adhered to, such as:

the principle of adequacy (personal data shall be adequate, relevant and not excessive in relation to the purposes for which they are processed - cf. 4c) DPG;

the principle of legitimacy (data must only be collected for specified and legitimate purposes - cf. Art. 4b) of the new Guidelines);

the principle of accuracy (personal data shall be accurate and, where necessary, kept up to date - cf. 4d) DPG);

the principle of timely deletion (personal data shall not be kept for longer than is necessary for the purpose it was processed - cf. 4e) DPG);

the principle of transparency (any data subject should be able to see where, by whom, how long and for what purpose which of his personal data is processed; cf. Art. 4e), and the information rights of the data subject under Art13, 14 DPG);

the principle of direct collection (personal data should, wherever possible, be collected directly from the person concerned - cf. Art. 4 para. 2 DPG).

Their aim is not only to provide better guidance on data protection issues to staff and management but also to present modern data protection regulations to external parties. Main changes include:

Extension of scope of application to externals (as the former DPG only provided protection for employees of the EPO), so that from now on we also have explicit regulations providing for the protection of personal data collected from external parties such as applicants etc.;

Protection is also granted for data which is held in non-automated files, this being current standard in the European Union; hence, sensitive data "on paper" are protected just as electronically stored data;

Introduction of the data category "operational data" which are used for daily management of units and projects; if this data category is used, the "Document on the use of operational data" defines the data and describes the use of personal data. This allows smooth and transparent management whilst safeguarding the protection of personal data. In a first step, the MUSE Implementing Rules for DG1 are replaced by the [Document on the use of operational data \(DUOD\) for DG1](#) ;

Regulations for transmission of data to external parties including external suppliers; subcontracting tasks and using modern technologies will be permissible with the corresponding safeguards as it is standard in most European countries;

Modernisation of procedures due to technological progress and better definition of sensitivity of data; purely administrative tasks are reduced and lead to a more efficient use of resources.

After consulting the General Advisory Committee and considering its opinion, the [President has decided](#) to adopt the new Data Protection Guidelines with effect from 1 April 2014.

I am confident that the new Data Protection Guidelines will help maintain and support the high level of awareness and sensitivity for data protection issues in the EPO. I would like to remind that those Guidelines are binding for all employees of the EPO - for administration, as well as for staff members and staff representation.



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