

Data protection in the hotel sector

Data driven businesses: opportunities, risks & myths

 Horwath HTL™ Hotel Event 2016

Wouter Seinen, 13 september 2016

Intro

(Big) data in real estate / hotel financing transactions
data → personal data → personal data protection law
takeaways

Agenda

Data as an asset



Smart usage of (big) data is key to succes, but....

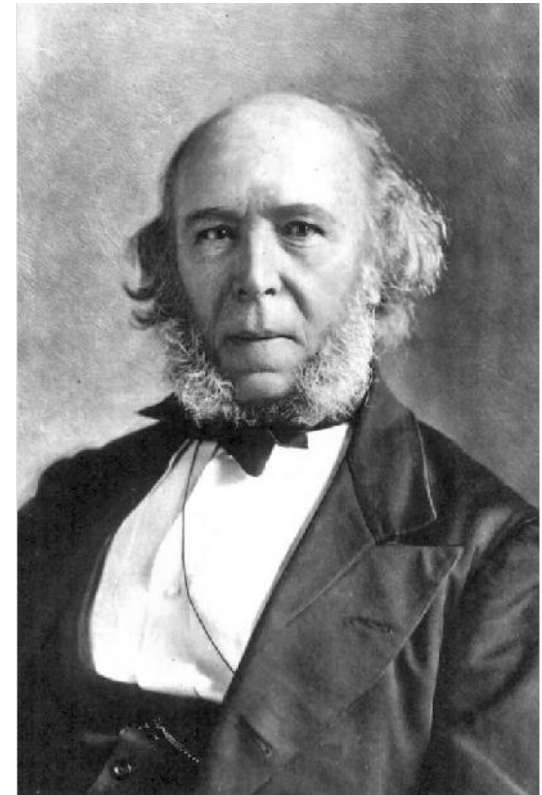
- “ownership” of data does not exist
- IP rights generally do not protect against use by others
- data is an “asset” to the economist, not to the lawyer

Data as a trigger for regulatory compliance

Compliance with data protection laws will be key to survival

Myths:

- “public” data can be used freely
- business contact details aren’t personal data
- “we’re not exposed, because we’re not Google or Facebook”



DP sanctions



Openbaar Ministerie
Libor fine
70 Mio
Rabobank



Autoriteit
Consument & Markt
820 k



OPTA
450 k




COLLEGE
BESCHERMING
PERSOONSGEGEVENS
CBP
4.5 k (2015)



Inspectie SZW
Ministerie van Sociale Zaken en
Verkegelegenheid



AUTORITEIT
PERSOONSGEGEVENS
4.5 k (2016)



NMa
10% annual
turnover



AUTORITEIT
PERSOONSGEGEVENS
20 Mio / 10% annual
turnover **Group level**

Home » DFT » Ondernemen » Branche in beeld

Inspectie legt hotelketen boete op van 3 ton

11 MRT 2015



DEN HAAG - Een hotelketen moet 303.000 euro boete betalen omdat het hotel de uren van dertig werknemers niet inzichtelijk kon maken. De Inspectie SZW liet dat



What's happening?

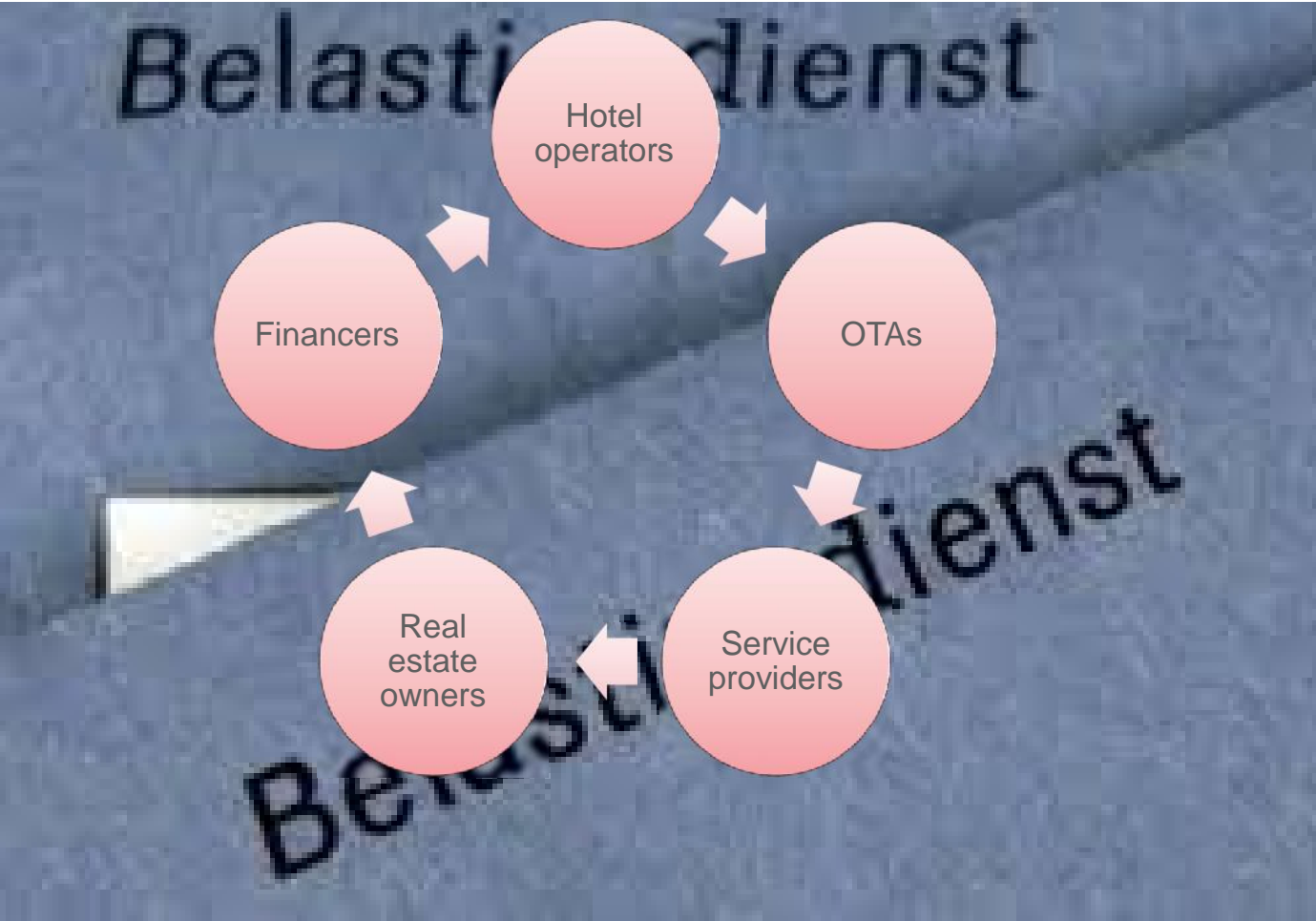
Data protection Act revision (2016)

- breach notification duties
- maximum panalties from 4.5 → 820 k€

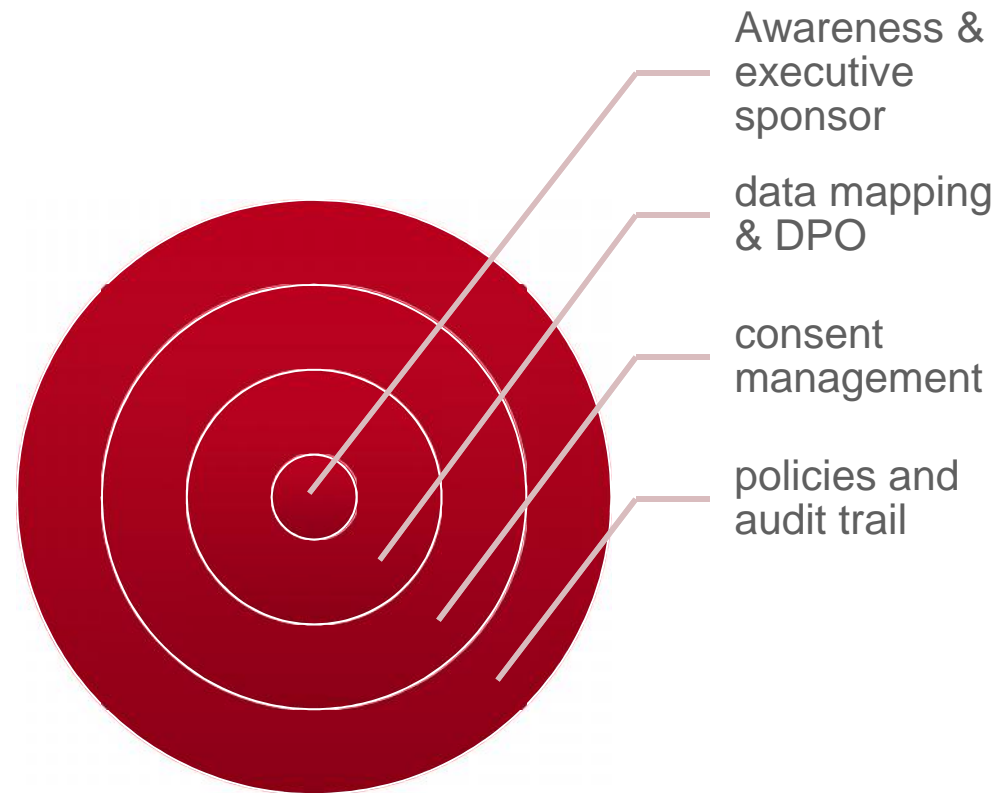
GDPR (2018)

- maximum penalties rise to 2,000 k€ (20 Mio) or 4 % annual turnover
- GDPR to apply in all EU Member States national DP laws abolished

Entire sector is impacted



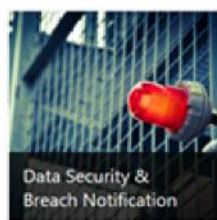
GDPR Readiness



“Game Changers”



1. Data Protection Officers - DPOs



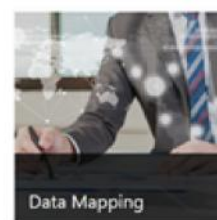
2. Data breach reporting



3. Cross-border data transfer



4. Consent



5. Data mapping



6. Data Processor obligations



7. Rights for data subjects



8. One-Stop-Shop



9. Enforcement & Sanctions



10. PIAs



11. PbD



12. Profiling Restrictions



13. Accountability