

# Data Protection Alert

Germany



## Five Critical Questions on Data Protection in Your Company

Data protection law has become one of the most dynamic areas of law in recent years and is increasingly gaining significant importance in the public eye - last but not least also due to the data protection scandals involving Deutsche Telekom, Deutsche Bahn, Lidl, Kik, and other large German enterprises.

Data protection is tedious in Germany, not only because there are **no privileges** for data processing within corporate groups but also due to rather high sensitivities of employees.

Many enterprises have therefore made the topic of data protection a high priority. Following the Deutsche Telekom, the Deutsche Bahn has now also established a managing board position for "Compliance." This is by no means a coincidence. Violations of data protection law can have unpleasant consequences: monetary fines of up to 300,000 EUR or more, significant image damage, and even criminal prosecution in individual cases.

This is reason enough to now critically examine the situation under data protection law in one's own company at the latest in order to expose and eliminate potential sources of risk. It is often possible to avoid significant liability risks with little effort.

If you answer one or more of the following **5 questions** with "yes," you should consider a **professional data compliance check** in order to minimize the legal risks for your company:

1. Have you outsourced individual administrative areas such as payroll accounting, document destruction, maintenance of equipment and IT systems, or management of company vehicles to external service providers, or are planning to do so in the future?
2. Are more than 9 employees involved in the processing of personal data at your company?
3. Is personal, customer, or other company data transmitted to external bodies or bodies belonging to the corporate group in the USA or in other countries outside of the EU/EEA?
4. Do you use the tool "Google Analytics" to analyze the visitor flow on your company's websites?
5. Do you use the e-mail addresses of your customers or other individuals in order to send them sales promotions, e.g. in the form of newsletters?

We can assess the relevant flows of data within your company and the corporate group as well as to external third parties for you. We can provide assistance with the preparation of the necessary contracts and documents.

If required, we are available as an external data protection official. Our Data Protection Team is happy to advise you.



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