



Third edition of *The Price of Data Security*, a guide to the insurability of GDPR fines across Europe

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By: George Mortimer | James Clark

We've partnered with global broker Aon for the third year running for the updated edition of *The Price of Data Security*, a guide to the insurability of GDPR fines across Europe that includes common issues faced by organisations in international cyber scenarios and illustrated with practical case studies.

GDPR has undeniably revolutionised the data protection regime and significantly affects how organisations worldwide collect, use, manage, protect, and share personal data that comes into their possession – with significant fines for non-compliance. Within the last year alone, a EUR18 million fine was issued against a national postal operator and a EUR14.5 million fine against a real estate company.

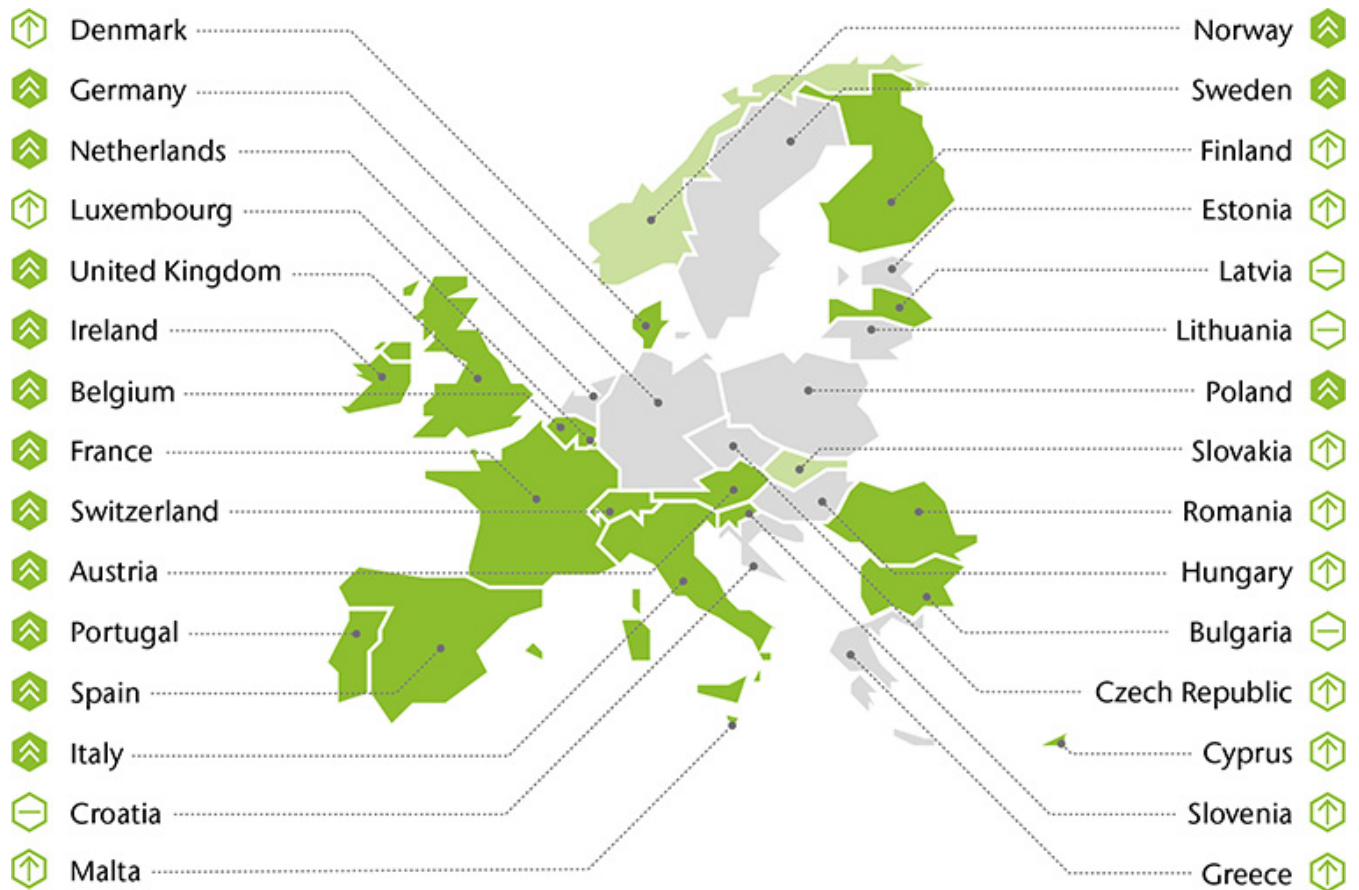
These concerns have been accentuated by the current pandemic and a subsequent large-scale shift to remote working has forced organisations into using more digital services and applications, heightening concerns around GDPR compliance.

We hope you find the updated guide a valuable tool in understanding and managing the impact and implications of GDPR and supporting you in making informed decisions.

Key features include:

- GDPR enforcement actions: biggest cases per country in Europe
- Insurability by country, including updated heat map
- Case studies, lessons learned and common issues experienced by organisations
- Practical ways to manage the potential impact of GDPR through risk governance, insurance review and incident response

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Key

| | | | |
|------------------------------------------|-----------|-------------|----------------------------|
| Insurability of GDPR fines | Insurable | Unclear | Not insurable ¹ |
| Data regulatory environment ² | High | Fairly high | Moderate |

¹DLA Piper has included as "not insurable" countries where in certain limited circumstances a fine might possibly be indemnifiable, but under local laws or public policy fines would generally not be regarded as insurable

²Data regulatory environment: Presented as a metric to offer a high level guide to the approximate likelihood of exposure to regulatory action from data protection authorities, and the possible strength of that action. It is assessed through a variety of factors, including (i) availability of criminal sanctions under local law; (ii) size and historic activity level of the regulator; and (iii) presence (and complexity) of supplementary privacy and information security laws. The heat rating assigned to a jurisdiction should not be interpreted as an indication of the likelihood of that country's data protection authority commencing enforcement action in respect of any specific scenario. Importantly, GDPR is not yet a live piece of legislation, as date of publishing, and therefore we have no experience of the relative approaches of the data protection authorities to enforcing GDPR in practice.

Source: DLA Piper

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AUTHORS



George Mortimer

Partner

London | T: +44 (0)20 7349 0296 [UK Switchboard]

george.mortimer@dlapiper.com



James Clark

Senior Associate

Leeds | T: +44 (0)20 7349 0296 [UK Switchboard]

james.clark@dlapiper.com
