

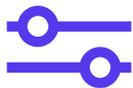
Data Compliance Governance Fact Sheet

European Regulation of Data and Artificial Intelligence

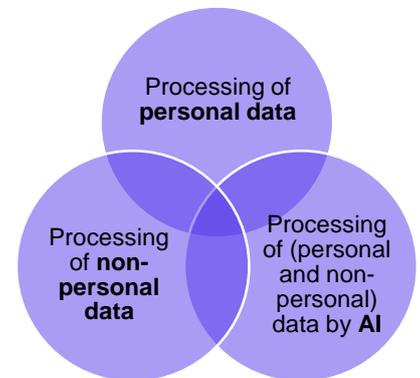


Following the [General Data Protection Regulation \(GDPR\)](#) in 2016 and the [Data Governance Act \(DGA\)](#) in 2022, the European legislature has set a further regulatory milestone with the [Data Act \(DA\)](#) early 2024. The [Artificial Intelligence Act \(AIA\)](#) already approved by the European Parliament will soon further complement the **regulation of data and artificial intelligence** within the European Union. In total, a series of directly applicable regulations and numerous other legal acts form the new [European data law](#).

Data Compliance



Adhering to regulatory requirements is one of the core components of “**data compliance**” which has become an integral part of business, regardless of an organization’s industry and size. Data compliance essentially covers any applicable rules organizations must adhere to when processing (personal and non-personal) data including **statutory requirements, contractual terms, certifications, codes of conduct, industry standards** as well as **binding corporate rules** and **internal policies**.



[scope of EU data regulatory requirements]

The extensive European data law requirements essentially establish the regulatory framework for setting up business processes as well as the design and utilization of applications and systems within an organization. Adhering to the regulatory requirements of data law by way of “**data compliance by design**” will play a crucial role for the sustainable success of most digital business models.

Compliance Risks



Non-compliance with European regulation of data and AI may have serious negative consequences for affected organizations, including:

- **Severe administrative fines** (up to EUR 35m or 7% of the total worldwide annual turnover of the preceding financial year, whichever is higher)
- **Actions of competitors** under laws on unfair competition
- **Claims for damages** by affected persons, customers and business partners
- **Loss of reputation**
- **Negative impact on ESG ratings**

Data Compliance Governance



To effectively manage the multitude of data compliance requirements in practice, a robust and efficient **data compliance governance** is essential. This involves establishing effective organisational **structures** and practical **processes** for implementing data compliance requirements with clearly defined **roles** and **responsibilities**.

Data compliance management systems (DCMS) complement and expand upon the perspective of already established data protection management systems (DPMS). These systems together are designed to systematically **plan, implement, continuously monitor** and **improve** measures to comply with regulatory requirements for both personal and non-personal data as well as for artificial intelligence.

Data Compliance Governance - Capability Statement

Drawing on our many years of experience as a market-leading firm in data law, we provide our clients with wide-ranging and balanced advice on the implementation of data regulatory requirements, including robust and efficient data compliance governance:

Maturity Assessment & Action Plan



- **Evaluation of the current state of progress (maturity level)** of your organization's data compliance and data compliance governance taking into account best practices and recognized maturity models and assessment frameworks



- **Build an action plan** to reach the desired level of maturity considering key compliance risks and the organization's risk profile

Design & Implementation

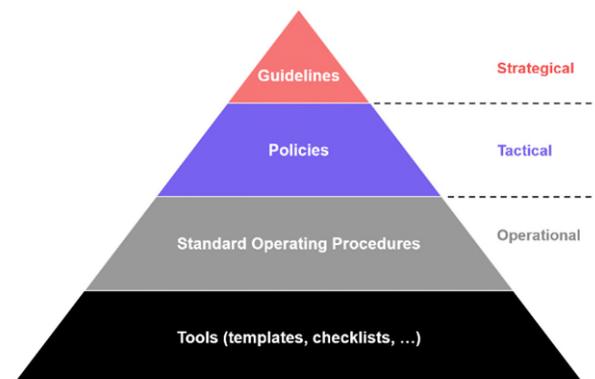


- Tailoring organizational **structures** and practical **processes** for data compliance governance with **roles and responsibilities** that fit your organization, its individual culture and corporate governance approach based on our many years of practical experience in the field of data compliance governance
- **Expanding and enhancing** established **data protection management systems (DPMS)** as a reliable and robust basis for comprehensive **data compliance management systems (DCMS)** taking into account best practices and recognized standards for compliance and privacy information management systems (e.g. ISO/IEC 27701, ISO 37301, IDW PS 980)

Documentation



- Documentation of a **data compliance governance concept** covering both structures and core processes and key roles and responsibilities to ensure effective governance and demonstrable compliance (**accountability**)
- Preparing **data compliance governance documentation** on a **strategical level** (top-management guidelines), **tactical level** (internal policies) and **operational level** (standard operating procedures and tools)



Please do not hesitate to contact our [Data, Tech & Telecoms team](#) for more information or support.