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Post-Brexit Data Protection and GDPR

Data Protection after the Brexit transition period

The UK has left the EU and the transition period to allow the UK to negotiate a new relationship with the EU comes to an end on 31 December 2020.

As it stands, no deal has been agreed. In relation to data protection, organisations who process and transfer personal data internationally need to review their practices to ensure they will continue to comply with data protection laws following the end of the transition period. The UK is due to become a “third country” under the GDPR and this will significantly impact organisations with operations across both the UK and EU.

The GDPR came into force in May 2018 and the UK supplemented its provisions with the Data Protection Act 2018 (DPA). Following the end of the transition period, the DPA will remain in force and the UK government has committed to implementing the provisions of the GDPR into UK law, keeping UK data protection legislation largely in line with EU laws. However, there will be some key changes that UK businesses need to be aware of,

including transfers of data into and out of the UK.

Is your organisation ready?

If your organisation’s operations extend beyond the UK, then you need to understand and consider your international flows of personal data. This is particularly vital for organisations that carry out international personal data transfers, especially UK organisations sending or receiving personal data to or from the EEA.

To ensure that your operations remain lawful after the end of the transition period, there may be steps that you need to take:

- If you are a UK business receiving personal data from the EEA, you may be required to implement safeguards for these transfers to be lawful.
- If you process personal data about customers or other individuals located in EEA countries, you may be required to designate an appropriate representative within those territories.





Preparing for 2021

Understanding and preparing for the upcoming changes to data protection laws can be a complex project to manage.

Our specialist data protection and privacy lawyers have a wealth of experience supporting clients with all aspects of data protection compliance, and have been closely monitoring the UK's position as we approach the end of the Brexit transition period.

By taking the time to understand you and your business, we can help you to ensure that you have the right contracts, policies and procedures in place to remain compliant as we transition into 2021. We can provide whatever level

of support your organisation requires, including:

- A fixed price, concise, yet comprehensive overview of the key changes to data protection law as a result of Brexit and how this will affect your business
- Analysing data flows and cross-border transfers and advising on data-sharing contracts
- Advising on internal policies and procedures and providing bespoke training
- Conducting GDPR audits to assess compliance across your business and reporting on areas for improvement

So whether you are a small business looking for an overview of how the upcoming changes might affect you, or a multinational organisation seeking more comprehensive support in preparations for Brexit, our expert data protection team can help you navigate the road ahead and avoid putting your business at risk as the law evolves with our departure from the EU regime.

If you have any questions regarding your data protection requirements, the end of the transition period, or if you need any assistance, please contact a member of our specialist Data Protection team.

The Team



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