

# GDPR IS BIGGEST CHALLENGE TMT SECTOR CLIENTS FACE - CCA ONTIER

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## **New regulations enforce tough penalties for breaches of the law with clients facing fines of €20m or 4 per cent of their total worldwide turnover**

The imminent implementation of the EU's General Data Protection Regulation (GDPR) - which comes into effect on 25 May 2018 - is one of the biggest challenges clients in the technology, media and telecommunications (TMT) sector currently face.

"This new regulation was made to harmonise all data privacy laws across Europe," says Filipe Mayer, partner and head of TMT and intellectual property at CCA Ontier in Lisbon. "Even though the rules are not totally new and/or derogative of the previous directive, the key difference now is the amount of penalties, that in some cases can be as high as €20m, or up to 4 per cent of the total worldwide annual turnover of the preceding financial year, whichever is higher," he adds. "This raises awareness among companies, and therefore is a huge opportunity for law firms."

The question now is whether clients can meet the challenge. "I would say that, without a doubt, the implementation of GDPR will be the biggest challenge to be faced by TMT clients," says Mayer. "It will place new obligations on all companies that collect personal data, not only on the technological

side but also on the legal side."

These new regulations come at a time of major upheaval for the TMT industry as a whole.

### **Traumatic evolution**

"The media sector is facing a huge, and for some of them, traumatic, evolution," says Mayer.

"Traditional types of media such as newspapers and magazines are facing an unprecedented crisis – TV is also facing the competition of internet TV and online content."

Mayer says these trends are becoming increasingly clear and "the option is to convert old and heavy media group structures into much lighter models totally adapted to the digital era." He adds: "In fact, we are already assisting on this transformation in some of the biggest Portuguese media groups."