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GDPR: the Mystery of Shredding Printed Documents

As a consequence of the General Data Protection Regulation (the "GDPR") taking effect, the Detective has a growing number of cases to resolve. This time, the Detective is inspecting the rules for shredding physical documents containing personal data. Did you know that the storage limitation rule requires, inter alia, keeping the processed personal data for no longer than is necessary for the purposes for which they are processed?

During the investigation, the Detective discovered that ABC enters into life insurance contracts as part of its business activity. After the term of contract has expired, ABC retains these contracts to protect its legitimate interests. Nevertheless, there is no legal regulation specifying a uniform period for keeping life insurance contracts or individual personal data included therein. It is the company's responsibility to specify the deadlines.

The Detective reminds

The storage limitation rule requires that the processed personal data be stored for no longer than is necessary for the purposes for which they are processed. What comes next? to ensure that the entire process is in line with the GDPR, each such printed document containing personal data must be shredded immediately after the expiry of the period for processing all personal data contained therein.

Please note that to ensure compliance with the storage limitation rule, the controller must introduce rules for shredding documents containing personal data.

The Detective recommends

1. Specify for each printed document which data it contains and for which processing purposes it is determined. Note that there is a period determined for each item of personal data over which the processing thereof is necessary.
2. Specify the period over which you are authorised to keep the specific document. Do not forget that the deadline shall expire together with the last deadline for erasing personal data included in the respective document.
3. Introduce a process in your company to ensure that the document will be shredded prior to the expiry of the respective deadline.

After the Detective's visit, ABC decided that... the period over which contracts must be stored will be 10 years after the contractual relation has terminated. The Civil Code stipulates that the right to insurance payment will become time-barred in this period, which substantiates ABC's interest in storing this contract for the purpose of defending its rights. After the expiry of the set deadline, the respective documents must be shredded.

Do you need to resolve a case that is similar or different to this one? Make an appointment with the Detective and order our online application [GDPR Detective](#). Our Detective will resolve the mysteries of personal data protection for you, even if you have already missed the deadline!

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The Water Act Amendment has been Promulgated

On Tuesday, 5 June 2018, the President of the Czech Republic signed an amendment to the Water Act. Amendment No. 113/2018 was promulgated on 11 June, comprehensively changing the existing fee administration system. The fee for groundwater offtake and the fee for releasing waste water to surface water will newly be administered by the State Environmental Fund instead of the Czech Environmental Inspectorate. Besides other areas, such as the transposition of EU legislation or additional measures relating to the protection against flood emergencies and danger, the amendment also revises the definition of the term "waste water" and the related waste water legislation, namely in relation to releasing waste water from overflow chambers,

which protect sewers in a single sewage system against hydraulic overload, to surface water.

However, the amendment, of which the majority is set to become effective on 1 January 2019, does not in any way address the issue of dynamic climate changes, which have been manifesting themselves in the Czech Republic by long periods of drought in recent years. Therefore, another amendment to the Water Act is in the pipeline, whose aim will be to accelerate the preparation of necessary measures and projects to combat the shortage of surface water, namely the construction and interconnection of remote waterworks systems or the development of new water reservoirs.

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New Opinions on Public Procurement

- Opinion on the impact of the GDPR on public procurement; and
- Opinion on the application of Government Decree No. 173/2016 Coll., on determining binding criteria for awarding public contracts for the acquisition of road vehicles.

The Ministry of Regional Development (the “MoRD”) has promulgated two new [Expert Group opinions on the Public Procurement Act](#). The first opinion addresses the impact of the personal data protection regulation on public procurement, with the MoRD presenting, following consultation with the Office for the Protection of Personal

Data, instructions on how to handle personal data obtained during tenders.

The second opinion addresses public contracts for the acquisition of cars in relation to Government Decree No. 173/2016 Coll., on determining binding criteria for awarding public contracts for the acquisition of road vehicles in relation to the introduction of the new fuel consumption measurement standard (the WLTP): in awarding public contracts for the acquisition of cars in the period until 31 December 2020, consumption values will continue to be assessed in line with the NEDC method, with the contracting authority not being obliged to directly refer to the method in tender documentation.

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