

BGI Data Security Alert

February 2024

New Personal Data Protection Regulations

The new 2023 Law on Protection of Personal Data (“**Law**”) is expected to enter into force gradually, from March 1, 2024. The purpose of the new Law is to bring the local legal framework closer to the EU standards, by setting more detailed requirements, specifying the obligations of data controllers in areas which were not covered by the 2011 Law and increasing the amounts of administrative sanctions applicable for the breach of the 2023 Law.

The 2023 Law is expected to create a more consistent, strong legal framework for the protection of data subjects’ rights during the processing of their personal data, irrespective of the organizational type of the data controllers/processors. The Law is complemented by various recommendations and guidelines published by the local Data Protection Service.

The notable changes introduced by the 2023 Law include the following:

1. establishment of an institution of personal data protection officer within organizations;
2. requirement to conduct data protection impact assessment;
3. incident notification requirements;
4. regulation of processing of personal data of minors;
5. changes in relation to processing of biometric data;

6. new rules of video/audio monitoring;
7. changes in the rules of direct marketing;
8. data portability;
9. regulation of profiling;
10. appointment of special representative by foreign data controllers;
11. increase of administrative sanctions for its breach.

Considering the above, it is highly recommended that the entities processing the personal data of individuals take all necessary precautions to ensure their compliance with the new law.

This Alert is for general information purposes only. It does not constitute and is not intended to be relied upon as legal advice. BGI shall not be responsible for any loss in the event this update is relied upon without seeking our professional advice first.

For questions or inquiries please contact:
Tamara Tevdoradze, Partner
tamara.tevdoradze@bgi.ge

Luka Kodua, Junior Associate
luka.kodua@bgi.ge

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