

GDPR (General Data Protection Regulation)

Frequently Asked Questions

What is GDPR?

GDPR is General Data Protection Regulation (EU) 2016/679 which is a regulation in EU law on data protection and privacy. GDPR impacts the processing of data of individuals in the EU.

When did GDPR come into effect?

25th May 2018

Who does the GDPR affect?

The GDPR not only applies to organisations located within the EU but also applies to organisations located outside of the EU if they offer goods or services to, or monitor the behavior of, EU data subjects. It applies to all companies processing and holding the personal data of data subjects in the European Union, regardless of the company's location.

What constitutes personal data?

Any information related to a natural person or 'Data Subject' that can be used to directly or indirectly identify the person. Examples of personal data include, but are not limited to, the following: name, address, email address, date of birth, telephone number, salary details, bank account information, and personal opinions.

Key Updates:

- **Increased Territorial Scope (extra-territorial applicability)**
Arguably the biggest change to the regulatory landscape of data privacy comes with the extended jurisdiction of the GDPR, as it applies to all companies processing the personal data of data subjects in the European Union, regardless of the company's location.
- **Accountability**
A new concept of accountability requires organisations to be able to demonstrate how they comply with the GDPR. Organisations must keep detailed records of their processing activities and implement appropriate technological and organisational measures to ensure, and be able to demonstrate, that processing is performed in accordance with the GDPR.
- **Penalties**
Under GDPR organisations in breach of GDPR can be fined up to 4% of annual global turnover or €20 Million (whichever is greater).

What is Elavon's requirement?

Before GDPR came into effect, Elavon completed a comprehensive project established to evaluate the General Data Protection Regulation (GDPR) against its processes, policies and standards to be compliant with GDPR and national implementing legislation. This included an examination of operational practices, employee training, customer Terms of Service and Third Party risk. As of 25th May 2018, the organisation established a defensible Data Protection Program that aligns to all the key aspects of GDPR.

How do we use your information?

The use of information is necessary in relation to the service or contract you and the company have entered into. In relation to Cardholders themselves please see the Corporate Liability Cardholder Privacy Notice.

How secure and confidential is my personal information ?

We use a variety of security technologies and procedures to help protect your personal information from unauthorized access and disclosure. These are all in line with appropriate regulations. In relation to cardholders, for further details, please see the Corporate Liability Cardholder Privacy Notice.

How long do we hold your data?

How long we hold your data for is subject to legislation and regulatory rules we must follow. It differs depending on the regulation. For further details in relation to cardholders, please see the Corporate Liability Cardholder Privacy Notice.

Is Elavon a data controller or processor?

Elavon and Customer are each Data Controllers and they shall comply with their respective obligations under Applicable Data Protection Law. Elavon and Customer each agree and acknowledge they are not joint controllers within the meaning of Applicable Data Protection Law.