

GDPR: new ethical and constitutional aspects, along with new challenges to information law

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Abstract

The EU 'General Data Protection Regulation' (GDPR) made the most important step towards reforming data privacy regulation in recent years, as it has brought about significant changes in data process in different sectors - from healthcare to banking and beyond. Nevertheless, disparagement has arisen concerning the principles it promotes, including the rights of data subjects or the obligations of data controllers and processors. Furthermore, the new role of the supervisory authorities or its effect on competing constitutional rights are in question as well. For a year now that the GDPR has come into force, one may wonder to what extent these new data laws have affected our lives. Concerns have been raised to the effect that parts of the text of the GDPR itself have already started to become questionable, due to rapid technological progress, as the use of information technology, automatization processes and advanced algorithms in individual decision-making activities. The road to GDPR compliance by all European Union members may prove to be long and and it is clear that only time will tell how GDPR matters will evolve and unfold. In this paper we will try to make a review of the practical, ethical and constitutional aspects of the new Regulation and examine all the controversies the new technology has risen during the Regulation's application.

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