



Course Syllabus

Course Code LAW-389	Course Title Personal Data Protection Law	ECTS Credits 6
Prerequisites None	Department Law	Semester Spring
Type of Course Elective	Field Law	Language of Instruction English
Level of Course 1 st Cycle	Lecturer Dr Irini Stamatoudi	Year of Study 3 rd
Mode of Delivery Face-to-Face	Work Placement N/A	Corequisites None

Objectives of the Course:

The main objective of the course is to explain the European Union legal framework of the protection of personal data and place the emphasis on the General Data Protection Regulation (*Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC*) (GDPR) <<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1528874672298&uri=CELEX%3A32016R0679>>. In fact, this course aims to cover the origins of data protection in the EU and explain the latest developments in the area such as the general principles and basic concepts of the GDPR, the key actors under it and their role, the rights of data subjects, the obligations of data controllers and processors and the law compliance measures, the enforcement and compliance mechanisms and the liabilities and sanctions provided in it. Special issues pertaining to data protection in relation to e-communications as well as modern challenges in personal data protection will also be covered.

Learning Outcomes:

After completion of the course students are expected to be able to:

- Describe the notion of personal data and special categories of data
- Describe the notion of data processing (automated and non-automated)
- Explain the rules on lawful processing, on security of processing, on accountability and explain how to promote compliance

- Understand who the users of personal data are (controllers, processors, recipients and third parties)
- Describe the notion of consent
- Explain the key principles of European data protection law (lawfulness, fairness, transparency, the principle of purpose limitation, the principle of data minimization, the data accuracy principle, the storage limitation principle, the data security principle and the accountability principle)
- Explain what data protection by design and by default are
- Understand how independent supervision takes place, what the European Data Protection Board is and what the GDPR Consistency Mechanism
- Describe the data subjects' rights (right to be informed, right to rectification, right to erasure (right to be forgotten), right to restriction of processing, right to data portability and right to object and what automated individual decision making and profiling are)
- List the remedies, liabilities, penalties and compensation provided by EU data protection laws
- Identify and explain key issues of data protection in electronic communications
- Identify and describe modern challenges in personal data protection

Course Contents:

Week 1: Introduction to EU data protection law (context and background)
Week 2: Basic principles of data protection (personal data, data processing, users of personal data, consent)
Week 3: Key principles of European data protection law I
Week 4: Key principles of European data protection law II
Week 5: Rules of European data protection law I
Week 6: Rules of European data protection law II
Week 7: Mid-term Exam
Week 8: Independent supervision
Week 9: Data subjects' rights
Week 10: Enforcement (Remedies, Liabilities, Penalties and Compensation)
Week 11: Key issues concerning personal data and electronic communications
Week 12: Modern challenges in personal data protection

Learning Activities and Teaching Methods:

Interactive lectures, discussion based on analysis of case-law, case studies, mid-term exam, final exam

Assessment Methods:

Final Exam, Mid-term Exam, Attendance and participation

Basic Reading:

Handbook on European Data Protection Law, 2018 Edition,
https://fra.europa.eu/sites/default/files/fra_uploads/fra-coe-edps-2018-handbook-data-protection_en.pdf

Further Readings:

De Hert, P. and Papakonstantinou, V. (2012), ‘The Police and Criminal Justice Data Protection Directive: Comment and Analysis’, *Computers & Law Magazine of SCL*, Vol. 22, No. 6, pp. 1–5.

De Hert, P. and Papakonstantinou, V. (2012), ‘The proposed data protection Regulation replacing Directive 95/46/EC: A sound system for the protection of individuals’, *Computer Law & Security Review*, Vol. 28, No. 2, pp. 130–142.

El Emam, K. and Álvarez, C. (2015), ‘A critical appraisal of the Article 29 Working Party Opinion 05/2014 on data anonymization techniques’, *International Data Privacy Law*, Vol. 5, No. 1, pp. 73–87.

Feretti, Federico (2012), ‘A European perspective on data processing consent through the reconceptualization of European data protection’s looking glass after the Lisbon treaty: Taking rights seriously’, *European Review of Private Law*, Vol. 20, No. 2, pp. 473–506.

González Fuster, G. (2014), *The Emergence of Personal Data Protection as a Fundamental Right in the EU*, Springer.

Hijmans, H. (2016), *The European Union as Guardian of Internet Privacy – the Story of Art 16 TFEU*, Springer.

Hustinx, P. (2016), ‘EU Data Protection Law: the review of Directive 95/46/EC and the Proposed General Data Protection Regulation’.

Kokott, J. and Sobotta, C. (2013), ‘The distinction between privacy and data protection in the case law of the CJEU and the ECtHR’, *International Data Privacy Law*, Vol. 3, No. 4, pp. 222–228.

Kranenborg, H. (2015), ‘Google and the Right to be Forgotten’, *European Data Protection Law Review*, Vol. 1, No. 1, pp. 70–79.

Lynskey, O. (2015), *The Foundations of EU Data Protection Law*, Oxford, Oxford University Press.

Mayer-Schönberger, V. and Cate, F. (2013), 'Notice and consent in a world of Big Data', International Data Privacy Law, Vol. 3, No. 2, pp. 67–73.

Rubistein, I. (2013), 'Big Data: The End of Privacy or a New Beginning?', International Data Privacy Law, Vol. 3, No. 2, pp. 74–87.

Note: During the exams (mid-term and final) you will be assessed on the basis of the slides that will be uploaded on the Moodle Intranet (<http://law.unic.ac.cy>) and on what you have been taught on the basis of those slides.

Useful Sites:

- Data Protection in the EU: https://ec.europa.eu/info/law/law-topic/data-protection/data-protection-eu_en
- EU GDPR.ORG: <https://eugdpr.org/the-regulation/>
- EU Data Protection and Online Privacy: https://europa.eu/youreurope/citizens/consumers/internet-telecoms/data-protection-online-privacy/index_en.htm
- European Data Protection Supervisor: https://edps.europa.eu/data-protection/data-protection_en