CB&B LLP
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Cock, Burns & Burrows LLP

8th May 2017

Data Protection Team
Department for Culture, Media & Sport

Subject: Call for views on the General Data Protection Regulation derogations – consultation response

Dear Sir / Madam,

We are a small law firm, whom regularly advises companies on data protection matters. We therefore wanted to take the time to briefly respond to your consultation on the General Data Protection Regulation Derogations.

Our main concern relates to the cost implications associated with complying with the General Data Protection Regulation. Particular areas our clients have highlighted are the costs associated with: data protection officers (articles 4, 37 and 38); archiving and research (article 89); and the various requirements relating to the processing of data. Some of our smallest clients have told us that the totality of the costs associated with compliance are so material that they "may as well give up trying to earn a living."

In this context, we would urge an approach to the derogations that mitigates costs to businesses in the UK to the greatest extent possible. We think this means the following:

- Firstly, the thresholds for the derogations should be very low. For example, you could make the criteria for exemption as simple as: "being a business in the UK". That way, no UK business would be affected by this policy.
- Secondly, to the extent that these regulations supposedly deliver great benefits to society, you should repay to businesses some share of these benefits, to help offset their compliance costs.
- Thirdly, perhaps you could divert some public funding to help train and certify data protection officers for businesses. For example, perhaps some (admittedly less prestigious) universities could offer degrees in data protection?

We hope you find views helpful and wish you well with the consultation.

Yours sincerely,