

6 main legal frameworks that impact IT law in the EU

1. Data Protection and Privacy

The cornerstone of IT law in the EU is the General Data Protection Regulation (GDPR), which came into effect in May 2018. The GDPR sets a high standard for data protection and privacy, providing individuals with enhanced rights over their personal data, such as the right to access, rectify, and erase their data. Importantly, the GDPR also imposes obligations on organizations, including the requirement for data protection impact assessments (DPIAs) and the appointment of data protection officers (DPOs) in certain cases. This regulation showcases the EU's commitment to protecting individual rights in the face of rapid digital evolution.

2. E-Privacy Directive

Complementing the GDPR, the E-Privacy Directive (Broadcast Directive) focuses specifically on privacy in electronic communications. It governs the use of cookies, electronic marketing, and the confidentiality of communications. The upcoming ePrivacy Regulation, which aims to replace the existing directive, promises to strengthen these protections further and align them with GDPR principles, emphasizing user consent and privacy rights.

3. Intellectual Property Rights

Intellectual property (IP) law within the EU includes a complex network of regulations that protect creators and innovators across member states. The EU is home to the European Union Intellectual Property Office (EUIPO), which oversees trademarks and design protections. The EU also seeks to harmonize copyright laws across its member countries to foster a seamless digital market. The Digital Single Market strategy aims to remove barriers and promote easier access to digital content while ensuring fair competition among businesses.

4. Cybersecurity Framework

Cybersecurity is another critical area within EU IT law, highlighted by the EU Cybersecurity Strategy and the Network and Information Systems (NIS) Directive. The NIS Directive requires member states to enhance their capabilities in cybersecurity and implement measures to secure critical infrastructure. It also promotes cooperation among EU countries to ensure a collective response to cyber threats.

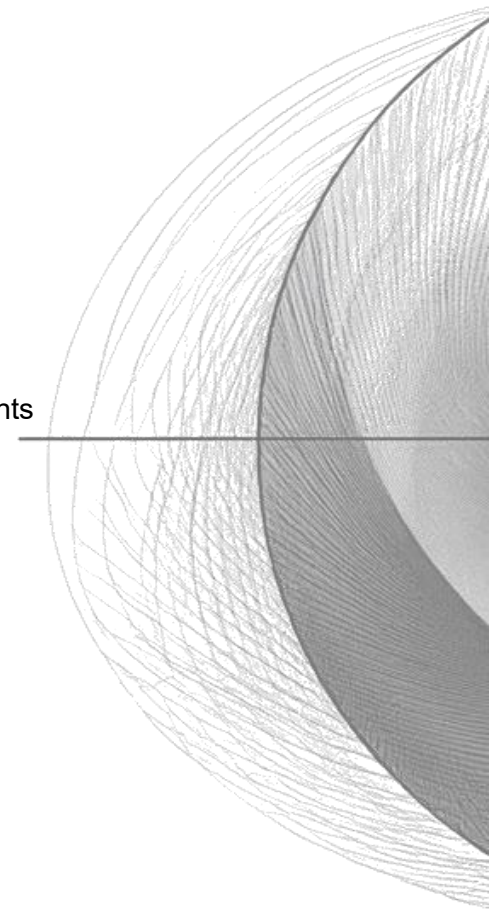
The upcoming Cyber Resilience Act (CRA), adopted by the Council on 10 October 2024, aims to enhance the security of digital products and services, emphasizing the importance of cybersecurity in the technology landscape throughout the entire life cycle of a product placed on the EU market. The CRA regulates the cybersecurity requirements that shall be imposed on hardware and software products with digital elements.

5. Digital Services Act (DSA) and Digital Markets Act (DMA)

The DSA and DMA represent significant advancements in regulating online platforms in the EU. The DSA obliges digital service providers to take responsibility for content shared on their platforms, ensuring appropriate measures against illegal content, user safety, and transparency in algorithms. Meanwhile, the DMA targets anti-competitive practices by enforcing regulations on dominant online platforms to foster a fair digital market, promoting competition and consumer choice.

6. Platform to Business (P2B) Regulation

The Platform to Business (P2B) Regulation, is crucial for ensuring fairness and transparency in the relationships between online platforms and their business users. By establishing clear rules on how platforms operate, including requirements for algorithmic transparency, dispute resolution, and the prohibition of unjustified suspensions, this regulation aims to foster a more equitable digital market and enhance the trust of businesses in online services.



Interested in exploring the
impact of these regulations
on your business?

Let's talk!

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