



# Privacy by design principles in electronic communications law. The Polish perspective.

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# Agenda

- **Why electronic communications law needs privacy by design?**
- **Typical privacy threads from the legal perspective**
- **Methods of implementing by design privacy protection in electronic communications law**
- **New approach towards implementing privacy by design protection schemes**



# Why electronic communications law needs privacy by design?

- **Three main factors:**
  - **rapid technology development**
  - **increased privacy threads**
  - **lack of contractual balance between the parties**



# Surveillance - typical privacy threads

- **respecting the right to be informed**
  - **surveillance of electronic communication in the workplace**
- **profiling**
  - **data mining**
- **duty to respect rights arising from privacy regulations**
  - **right to access and rectify personal data**



# Methods of implementing by design privacy protection

- **identifying situations that**
  - **bear the risk of privacy intrusions**
  - **are capable for implementing privacy by design safeguards**
- **enabling national authorities to react in a flexible manner**



# New approach towards implementing privacy by design protection schemes

- **existing legal regulations**
  - **identifying privacy risk factors**
  - **implementing by design safeguards**
- **monitoring new legislation**



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