

# Who is a data protection officer and what do they do?

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There are still a lot of questions when it comes to the position of the data protection officer (DPO). Appointing a DPO is one of the new obligations arising from the EU General Data Protection Regulation (GDPR).

## Who must appoint a DPO?

The GDPR introduces an obligation to appoint a DPO if one is a public authority or body, or if one carries out certain types of processing activities.

This is when:

- your core activities require large scale, regular and systematic monitoring of individuals (for example, online behavior tracking); or
- your core activities consist of large-scale processing of special categories of data or data relating to criminal convictions and offences.

If it is decided that a DPO will not be appointed, then this decision should be recorded to help demonstrate compliance with the accountability principle.

## What are the professional qualities of a DPO?

The GDPR stipulates that a DPO should be appointed based on their professional qualities i.e. experience and expert knowledge of data protection law.

Also, it's important that where the processing of personal data is particularly complex or risky, the knowledge and abilities of the DPO should be correspondingly advanced enough to provide effective oversight.

If possible, DPO should also have a good knowledge of industry or sector where one starts to work.

## What does a DPO do?

The DPO's tasks are defined in article 39 of the GDPR as:

- to monitor compliance with the GDPR and other data protection laws;
- to inform and advise the organization and the employees about the obligations to comply with the GDPR and other data protection laws;
- raising awareness of data protection issues, training staff and conducting internal audits;
- to advise on, and to monitor, data protection impact assessments;
- to cooperate with the supervisory authority; and
- to be the first point of contact for supervisory authorities and for individuals whose data is processed (employees, customers etc.).

It's important to note that the DPO's tasks cover all the personal data processing activities, not just those that require their appointment under GDPR article 37(1).

When deciding on the questions related to the DPO's, then European Data Protection Board (before called Article 29) [Guidelines on Data Protection Officers](#) come in handy.