

On September 1st, 2023, the new Swiss Data Protection Act will come into force.

Is your company ready?

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What is the revFADP?

The new [Federal Act on Data Protection](#) (revFADP) replaces the previous Data Protection Act of 1992 and modernizes Swiss data protection law. It comes into force on September 1st, 2023, and is partly based on the GDPR to enable a European data exchange.

What is changing?

The revFADP contains a few important changes compared to the 1992 Data Protection Act:

- Only the **data of natural persons** are covered by the revFADP, whereas the data of legal entities are not;
- **Genetic and biometric data** are now sensitive personal data;
- The concepts of "**Privacy by Design**" and "**Privacy by Default**" are introduced;
- The controller must **inform** natural persons **about every data collection** – and not only about data collection of particularly sensitive data;
- The controller must keep a **record of processing activities**, the register of data collections is omitted (Exception: <250 employees + data processing poses a low risk to data subjects);
- The controller must conduct a **data protection impact assessment** if a processing operation may entail a high risk for the data subject;
- **Data security breaches must be reported** to the FDPIC **as soon as possible**;
- **Inclusion of profiling**, as any form of automated processing of personal data;
- Voluntary appointment of a **data protection officer**.

Is there an implementation deadline?

The requirements of the revFADP must be implemented by companies by **September 1st, 2023**.

This is what your company has to do:

1. Check your privacy policy, online and offline.
2. Keeping a record of processing activities.
3. Implement a process for data protection impact assessments.
4. Voluntary appointment of a data protection officer.
5. Review of processing contracts (in regard to reporting security breaches to the FDPIC).

How can DBS help you?

- Data Business Services GmbH & Co KG (DBS) has over 30 years of experience in the field of data protection and data security.
- Even before the revFADP, we successfully advised our clients on Swiss data protection law.
- We review your existing data protection documentation and expand it to meet the new requirements.
- We create/review the necessary data protection contracts with your processors.

How can I contact DBS?

Email Ms. Severine Petersen (petersen@db5.io) and we will be happy to answer any questions you may have in a video conference or phone call.

Disclaimer

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