



- PRESS RELEASE -

## Data Protection Regulation should encapsulate SME specificities!

**Brussels, 17<sup>th</sup> June 2015** – HOTREC (the umbrella Association of Hotels, Restaurants and Cafes in Europe) and UEAPME (the employers' organisation representing the interests of European crafts, trades and SMEs) call on the European Parliament to follow the Council position and approach on data protection. Indeed, the Council's position is to not make the DPO compulsory – at least for SMEs – and its risk base approach aims to cut red tape.

Ahead of the informal trilogue meeting on 24<sup>th</sup> June 2015, and as a follow-up of the Justice and Home Affairs Council on 15<sup>th</sup> June 2015, HOTREC and UEAPME call on the Parliament to embrace the Council position on the proposal for a Data Protection Regulation. The Data Protection Officer is not workable for SMEs and should not be made mandatory, especially if core business is not data processing. Moreover, the risk based approach presented by the Council cuts red tape (e.g. impact assessments or prior consultation are not compulsory) where the processing of data does not represent high risk.

*“The economic and administrative burden that the Data Protection Officer would bring to SMEs would be simply unbearable to handle, considering that 91% of the companies in the hospitality sector employ less than 10 people. In any case, if a company core business is not data processing, there are no grounds to justify the time and cost for an internal employee to carry out the tasks of a DPO”,* highlighted HOTREC CEO Christian de Barrin.

*“SMEs are the backbone of the European economy. The Think Small First Principle should apply to any piece of new legislation. Moreover, the type of processing activities and the categories of the data being processed should be the only decisive factors to take into account when assessing each company's risk”,* stressed UEAPME Secretary General Peter Faross.

Therefore, HOTREC and UEAPME call on the Parliament to: (i) keep the designation of the DPO optional; (ii) ensure that SMEs employing less than 250 employees and whose core activity is not data processing are not obliged to designate a DPO; and (iii) adopt the risk based approach as designed by the Council.

### **What is HOTREC?**

HOTREC represents the hotel, restaurant and café industry at European level. This industry includes around 1,8 million businesses, of which 99% are small and medium sized enterprises (91% of them micro enterprises, i.e. employing fewer than 10 people). These businesses make up some 59% of industry value added. The hospitality industry provides some 10.2 million jobs in the EU alone. Together with the other tourism industries, the sector is one of the largest industries in Europe. HOTREC brings together 42 national associations representing the sector in 28 different European countries. For further information please visit [www.hotrec.eu](http://www.hotrec.eu) or follow [@HOTREC](https://twitter.com/HOTREC) on Twitter.

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### **What is UEAPME?**

UEAPME is the employers' organisation representing exclusively crafts, trades and SMEs from the EU and accession countries at European level. UEAPME has 80 member organisations covering over 12 million enterprises with 55 million employees. UEAPME is a European Social Partner. For further information please visit <http://www.ueapme.com/> or follow [@UEAPME](https://twitter.com/UEAPME) on Twitter.

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