



Proposal for Data Protection Regulation: Designating a Data Protection Officer should not be compulsory, especially not for SMEs

Brussels, 28 May 2014 – 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, strongly oppose the obligation for SMEs to designate a Data Protection Officer (DPO), if they employ less than 250 people and if their core activity is not data processing.

Anticipating the Justice and Home Affairs Council of June 5 & 6, HOTREC and UEAPME call on the Council to keep its proposal from March 2013, which stresses that the designation of a DPO should be optional rather than mandatory.

Above all, both associations reject the European Parliament's decision fixing a threshold at 5000 data subjects for a company to follow certain obligations, such as the designation of the Data Protection Officer, or the necessity of developing impact assessments.

"The obligation for SMEs to designate a Data Protection Officer is an additional administrative and economic burden to SMEs which strive to subsist in challenging times and must be avoided.", explained Mr Kent Nyström, President of HOTREC.

"SMEs truly are the backbone of European economy and all new regulations should – according to the "Think Small First principle" – avoid any additional burden and take into account SMEs activities and number of employees so as to not impact their sustainability", commented Mr Peter Faross, UEAPME Secretary General.

Therefore, HOTREC and UEAPME call on the Council to:

- Keep the designation of the DPO optional;
- Ensure that SMEs employing less than 250 employees and whose core activity is not data processing are exempted from the obligation of designating a DPO.

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 27 different European countries.

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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 on Twitter.

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