VII. ANNEX

A. Flowchart showing notification requirements

The controller becomes “aware” of a personal data breach and assesses risk to individuals.

Is the breach likely to result in a risk to individuals’ rights and freedoms?

- Yes
  - Notify competent supervisory authority
  - If the breach occurs at a controller which is subject to the GDPR by virtue of Article 3(2) or Article 3(3), it must notify every single authority for which affected data subjects reside in their Member State.
  - No requirement to notify supervisory authority or individuals

- No
  - No requirement to notify supervisory authority or individuals

Is the breach likely to result in a high risk to individuals’ rights and freedoms?

- Yes
  - Notify affected individuals and, where required, provide information on steps they can take to protect themselves from consequences of the breach

- No
  - No requirement to notify individuals

All breaches recordable under Article 33(5). Breach should be documented and record maintained by the controller.