

THE ALLIURIS GROUP

ALLIANCE OF INTERNATIONAL BUSINESS LAWYERS

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Summer School in Lyon

The Summer School 2018 was organised by our partner law firm Cabinet Juridique Saône-Rhône in Lyon and took place from 04-07 September 2018.

A total of fifteen young lawyers from Europe and South America participated this year and talked about the topic of data protection.

After arriving at their hotel in the city centre, the group met for the first time to get to know each other and the hosts from Saône-Rhône.

The first day started with a lecture of Pierre-Eric Babin, lawyer at Saone-Rhône, where he talked about general data protection rules. Followed by presentations by partner Ludovic Giraud in the afternoon and of the members of the Alliuris Legal Lab, a group of exchange students who had worked on a GDPR manual. The next day, Bernard Brioude and Stéphanie Giraud presented the social aspect of the implementation and Araceli Rojo Corral spoke about the open clauses of the GDPR. In the afternoon Jean-François Chronowski presented the topic corporate law with other lawyers from his firm. On Friday, the last day, the group learned about judicial aspects and litigations from Christine Etiembre and Christophe Curt.

The group was also able to work on some case studies to implement their knowledge. The summer school ended with some sightseeing in beautiful Lyon before everyone met for a farewell dinner on Friday evening.



Hosting by Cabinet Juridique Saône-Rhône

Cabinet Juridique Saône-Rhône is one of the two French members of Alliuris and has its office in Francheville, near Lyon.

The law firm was founded in December 1964 and is successful for more than 50 years in their region and beyond now. They advise in matters of tax, corporate and commercial law amongst others.

Many thanks to our hosts for organising this year's summer school and being so hospitable to our young lawyers that came to visit lovely Lyon.

GDPR Manual (Alliuris Legal Lab)

Because of the adoption of the new European regulation in data protection last May of this year, the Alliuris Legal Lab saw the necessity to provide the lawyers of the group with a guide that contains all information necessary for a better legal service in this matter.

A group of international master students of the University of Göttingen (LIPIT, Lower Saxony, Germany) elaborated an extraordinary work incorporating the principal aspects of the new European regulation.

After a presentation of the actual situation of the French law regarding Data Protection, the LIPIT Group explained how they elaborate the manual and what are the important aspects of the European regulation in collecting, processing, storage, transferring and breaching personal data.

Based upon the favourable reception of the first version and the necessity of the introduction of new topics, there is a new version of the manual that will see the light soon.

The work consists of 8 parts with multiple annexes that bring lawyers and clients a full perspective of data protection regulations. The topics are from principles and rights of the data subject, to data breach, data transfer, data protection in the context of employment and IT security. There is also a section centred in the practical application of matters like social media plugins and clouds.

This manual of more than 200 pages of practical and theoretical documents is the ultimate guide for any lawyer that wants to provide an excellent legal service regarding data protection.



Data Protection

In the afternoon of the first day, Ludovic Girou, a partner at Saône-Rhône spoke about data transfer and data breach.

From the lecture of Pierre-Eric Babin, the young lawyers, the group learned the history and evolution of the text in France. The topic of data protection is not new in France. France has already 40 years of legislation and regulation in relation to the protection of personal data. By the Act of the January 6, 1978 the “Commission Nationale de l’Informatique et des Libertés” (CNIL) was created with the purpose, to remain the respect of privacy, individual rights and public liberties. CNIL is the data protection authority, located in Paris, which “supports the development of new technologies on a daily basis and takes part in the construction of a digital ethic”. After on May 25, 2018 the GDPR came into effect, many formalities with national data protection authorities disappeared. Instead, firms and organizations must now ensure the optimal data protection level and be able to demonstrate it by documenting their compliance, since the responsibility of firms and organizations is strengthened. The lawyers were presented with the concrete steps to take for the demonstrating of the compliance with GDPR.

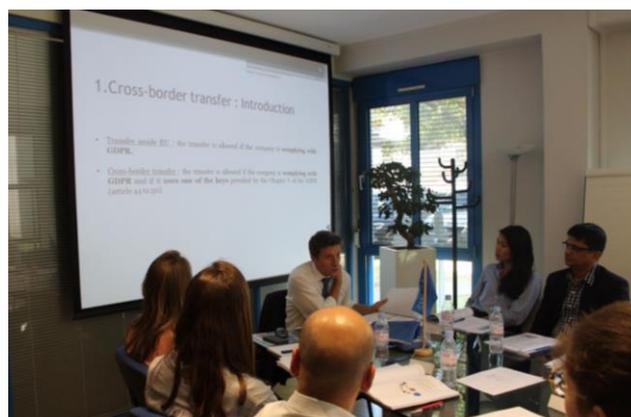
They learned the regulations regarding data collecting, storage and processing, to comply with the requirements of the GDPR.

In his presentation, Ludovic Giroud spoke about the rules of data transferring and the consequences of data breaching. The transferring of personal data inside the EU is allowed. For the transferring of the data outside the EU in the GDPR is provided a locked system for cross-border transfer (CBT). The possibilities to unlock the system are adequacy decisions, safeguards, derogations and foreign decisions.

With Bernard Brioude and Stephanie Giraud from Saône-Rhône, the young colleagues talked about social aspects of the implementation of the GDPR. Especially helpful for them were the modal agreements and samples, handed out for use in practice. Araceli Rojo Coral, from Herfurth & Partner (Germany), presented how the GDPR is implemented in the different countries in the EU.

The team of Jean-Francois Chronowski, Anne-Sophie Emy and Aurelie Bang pointed out the specific application of the GDPR, regarding the corporate law. Especially, the former general terms and conditions for sales of goods cannot be used any more unchanged - they shall be modified to respect the GDPR. The contracts between the controllers and subcontractors should be reviewed and revised. As case studies, the young lawyers had the opportunity to work with samples of clauses in the general terms of e-commerce and of contract terms of subcontracting and modify the clauses, using the acquired skills. Christine Etiembre is a litigation lawyer and spoke about judicial aspects and litigation. She showed the different penalties for non-compliance with the GDPR. In some cases, the monetary penalties can be very significant – up to 20 million Euro or 4 % of total worldwide turnover without tax. As next, the young lawyers learned the evidential system in France and the evidences to be adduced to court relating the data breach cases.

On Saturday the young colleagues left Lyon with the better knowledge of the data protection field and understanding of the problems in new regulation, which they will solve based on the knowledge and skills which they have acquired.





“I sincerely thank Alliuris from the bottom of my heart for providing me the opportunity to have a wonderful learning experience at Lyon Summer School. It was a unique experience to learn and interact with young lawyers with great enjoyment.” – describes Rupesh Pandey, a lawyer part of the LIPIT Group/ Alliuris Legal Lab. At the end of the tour the participants could enjoy a panoramic view of the city and the river.

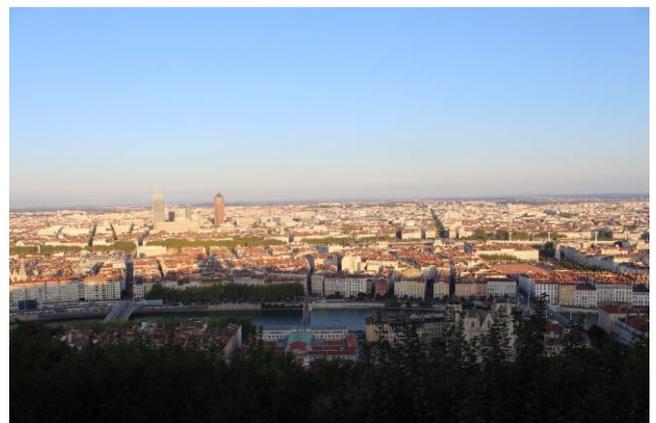
Once again, the “Summer School Experience” offered the opportunity, not only to improve their technical skills in actual matters, but to create closer links between young international lawyers and to know the beautiful city of Lyon.

Side Program

After each day, the young lawyers were invited to have lunch and dinner in restaurants of the city of Lyon, well known for a wide culinary culture. There were sophisticated locations as well as traditional ones that permitted the young lawyers to enjoy the well reputed French cuisine.

On the fourth day the entertainment program started. A tour guide (also professor in the oldest school in Lyon) gave all participants an historical point of view of the city and explained how important Lyon was in the first days of Christianity. They also had the opportunity to visit the cathedral, two roman amphitheatres and the emblematic Basilic of Notre-Dame de Fourviere.

Every evening the participants gathered in a nice place to share their experiences and to discuss interesting topics and current questions.



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