

BDSG (Bundesdatenschutzgesetz) – 2018

The BDSG is Germany's federal data protection law that complements the GDPR and governs processing of personal data.

BDSG

What it is

The Germany Federal Data Protection Act (BDSG) is a national data protection law that helps organizations safeguard personal data and ensure compliance with privacy requirements in Germany. The framework establishes fundamental data protection principles, rights, and obligations for processing personal information.

Published and enforced by the German Federal Government, the BDSG applies to public and private-sector entities that process personal data within Germany. It complements the EU General Data Protection Regulation (GDPR) by providing additional national rules for areas such as employee data protection, data processing for research, and the role of the Federal Data Protection Commissioner. Key focus areas include data subject rights, lawful data processing, and supervision of data protection practices.

At a glance

PUBLISHER Der Bundesbeauftragte für den Datenschutz und die Informationsfreiheit (BfDI)	TYPE Regulation	VERSION Federal Data Protection Act (BDSG)
EFFECTIVE May 25, 2018	DOMAIN Privacy	FAMILY Global Privacy Regulations
REGION Germany	ADOPTION MODEL Regulatory Compliance	IMPLEMENTATION COMPLEXITY High

Source: <https://www.bfdi.bund.de>

Why it matters

- **Strengthen data protection practices** Establishes clear standards for collecting, processing, and storing personal information, significantly reducing risks of unauthorized access or misuse.
- **Enhance regulatory alignment** Facilitates stronger alignment with the GDPR and local laws, making it easier for organizations to meet European data protection expectations.
- **Support employee data governance** Provides tailored rules for handling employee data, helping organizations address workplace privacy obligations and minimize potential legal complications.
- **Increase audit readiness** Mandates comprehensive recordkeeping and documentation, equipping organizations to demonstrate compliance during regulatory reviews and audits.

How SmartSuite supports BDSG

Personal Data Inventory and Mapping

Track personal data assets, systems, and data flows across the organization.

Records of Processing and Legal Basis Tracking

Maintain documentation of processing activities and legal bases for processing personal data.

Data Subject Rights Workflows

Automate access, correction, and deletion requests with deadlines and audit trails.

Privacy Risk and Impact Assessments

Track privacy impact assessments, approvals, mitigation tasks, and compliance evidence.

Vendor and Processor Governance

Monitor vendors and processors that handle personal data on behalf of the organization.

Privacy Compliance Reporting and Audit Readiness

Provide dashboards and reports showing privacy program coverage and regulatory readiness.

Common framework mappings

APEC PF

GDPR

ISO 27001:2022

ISO 27002:2022

ISO 27701

NIST Privacy Framework v1.0

OECD Privacy Guidelines

Official resources

Germany Federal Data Protection Act (BDSG) Text

Provides the full legal text of the BDSG, detailing data protection requirements and principles in Germany.

gesetze-im-internet.de/englisch_bdsrg/englisch_bdsrg.html

Federal Data Protection Commissioner Guidance

Offers official guidelines from the Federal Data Protection Commissioner on implementing BDSG provisions.

bfdi.bund.de/EN/DataProtection/Das-neue-BDSG-node.html

BDSG and GDPR: Complementary Rules

Outlines how the BDSG complements GDPR with specific national regulations.

bfdi.bund.de/EN/DataProtection/Datenschutzrecht/EU-GDPR_node.html

Frequently asked questions

What is the Germany Federal Data Protection Act (BDSG) used for?

The BDSG is used to protect personal data by outlining principles, rights, and obligations for the processing of personal information within Germany. It ensures data privacy, compliance with national requirements, and supplements the broader framework of the EU GDPR.

Is compliance with the BDSG mandatory?

Yes, compliance is mandatory for both public and private entities that process personal data within Germany. Failure to comply can result in enforcement actions, including administrative fines and corrective orders from supervisory authorities.

Who does the BDSG apply to?

The BDSG applies to organizations and individuals—both public and private sector—that process personal data in Germany. It also covers specific areas such as employee data processing and certain exemptions or rules not governed directly by the GDPR.

What are the key data protection principles and requirements in the BDSG?

Key BDSG requirements include lawful processing of personal data, safeguarding data subject rights, maintaining appropriate technical and organizational measures (TOMs), and fulfilling record-keeping and documentation obligations. The Act also sets special provisions for employee data and scientific research.

How should organizations implement the BDSG's requirements?

Organizations should integrate BDSG principles into their data protection programs by identifying processing activities, appointing Data Protection Officers where required, conducting Data Protection Impact Assessments, and maintaining records of processing. Regular risk assessments and security control updates are also necessary.

How does the BDSG relate to the GDPR?

The BDSG complements the GDPR by adding specific national rules in areas such as employee data protection, public interest processing, and the powers of German supervisory authorities. Organizations must adhere to both the GDPR and BDSG when operating in Germany.

What are the ongoing compliance requirements under the BDSG?

Ongoing requirements include maintaining up-to-date records of processing activities, monitoring compliance, continual staff training, regular risk assessments, prompt incident response, and timely cooperation with the German Federal Commissioner for Data Protection and Freedom of Information.

How would SmartSuite support Germany Federal Data Protection Act (BDSG)?

SmartSuite streamlines BDSG compliance by enabling centralized risk tracking, mapping controls to legal provisions, and tracking evidence collection. It supports ongoing audit readiness through operational dashboards, automated compliance status monitoring, remediation task management, and robust reporting for internal and regulatory reviews.

License included / downloadable: Yes The Federal Data Protection Act is publicly available through official German government legal resources.

Full framework page and mappings: smartsuite.com/frameworks/germany-federal-data-protection-act-bdsg