

Scope of GDPR

Situation	Does GDPR apply?	Basis?
EU citizen residing in the EU	If the data collection and / or processing is done in the European Union, <i>whatever the nationality or place of residence of the individual is:</i> YES - GDPR applies	Article 3.2 of GDPR
EU citizen residing outside of the EU		
Non-EU citizen residing in the EU		
Non-EU citizen residing outside of the EU		

Three practical examples:

1) A German employee works at Brink's PanAmericano with an employment contract with Brink's PanAmericano and all of her data is handled within the Mexican organization

=> GDPR does NOT apply

2) A French employee works at Brink's US as an expat, her original employment contract being with Brinks France and Brink's France still handling her personal data for payroll purposes

=> GDPR does apply

3) A US employee works at Brink's Greece, has a US employment contract but part of his personal data is processed by the Greek organization for local housing purposes

=> GDPR does apply,