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Mind the Gap: New Privacy Laws

Implementing Israel's Amendment 13 and India's DPDP Act

Dalit Ben-Israel, Partner, Head of IT, Privacy and AI, Naschitz Brandes Amir
Vikram Jeet Singh, Partner BTG Advaya



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Israel: Amendment 13

Privacy Protection Law, 1981: the most significant reform since enactment

- **GDPR-style definitions**
  Broad ‘personal data’, ‘especially sensitive data’, controller and processor (‘holder’).
- **Registration narrowed**
  Only public bodies and data brokers (10,000+). PPA notification for sensitive data on 100,000+ people.
- **Administrative Fines**
  PPA administrative fines scale with database size and sensitivity, reaching millions of NIS.
- **Mandatory DPO**
  Public bodies, data brokers, large-scale monitoring or sensitive-data processing.
- **Stricter notice and purpose limitation**
  Expanded notice at collection. No processing beyond the stated purpose or the controller’s authorisation.
- **Litigation and criminal exposure**
  Statutory damages up to NIS 10,000 without proof of harm. New criminal offences.

TIMELINE

Aug 2024
Amendment 13 enacted

14 Aug 2025
Amendment 13 in force

Today
No grace period: PPA supervision and enforcement

India: DPDP Act and Rules

Digital Personal Data Protection Act, 2023 and DPDP Rules, 2025

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- **Consent first**
  Comparatively shorter list of ‘legitimate uses’ - no legitimate-interest exception. Itemized, specific notice required.
- **Significant Data Fiduciaries**
  Designated by government: India-based DPO, annual DPIA and independent audit.
- **Cross-border by negative list**
  Transfers permitted unless the government restricts a country. Localisation possible for SDFs.
- **Children means under 18**
  Verifiable parental consent. No tracking, behavioural monitoring, or targeted advertising.
- **Breach: notify everyone**
  Every breach goes to the Board and to each affected individual. Detailed report within 72 hours.
- **Penalties up to INR 250 crore**
  Roughly USD 30 million per breach (at the top end), imposed by the Data Protection Board. Extraterritorial reach.

TIMELINE



Aug 2023	Nov 2025	Nov 2026	May 2027
DPDP Act enacted	Rules notified; Data Protection Board established	Consent Manager framework takes effect	Full compliance: notice, consent, security, breach, rights

One law, four starting points

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There is no single implementation plan that fits all businesses. The route to compliance depends on where the organisation stands today.

Already compliant (local or GDPR)

Gap analysis, not a rebuild

- Reuse the data map, RoPAs, policies and DPAs already in place.
- Close the local deltas: notice and contracts language fixes, consent-only basis in India, under-18s.
- GDPR-compliant does not mean DPDPA-compliant.

Starting from zero

Triage first, then build

- Map the data, then fix what is visible and what carries the highest risks – children's data sets, for example.
- Set a realistic 12-month roadmap with a named owner.
- Document decisions: remediation efforts count at enforcement time.

SMB versus Enterprise

Same law, different scale

- SMB: one owner, core documents, 'outsourced' processes.
- Enterprise: governance programme, board reporting, budget, IT retooling.
- Israel caps fines for small and micro businesses. The duties still apply.

B2B versus B2C

Different pressure points

- B2B: often a processor. Contracts, security assurance, customer audits
- B2C: notices, consent, rights requests, marketing, children
- B2C carries the regulatory and class-action visibility

Step one: know your data

Start data mapping immediately. Every other workstream depends on it

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You cannot protect, disclose or prioritise data you have not mapped.

What	Categories of data, including sensitive and children's data
Whose	Customers, users, employees, candidates, suppliers
Why	Purpose of each use, and the notice or consent behind it
Where	Systems, cloud regions, countries
Who	Vendors, group companies and other recipients with access
How long	Retention periods and deletion in practice

Israel: the map decides

Database definitions document, security level, DPO duty and PPA notification thresholds

India: the map decides

Significant Data Fiduciary exposure, consent and notice design, retention and erasure

Where to start: follow the risk

Once the data is mapped, sequence the work
Four sequencing rules for the first six months

		DO FIRST	THEN
1	**Highest penalties first** Regulators have priced the risk for you	**Notice and consent, security safeguards, breach response**	Lower-fine formalities and record-keeping
2	**Outward-facing before internal** What regulators, customers and claimants see	**Privacy policy, notices, consent flows, supplier agreements**	Internal policies and procedures
3	**Customers before employees** Larger volumes, more complaints, class actions	**Customer and end-user data**	Employee and candidate data
4	**Sensitive data first** Higher fines, greater harm, lower tolerance	**Children, health, biometric and financial data**	Ordinary contact and business data

The four building blocks

What turns a remediation project into a compliance programme

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Training

Role-based. Start with management and the teams that handle data.

ISRAEL

Periodic training is a duty under the Data Security Regulations.

INDIA

Train on consent flows, notices, and the 72-hour breach workflow.

DPO appointment

Appoint early, so the DPO runs the programme rather than inherits it.

ISRAEL

Mandatory by category. Reports to C level, no conflicts, may be outsourced.

INDIA

Mandatory only for Significant Data Fiduciaries. India-based, answers to the board.

Supply chain

Inventory vendors, rank by data risk, handle the critical ones first.

ISRAEL

Written DPA with prescribed content. Periodical review and supervision.

INDIA

A valid contract is required. The fiduciary stays liable for its processors.

Cross-border transfers

Map every flow, including remote access and cloud support.

ISRAEL

A legal ground under the 2001 Transfer Regulations. Extra duties for EEA data.

INDIA

Permitted unless a country is restricted. Watch out for sectoral and localisation rules.

Lessons learned from both

What Israel's first year and India's run-up have in common

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1

Transition periods end sooner than planned
Israel had 12 months, India has 18. Organisations that waited for guidance or thought they had time - ran out of time.

2

GDPR is a head start, not a replacement of local compliance
The local deltas are exactly where local regulators will look.

3

Map before you draft
Documents written ahead of the data map will require heavy rework.

4

Fix what is visible, in order of exposure
Notices, consent, vendor contracts and security come before internal paperwork.

5

Build a programme, not a project
Ownership, budget, training and evidence. Remediation effort counts at enforcement.

BOTTOM LINE

Map.

Prioritise.

Fix what is visible.

Then build the programme.

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Questions?