



University
of Regina

Application of GDPR to University of Regina Activities

GDPR will be applied where the University of Regina is engaged in an activity such as:

- a. offering educational opportunities to individuals physically located in the EU;
- b. monitoring individuals who are physically located in the EU, which could include:
 - i. The monitoring of University of Regina students while the students are located in the EU (for example, on student exchange, or work/study abroad programs);
 - ii. The use of a website which is intended for persons in the EU and tracking the online activity of persons in the EU using the website with internet tracking cookies;
 - iii. Monitoring the activity of an employee of the University of Regina while the employee is in the EU for an extended period of time; or
 - iv. Monitoring the activity of a faculty member carrying out research involving Personal Data before the faculty member has published his/her findings.

The threshold test to be met is that the Data Subjects must be in the EU. The definition is broad and includes individuals who are citizens, residents, have other legal status or are temporarily domiciled in the EU. The definition is intended to catch “everyone” and is not restrictive in nature. The general consensus is that offering educational opportunities to persons physically located in the Union will engage GDPR.

GDPR may also apply where the University of Regina contracts with a third-party vendor to process or monitor data about a Data Subject located within the EU. The physical location of the third-party processor is not determinative. If the University of Regina contracts with a third-party vendor in such circumstances, GDPR requires the U of R to enter into data-protection agreements with specific terms². One scenario where this may well apply is the contracts that the University of Regina has with recruitment or placement agencies working in the Union.

GDPR will apply to the U of R (as a Processor) where the University of Regina processes Personal Data of Data Subjects in the EU in the context of research conducted in the EU, or jointly with a person or entity domiciled or established in the EU.

Additional applications of GDPR to the University of Regina may develop as GDPR is enforced against extra-territorial institutions.