

The EDPB and the cooperation mechanisms between data protection authorities

Isabelle Vereecken
Head of the EDPB Secretariat
VUB – Privacy Hub
20 Septembre 2019





How is the EDPB organised?

The European Data Protection Board

The EDPB Secretariat



**Chair
+ 2
Deputy
Chairs**



**Members are 28 SAs + 3 EEA
EFTA SAs + EDPS**

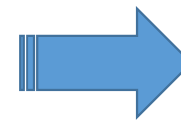


	WP29	EDPB
Status	COM expert group Act independently	Independent EU body with legal personality
Members	EU DPAs + EDPS + COM	EU DPAs + EDPS + EEA EFTA DPAs
COM status	Member	Right to participate without voting right
Secretariat	COM	EDPS
Tasks	Advisory role	Advisory role Binding decision Consistency Opinion
Chair	2 years/ renewable	5 years/ renewable once
Majority for decision	Simple majority	Simple majority, except: RoP and Art. 65 binding decision

EDPB Organisation

EDPB Expert Subgroups

Borders, Travel & Law Enforcement (BTLE) Cooperation	Compliance, e-Government and Health Enforcement
Taskforce on Administrative Fines	International Transfers
Key Provisions	Social Media
Technology	IT Users
Financial Matters	Coordinators



**EDPB
Plenary**



What is the mission of the EDPB?

EDPB Mission

=> **Contribute to the consistent application of the data protection rules in EU**

- **General guidance:** to inform the business and individuals
- **Consistency application of the GDPR:** consistency for Supervisory Authorities
- **Advise the EU Commission:** i.e. Adequacy level of protection of third countries

Examples of guidelines on GDPR

WP29 endorsed by EDPB

Consent	Transparency
Profiling	Data breaches
Data portability	DPIA
DP Officers	Lead SA
Records of processing	BCR
Fines	Adequacy

EDPB adopted

Accreditation	Territorial Scope
Derogations for transfers	Provision of online services under 6.1.b
Codes of conduct	Certification
Video devices	

Consistency at the EDPB level



Binding decisions (Dispute resolution)

Dispute between the Lead SA and the Concerned SA

Opinions: cross border issue

Consistency Opinions

- 31 opinions: processing subject to DPIA
- 3 opinions: processing exempt to DPIA
- 28.8 DK Standard Contract (C-P)
- Competence SA in case of change relating to main/single establishment
- Interplay ePrivacy/GDPR
- ESMA admin. arrangement for international transfers
- EC FAQs Clinical trials



Enforcement of the GDPR is for Supervisory Authorities

Enforcement of the GDPR is for Supervisory Authorities

Cross-border cases

National cases

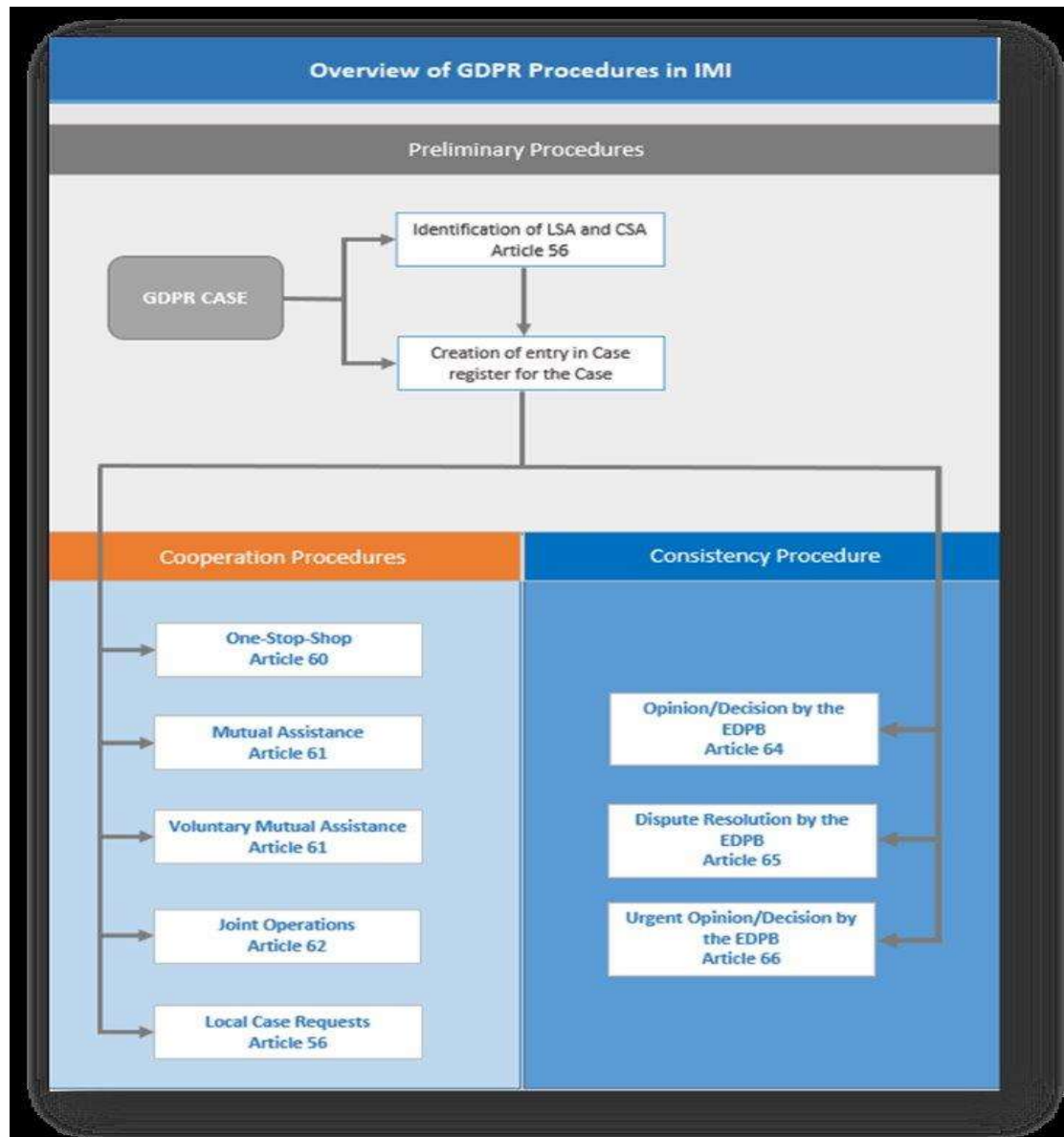


Lead Supervisory Authority in cross-border cases

- Lead SA coordinates
 - Reinforced cooperation with concerned SAs
 - Mutual assistance
 - Joint operations
- Lead SA try to reach consensus
- Lead SA takes enforcement action
- Exception: locally handled cases

Exchange of information – IMI system





Cooperation among Members – Ongoing OSS Cases

Identification of the LSA + cross-border component

- 1145 procedures initiated to identify the Lead SA + the Concerned SAs.

966 are closed. Up to now, no dispute arose.

=> 616 cooperation cross-border cases (435 out of a complaint and 181 from other sources)

Cooperation among Members

Ongoing OSS cases

- 363 OSS procedures initiated: 46 final decisions

Cooperation among Members

Mutual assistance

- 1716 mutual assistance requests triggered by SAs.

Joint Operations

- **no** joint operations have been initiated.

Questions?

<https://edpb.europa.eu/>

23.11.2018