

## Feedback on the guidelines 01/2022 on data subject rights

	Feedback
Page 58 Is it a GDPR request?	<p>Who is responsible for identifying the relevant law of the request?</p> <p>There are requests listing up all the privacy laws such as “GDPR, CCPA, Japanese APPI, and any other applicable laws”, and data controllers are confused to identify which law is the basis of the request and until when the request needs be answered. (e.g. some foreign laws set deadlines shorter than GDPR)</p>
In general	<p>Is my understanding right that, (a) the right of access is a right to ask the controller to send personal data to the data subject herself and (b) the right of portability is a right to ask the controller to send personal data to a third party? Simply put, my understanding is the recipient of the personal data differentiates the two rights.</p> <p>These two rights are similar to each other and that is why I am seeking clarification.</p>
In general	<p>Is my understanding right that, if a data subject request is so unclear that a prudent data controller cannot identify what response should make, the request does not trigger the data controller to respond to the request?</p>
Page 58 Identity check, in case of doubts	<p>Is it legal under GDPR for a data controller to establish an operation that the data controller requires a person exercising a right of access to show more than one identity documents (e.g. passport, drivers license, etc.) whether or not doubts are in place?</p> <p>The rationale behind that operation is to standardize and ensure the handling of data subjects’ requests so that all the data subjects’ requests will be handled properly and swiftly without causing data breaches (e.g. a data controller fails to confirm the identity of a person, and it mistakenly discloses personal data of person A to person B).</p>
In general about the deadline	<p>Is my understanding right that, if a data subject request is so unclear that a prudent data controller cannot identify what response should make, the request does not trigger the one-month deadline for the data controller to respond to the request?</p> <p>Is my understanding right that, if a data subject does not submit an identity document at the time of a data subject’s request, the one-month deadline starts only when the data subject submits the identity document?</p>
Page 35	<p>The URL is not described in a properly and the uploaded pdf on EDPB’s website says “<b>Error! Reference source not found.</b>”</p> <p>Could you please correct the URL and re-start the public consultation accordingly?</p>