

EDPB Personal data records of processing activities (Article 31 of the Regulation 2018/1725¹)

Record of EDPB activities processing personal data, based on Article 31 of Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC.

Nr.	Item	Description
1.	Title of the processing operation	EDPB Article 60 Final Decisions register
2.	Number of record	EDPB-0003
3.	Last updated	May 2022
4.	Data controller	European Data Protection Board Edpb [at] edpb.europa.eu Rue Montoyer, 30 Belgium, Brussels
5.	Joint controllers	N/A
6.	Processor(s)	European Parliament; European Commission;
7.	Data Protection Officer (DPO)	EDPB Data Protection Officer Edpb-dpo [at] edpb.europa.eu Rue Montoyer, 30 Belgium, Brussels

¹ Regulation 2018/1725 on the protection of natural persons with regard to the processing of personal data by the EU institutions, bodies, offices and agencies.

8.	Description of the processing operation	The EDPB members agreed to publish a register on the EDPB website containing final decisions adopted by the SAs following the One-Stop-Shop procedure (under Articles 56 and 60 GDPR) and communicated to the EDPB via the IMI system (in accordance with Article 60(7) GDPR). The public register contains final decisions as adopted by the SAs, together with summaries of these decisions. The summaries are prepared by the EDPB Secretariat and validated by the LSAs. The inclusion/disclosure of personal data in both summaries and final decisions is subject to a decision taken by each SA, in accordance with their national law. Thus, the register provides the maximum information possible taking into consideration any limitations imposed by national law.
9.	Purpose of processing operation	The purpose of this register is to provide an additional layer of transparency towards final decisions issued by SAs in the context of the cooperation mechanism, through their publication on a centralised register, together with - where relevant - summaries of the final decisions. This allows the general public to have a better understanding and overview of the decisions taken by SAs.
10.	Legal basis	<p>The lawfulness of processing is ensured by compliance with Article 5(1)(a) (“processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Union institution or body”) of Regulation 2018/1725. As required by article 5(2) of such Regulation, the basis for the processing is required to be laid down in Union law. In this case, the basis for the publication in the register is article 15 of the Treaty on the Functioning of the European Union, in particular paras. (1) and (3), and Article 12 of Regulation 1049/2001, which mandates, where possible, an active/direct publication of documents.</p> <p>Where the EDPB is required to process data in relation to the Article 60 Final Decisions register for the purposes of audits and investigations by relevant EU bodies (e.g., European Court of Auditors), requests for access to documents under Regulation 1049/2001, and/or requests for data subject rights under Regulation 2018/1725, the lawfulness of said processing rests on Article 5(1)(b) and (2) of Regulation 2018/1725.</p>
11.	Description of categories of data subjects	<ul style="list-style-type: none">) Data controllers (where natural persons, or legal persons, in so far as their legal name identifies one or more natural persons) and natural persons associated to them (e.g. staff members);) Complainants, when mentioned in the final decision published in the register;) EEA Supervisory Authorities’ staff members, when mentioned in the final decision;) Any other natural persons mentioned in the final decision and/or summary of such decision;

12.	Description of processed personal data / categories	<ul style="list-style-type: none">) Name, surname, email, postal address, professional work title, name of organisation and any other personal data of controllers and/or complainants, as well as any other natural persons whose personal data is mentioned in the final decisions of the SAs.) Name, surname, email, postal address, professional work title and any other personal data of the EEA SAs' staff members, directors and/or representatives contained in the final decisions of the SAs or communicated to the EDPB by the SAs.
13.	Description of procedure to ensure data subjects' rights	A specific privacy statement is available on the EDPB website, which details how data subjects can exercise their rights. Data subjects have the possibility to object to the publication of their personal data in the decisions published in the register.
14.	Description of recipients of personal data	<ul style="list-style-type: none">) The EDPB Secretariat's staff members, on a need-to-do and need-to-know basis. This includes, but it is not limited to, the EDPB DPO, Legal, IT and Access to documents teams, in order to redact the final decisions in accordance with national law and to prepare the summaries of the final decisions;) The European Commission (DG DIGIT), acting as processor, where necessary for the management of the EDPB website where such decisions are published;) The European Parliament, acting as processor providing technical support, where necessary;) EU bodies charged with monitoring or inspection tasks in application of EU law, where necessary in the context of official investigations or for audit purposes;) Members of the public, in the context of requests for access to documents, where the relevant exceptions do not apply, in accordance with Regulation 1049/2001;) The general public.
15.	Description of transfers	No transfers to third countries are foreseen in this case.
16.	Description of envisaged time limits for retention	Published final decisions and summaries containing personal data are kept on the website for periods of three years, counting from the date of publication. Before the end of each period, the EDPB will determine the need to continue ensuring the publication of the decisions and summaries for an additional three-year period.

	<p>for each processing operation</p>	<p>The EDPB can decide, at any time, to remove documents from its website and keep them in its files, which are subject to the approved retention schedules and can be considered of historical value and kept for an undetermined period. Where of specific historical value and relevant for the public, the EDPB may leave the final decisions online, but with an archived status (and subject to specific archiving retention periods).</p>
<p>17.</p>	<p>General description of technical and organisational security measures referred to in Article 33</p>	<p><u>IT Measures</u></p> <p>Any personal data collected by the EDPB is kept in restricted access servers, available only to authorised staff through adequate IT security measures. In general, technical measures include appropriate actions to address online security, protect server hardware, software and the network from accidental or malicious manipulations and risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the personal data being processed.</p> <p><u>Organisational measures</u></p> <p>All final decisions are subject to a careful assessment regarding the publication, either in full or in pseudonymised format, of any personal data concerning the controller, the complainant or any natural person involved in the process. Disclosure of the personal data of data subjects is subject to national legal provisions applicable by SAs. As a result, where such disclosure is not possible, final decisions and the respective summaries (where produced) are pseudonymised (through a redaction process). All decisions, redacted or not, as well as any summaries, are subject to the LSA's approval before publication.</p> <p>Physical access to the EDPB premises is restricted to authorised staff and EDPB members.</p>