



Final

25th Plenary meeting

5 May 2020

Remote meeting

Some points have been redacted from these minutes as their publication would undermine the protection of one or more of the following legitimate interests, in particular: the public interest as regards international relations; the privacy and integrity of the individual regarding the protection of personal data in accordance with Regulation 2018/1725; the commercial interests of a natural or legal person; ongoing or closed investigations; the decision-making process of the EDPB, in relation to matters upon which a decision has not yet been taken and/or the decision-making process of the EDPB, in relation to matters upon which a decision has been taken.

1. Adoption of the minutes and of the agenda

1.1 Minutes of the 24th EDPB meeting – adoption

The minutes were adopted with the suggested changes.

1.2 Draft agenda of the 25th EDPB meeting – adoption

The draft agenda was revised in order to include points 3.1 and 3.2 under the Any Other Business. The revised agenda was adopted.

2. Current Focus of the EDPB Members

2.1 EDPB letter on Polish presidential elections via postal vote – discussion and adoption (Rapporteur: Chair)

The Chair explained the background of the letter. Several citizen e-mails were received on this issue and also two MEPs sent a letter to the EDPB about it. The Secretariat provided the background information regarding the situation in Poland and presented the key messages of the letter.

Polish SA presented the latest developments in this issue and expressed its concerns regarding the procedural approach.

The EDPS also explained its position and the content of its response letter to the MEP. Several complaints were also sent to the EDPS on this regard, although some of them were found inadmissible due to lack of competence of the EDPS to deal with them.

The members of the EDPB discussed the content of the letter. In this regard, considering that important decisions will be taken tomorrow in Poland about the election, the EDPB members decided that some parts of the letter will be finalised at the next meeting of the CEH ESG taking place on 7 May. The letter will be discussed again in the view of its adoption at the next plenary meeting on 8 May 2020.

2.2 Possible public consultation on revised Guidelines on consent under Regulation 2016/679 – discussion (Rapporteur: ██████████)

The members of the EDPB discussed the possibility of having a public consultation for the update of the guidelines, taking into account that the Guidelines were already subject to a public consultation in the past.

The members of the EDPB decided to vote regarding the public consultation. 15 EU members and 3 EEA members voted against it. 9 EU members voted in favour of it (2 stated that this should be targeted to the changes made). 1 member abstained.

3. AOB

NEW 3.1 June plenary meeting

The Plenary agreed that the June plenary meeting will also take place remotely.

NEW 3.2 Information systems and data bases for manual contact tracing

4. FOR INFORMATION – Expert Subgroups and Secretariat

4.1 Secretariat: Overview of closed written procedures

The SEC informed the EDPB members of the overview of written procedures available on Confluence. The SEC will send again the link to this page.

Annex: Attendance List

SAs: AT SA, BE SA, BG SA, CY SA, CZ SA, DE SA, DK SA, EDPS, EE SA, EL SA, ES SA, FI SA, FR SA, HR SA, HU SA, IE SA, IS SA, IT SA, LI SA, LT SA, LU SA, LV SA, MT SA, NL SA, NO SA, PL SA, PT SA, RO SA, SE SA, SI SA,

- European Commission

- EDPB Secretariat