



PRESS RELEASE

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Bonn, Den Haag, Dublin, Madrid, Paris, Vienna, Warsaw

Global outsourcing of personal data – Reasonable Data Protection will help !

European Data Protection Authorities have realised the need for a better protection of personal data, especially, when they are transferred globally from one service provider to the next. They recently released a draft contract template to cover such data flows. While guidance provided by DPAs is generally welcome, CEDPO believes that some improvements to the current draft “Ad hoc contractual clauses EU data processor to non-EU subprocessor” provided by the Article 29 Working Party in Working Paper 214 could be made in order to reduce bureaucracy and to make these contractual clauses more readable, understandable and workable.

On invitation by several DPAs, CEDPO proposed a number of adjustments which would balance business needs and economic reality on the one hand, and data protection interests on the other. The proposals by CEDPO are a result of intense discussions with practitioners from various EU Member States (full text available at www.cedpo.eu). They include key-proposals intended to help the Article 29 Working Party to strike the right balance when addressing the complexity of modern and evolving outsourcing practices. Data subjects, controllers, EU data processors and non-EU sub-processors need more clarity about both their rights and obligations. CEDPO’s suggestions include some simplifications, for example the way how obligations are passed on from processors to sub-processors. CEDPO points out that in practice data controllers are rarely in direct contact with sub-processors. Generally, CEDPO suggests the reduction of administrative burdens, especially when they do not provide for added value for the data subjects.

CEDPO hopes that a revision of the Draft Ad hoc contractual clauses “EU data processor to non-EU subprocessor” will - just as in Spain- lead to a much-needed reduction of the burden of formalities, considering in particular that data transfer formalities with DPAs will be adjusted in the awaited EU Regulation.

About CEDPO:

CEDPO was founded in September 2011 by European Data Protection Organisations, namely, AFCDP (*Association Française des Correspondants à la Protection des Données à Caractère Personnel*) of France, APEP (*Asociación Profesional Española de Privacidad*) of Spain, GDD (*Gesellschaft für Datenschutz und Datensicherheit*) of Germany, and NGFG (*Nederlands Genootschap van Functionarissen voor de Gegevensbescherming*) of The Netherlands. The Confederation was soon



joined by ADPO (Association of Data Protection-Officers) of Ireland, ARGE DATEN of Austria and SABI (*Stowarzyszenie Administratorów Bezpieczeństwa Informacji*) of Poland.

CEDPO aims to promote the role of the Data Protection Officer, to provide advice on balanced, practicable, and effective data protection and to contribute to a better harmonisation of data protection law and practices in the EU/EEA.

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