

ITEM C.6.b.iii	Technology Subgroup - Data portability
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Background

Article 18 of the draft General Data Protection Regulation introduces the data subject's right to data portability, i.e. to transfer data from one electronic processing system to and into another, without being prevented from doing so by the controller. The concept of access to data is contained within existing data protection regulations. Changes in other legislation (e.g. Directive 2013/37/EU on the reuse of public sector information) have supported efforts to also increase access to information in a form which is reusable (see also Opinion 06/2013).

This topic has been identified in the draft WP29 2016-18 work programme and could also provide practical guidelines to data controllers including consideration of data readability, use of open formats and data reuse. This topic may include advice to comply with subject access requests and thus input from the Key Provisions subgroup may be required.

The WP29 granted the TS a mandate to draft an opinion on this topic at the 103rd plenary.

Main points of discussion

FR presented a table of examples to be discussed within the meeting which included:

- ☐ Email inbox
- ☐ Contact lists
- ☐ Group chats
- ☐ Blog posts and comments
- ☐ Information provided for an insurance policy
- ☐ Banking transactions

Each was discussed in turn indicating the extent to which data portability might apply to each.

The following points are also discussed :

- Activity data should be considered portable data ("provided by")
- Personal data concerning other parties (address book, photos, bank details) should be portable if the data are processed in accordance with the instructions of the other parties.

The feed-back of the plenary would be especially useful on these points.

Actions requested from the Plenary

- Members are invited to note the state of play and make comments on the current opinion draft