

# Minutes



Draft

## Strategic Advisory Expert subgroup meeting

09 January 2019, EDPB premises, 30 Rue Montoyer, 1000 Brussels

### 1. Welcome, adoption of the agenda and the minutes of the last meeting

The Chair welcomed the participants and the draft agenda as well as the last meeting minutes (11. September 2018) were adopted.

### 2. Annual Expert SG Working Plans for 2019 – discussion

The EDPB Sec reminded the participants that the ROP, in its Art. 25.6 requires the coordinators of expert subgroups to prepare an annual draft working plan. Art. 29 of the ROP requires the EDPB to issue a work program for 2 years. The SEC proposed to make use of the expert subgroup annual working plans to elaborate the 2 years EDPB work program (2019/2020).

The participants discussed the overview of the annual working plan of each of the expert subgroups, as updated by the EDPB Sec after the last coordinators' meeting (phone call) held on the 20 December 2018.

The Chair proposed to focus the discussion on the topics for which there is not yet a mandate from the EDPB, to assess their level of priority and the timeline as well as to indicate which items would be tackled in 2019 and which in 2020.

A participant asked to include the Strategic Advisory expert SG in the table.

#### **BTLE expert SG**

In the absence of the Coordinator of this expert SG, the EDPB Sec explained the items on the working plan of the BTLE expert SG.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

One of the members reminded the participants that the Commission has scheduled the review of several adequacy decisions and it will have to report to the European Parliament by 2020.

The exchanges between SAs on the implementation of PNR and LED directives are regular activities and do not need to be added in the 2 years' work program.

One of the members requested that the reference to Regulation 45/2001 under the Future of Supervision item, is modified to new reference 1725/2018.

[REDACTED]

#### **Compliance, e-Government and Health expert SG**

The representative of the coordinators explained that the working plan has not yet been fully discussed in the expert SG as the mandate of this expert SG has only been approved in December 2018 at the plenary meeting. Therefore the content might change after the expert SG meeting taking place on 10 January.

The representative explained the items on the working plan of the Compliance, e-Government and Health expert SG for which the expert SG has no mandate yet.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

#### **Cooperation expert SG**

All the items on the working plan of the Cooperation expert SG have already received a mandate.

[REDACTED]

[REDACTED]

#### **Enforcement expert SG**

The coordinator explained the items on the working plan of the Enforcement expert SG for which the expert SG has no mandate yet.

[REDACTED]

Two items in the Enforcement expert SG are identified as ongoing exchanges (*Contact groups in live cases* and *Monitoring of practical application of Chapters VI, VII and VIII*) which are considered as regular activities and do not need to be added in the 2 years' work program.

[REDACTED]

#### **Financial Matters expert SG**

The coordinator explained the items on the working plan of the Financial Matters expert SG for which the expert SG has no mandate yet.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

#### **Fining TF**

All the items on the working plan of the Fining TF have already received a mandate. Therefore, no additional explanation is needed.

[REDACTED]

#### **International Transfer expert SG**

The coordinator explained the items on the working plan of the ITS expert SG for which the expert SG has no mandate yet.

[REDACTED]

[REDACTED]

[REDACTED]

The preparation of BCR opinions, and the opinions on standard or ad hoc clauses submitted by a SA will be integrated by the EDPB Sec in a general reference to Art. 64 GDPR in the 2 years' work program.

[REDACTED]

The timeline regarding future adequacy decisions depends on submissions by the Commission (request of opinions from EC).

[REDACTED]

#### **IT Users expert SG**

All the items on the working plan of the IT users expert SG are covered by the mandate received. No further discussion was needed.

The EDPB Sec underlined that not all topics will lead to IT new tools as they first have to be accepted by the IT user expert SG and the Plenary.

#### **Key provisions expert SG**

The coordinator explained the items on the working plan of the Key Provisions expert SG for which the expert SG has no mandate yet.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

The Key provisions expert SG will identify one or two topics to be tentatively prioritized for 2020 during its next meeting.

[REDACTED]

#### **Social Media expert Subgroup**

The coordinator first provided additional clarification regarding the envisaged output of work items 1 & 2 of the Social Media expert SG. Then the coordinator explained the item on the working plan of the Social Media expert SG for which no mandate has been yet given.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**Technology expert SG**

The representative of the coordinator first provided a more precise timeline for the items that have already received a mandate.

The representative then explained the items on the working plan of the Technology expert SG for which no mandate has yet been given.

[REDACTED]

### 3. Miscellaneous

- The participants discussed the opportunity to take part in the CPDP and more particularly in a panel organised by NOYB on the 1st February 2019.
- The Chair asked the lead supervisory authorities to provide some general information on the ongoing One Stop Shop cases.
- The Chair informed the participants about the developments regarding the main establishment of Google in Europe. According to information on the website of Google, it will be in IE on 22 January 2019.
- A participant asked to follow more closely the work done by the Council of Europe. Some members underlined the fact that many SAs participate in the work of Council of Europe.
- A participant had questions on the content of the draft answers to be sent to representatives of the European Parliament

### TO DO/Next steps

#### TO DOs

- EDPB Sec to update the overview of the annual working plans
- EDPB Sec to make a draft proposal for the 2 year work plan of the EDPB
- EDPB Sec to send the original request from NOYB to all the members.

#### Next steps

The annual working plan will be on the agenda of the January plenary for discussion and possible adoption. A draft two-year work program of the EDPB will be up for discussion at the January plenary with the intention to be adopted in February.

## Annex: Attendance List

SAs of AT, BE, BG, DE (Federal), DE (Bayerische Landesbeauftragte für den Datenschutz), DE (Berliner Beauftragte für Datenschutz und Informationsfreiheit), DK, EDPS, EE, ES, HR, FI, FR, HU, IE, IT, LU, MT, PL, SE, SI and UK.

- European Commission
- EDPB Secretariat