



Final

Key provisions meeting

8 November 2018, EDPB premises, Brussels

Approval of the Agenda

The draft agenda was approved.

Dates for the next meetings (in person meeting: 15 January 2019 - tbc
teleconference meeting: 18 February 2019 afternoon - tbc)

The date for the next meeting on 15 January 2019 has been confirmed by the members of the subgroup. The teleconference meeting on 18 February will be confirmed during the January meeting.

Dates for the 2019 meetings will be identified in liaison with the Secretariat and members of the subgroup will be informed as soon as possible.

Position Paper on the lawful basis for processing under Article 6 (1) (b)
in the context of the provision of online services to consumers [REDACTED]

[REDACTED]

The members of the subgroup discussed the two drafts submitted, [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

Open floor discussion

Questions on specific issues of application were discussed:

[illegible]

Recast of WP29's Opinion on the concepts of controller and processor

See next point.

Request for new mandates and discussion on subgroup's work plan

The coordinators informed that the Commission consulted the EDPB on the Q&A in the context of the Clinical Trials Regulation. The deadline is set on 8 January 2018. A mandate to the KEYPRO and eGOV subgroups will be discussed by the EDPB during the plenary meeting on 16 November. The coordinators will propose at the plenary to establish a drafting team consisting of members of both subgroups to work on this topic. In parallel, the extension of the deadline will be explored.

The members of the subgroup discussed possible topics for the 2019 work plan. The finalisation of the guidelines on the territorial scope will be envisaged in spring. The update of the opinion on the concept of controller / processor (and joint controller) was the first preference and it was agreed that the

coordinators would ask for a mandate during the EDPB plenary meeting in December. [REDACTED]

It was also agreed that the work plan should take into account the time that will be requested to respond to consultations by the COM.

The coordinators will prepare a draft of the annual work plan of the subgroup and will circulate it to the members for comments.

AOB

To-do/Next steps

Position paper on reliance on Article 6(1) b in the context of 'free' online services:

- Subgroup members are invited to comment on the two current drafts by Friday, 23 November eob.
- The lead rapporteurs will circulate a revised single draft to the co-rapporteurs by 12 December.
- The lead rapporteurs will circulate the revised single draft by 7 January for discussion at the next subgroup meeting.

Work plan 2019:

- Mandate for the update of the WP29 opinion on controller/processor will be requested during the EDPB plenary meeting in December.
- Coordinators will circulate a draft to the members of the subgroup for finalisation by 14 December 2018.

Annex: Attendance List

DPAs

AT, BE, CZ, DE (Federal, Nordrhein-Westfalen, Schleswig-Holstein), DK, EE, EDPS, ES, FR, HR, HU, IE, IT, LU, LV, NL, PL, PT, RO, SE, SI, UK

EFTA-EEA: NO

Further attendees

COM

EDPB Secretariat