



Subgroup on the Calculation of the Fine Meeting

07 September 2018, EDPB premises, Brussels

1. Welcome & introduction

Adoption of Agenda

The draft agenda was approved.

Adoption of the Minutes of 16 May 2018

The minutes of the meeting of 16th of May 2018 were approved.

2. Practice so far

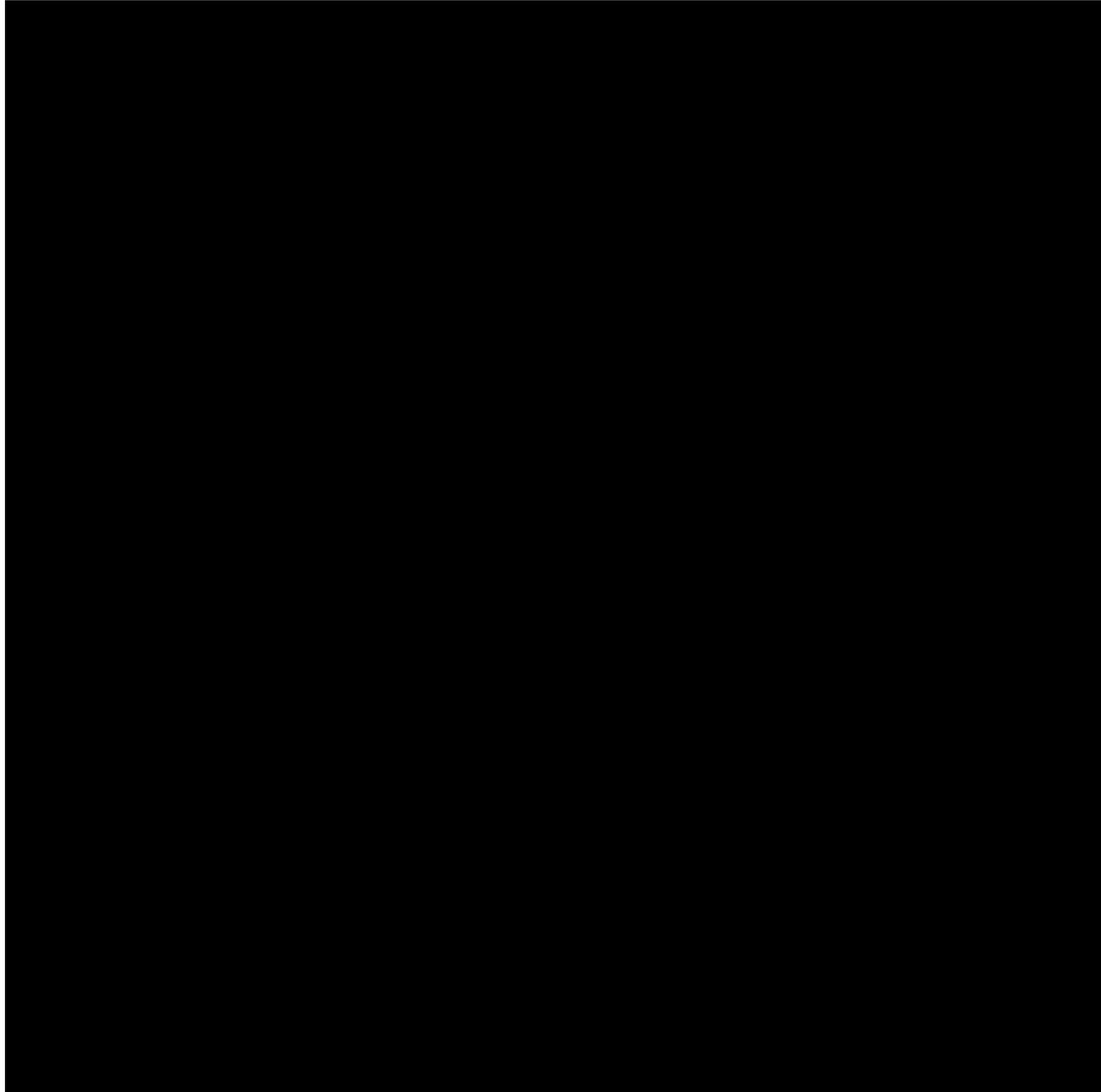
The members of the Subgroup reported on the status of the fining practice in their respective DPAs. They elaborated on whether their DPA has the power to fine, if they have (internal) fining guidelines, if they have already imposed a fine under GDPR or if their DPAs are currently pursuing cases that are likely to result in a fining decision. In conclusion, in most Member States the national laws implementing the GDPR are in place now and most DPAs have the power to fine. No DPA has issued a fine under the GDPR yet. Some DPAs have pending cases which will have to be solved according to their former national law. Most DPAs do not have (updated) internal guidelines on calculating fines yet. Furthermore, the members discussed the possibility to fine public bodies according to their national laws. In certain Member States fines cannot be imposed on public bodies or the amount of the fine is restricted to a certain amount.

3. Case register

The Secretariat informed the members of the Subgroup on the outcome of a request to the European Parliament, if it was possible to provide an online platform on which the DPAs can share basic information on cases in which they imposed fines. The Secretariat asked for more specific requirements this platform is to comply with. Since the platform will be provided by the European Parliament's or European Commission's IT-service, every change will cost money and the needs of the subgroup should be clearly identified.

After a short discussion on the need of a filter functionality, whether or the not the name of the controller can/must be published and the impacts of freedom of information legislation, it was agreed that the draft for a register for the last meeting will be sent again. The members of the subgroup are

given two weeks to comment and give information whether the draft complies with their national legislation.

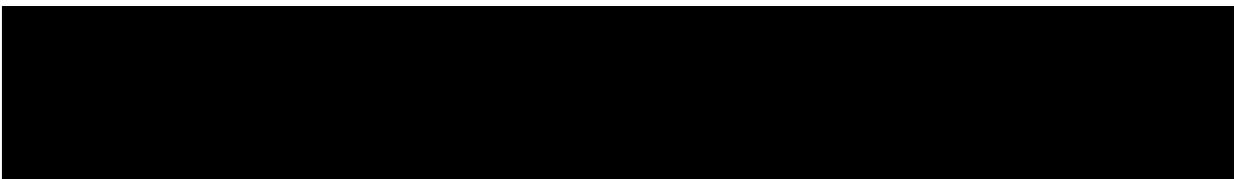


6. AOB, conclusion

The coordinators will draft an info note on the state of play for the plenary. The deadline is the 13th of September.

To-do/Next steps

- The draft case register will be resent for comments by the Secretariat.





Annex: Attendance List

Members

AT, DE (Federal, Länder), DK, EE, ES, FR, HR, HU, IE, IT, LU, MT, NL, PL, RO, SE, SI, UK, EDPS

EEA

NO

European Commission

DG JUST

Observers

Secretariat