



Final

Technology Expert Subgroup meeting

19.12.2018, Brussels

Items

Report from the Plenary

The coordinator informed the participants of the Expert Subgroup that at the December Plenary it was decided

- to adopt the Accreditation Guidelines and its annex
- to publish the Annex 1 of said Guidelines for public consultation
- to adopt the four opinions on Art 35.4 GDPR Lists
- to give the Secretariat a mandate to draft an opinion on the interplay of the e-Privacy directive and the GDPR

Further, the mandate of the subgroup was discussed and a conference call with the coordinators will take place on 20 December 2018. The topics of certification and accreditation will be handed over to the Compliance, eGOV and health Expert Subgroup once the work on the guidelines and annex have been finalised.

Approval of the Agenda

The draft agenda was adapted to add an item under AOB on the letter prepared by the EDPB Secretariat and thus approved.

Approval of the Minutes of the Technology Expert Subgroup meeting (6-7 November 2018)

The minutes were approved by written procedure on 29 November 2018.

Certification and Accreditation Guidelines (rapporteur: ■■■)

The Coordinator reported on the options chosen by the Plenary on the Accreditation Annex.

[REDACTED]

[REDACTED]

Comments by the 21 December 2018 EoB. The rapporteur will provide the updated documents for circulation on 9 January 2019. Comments by the co-rapporteurs by 10 January 2018. The final version will be uploaded to Circa on 11 January 2018.

The Secretariat will provide the infonote by the 9 January.

Opinions on Art 35.4 GDPR lists (rapporteur: [REDACTED])

The lead rapporteur presented the analysis of the amended draft decisions provided by the SAs. The participants of the Expert Subgroup were informed that the EDPB received an access request on the submitted draft DPIA lists.

Open questions were raised to the participants of the Expert Subgroup and the competent SA, where relevant. Some items were raised which stem from translation issues. It was clarified, that the board does not need to issue an opinion on a matter on which already previously an opinion has been issued.

[REDACTED]

Opinion on interplay between ePrivacy Directive and GDPR (rapporteur: Secretariat)

The initiating SA gave some background on its request. The rapporteur presented the questionnaire sent out to the Members of the EDPB and invited participants of the Expert Subgroup to present their input. It was also highlighted that the newly adopted European Electronic Communications Code (EECC) will extend the scope of the ePrivacy Directive to the OTT services.

The Secretariat will collect the answers to the questionnaire and present the results at the next Technology Expert Subgroup meeting. The Secretariat will provide the presentation before the next meeting.

Connected Vehicles Guidelines (rapporteur: [REDACTED])

The coordinator informed the participants of the Expert Subgroup that the document is planned to be adopted at the March plenary meeting. The rapporteur presented the updated document and structure and invited the participants of the Expert Subgroup to provide comments, [REDACTED]

[REDACTED]

The objective of the document and its relation to previous work of the EDPB was clarified.

The participants of the Expert Subgroup are invited to provide comments by 15 January 2018. The rapporteur will provide a new version by 31 January. The co-rapporteurs will provide final comments by 5 February 2018 and the updated document will then be discussed at the Technology meeting on 20 February 2018.

AOB

Request Australian Information Commissioner and Privacy Commissioner

The Secretariat informed the participants of the Expert Subgroup of a request by the Australian Commissioner regarding Data breach Notifications received by the SAs. An adaptation of the letter was requested.

To-do/Next steps

The following items are to be prepared for the next Expert Subgroup meeting on 16 January 2019.

- Opinions on Art 35.4 Lists, 2nd batch:
 - rapporteur to share first analysis of the amended draft decisions by 8 January 2019
- Opinion on interplay between ePrivacy Directive and GDPR:
 - The deadline for the responding to the questionnaire is 9 January 2019
 - Rapporteur to present outcome of questionnaire and provide presentation before the meeting.

The following items are to be prepared for the Plenary meeting on 22 January 2019.

- Guidelines on Certification:
 - Comments to be provided by 21 December 2018
 - Circulation of new version by 9 January 2019
 - Info-note to be drafted by the Secretariat and rapporteur by 9 January 2019
- Opinion on Art 35.4 lists
 - rapporteur to provide finalized draft opinions and analysis of amended draft decisions by 21 December
 - Comments by co-rapporteurs by 9 January 2019
 - rapporteur together with Secretariat to provide info note by 9 January 2019

Other to-do items:

- Opinion on Art 35.4 lists:
 - rapporteurs to get in contact with the Secretariat on Final Opinions
- Connected Vehicle Guidelines for the February Technology Expert Subgroup meeting:
 - Comments to be provided until 15 January 2019
 - New version to be shared by 31 January 2019
 - Comments by the rapporteurs until 5 February 2019.

Annex: Attendance List

DPAs:

AT, BE, CZ, DE (BFDI, Schleswig-Holstein), DK, EDPS, ES, FI, FR, HR, HU, IE, IT, LU, MT, NL, PL, RO, SI, SK, SE, UK

EEA: NO

Further attendees:

- European Commission

- EDPB Secretariat