



European General Data Protection Regulation

CEMR key issues for the negotiations in the Trilogue

- **Flexibility for the public sector is essential.** The public sector uses personal data to provide services for public general interest, and as such has a duty and responsibility to treat personal data in a way that safeguards trust, while the use of data by the private sector is for commercial purposes. This major discrepancy in the use of data protection calls for a differentiated approach between the public and private sector at legislative level.
- **Opportunities for promoting digitalisation in the public sector should not be hampered by the introduction of unsuitable data protection rules.** Digitalisation can transform the traditional public services into more citizen-oriented high quality services, if the potential of digitalisation can be use efficiently. Data protection rules for the public sector should guarantee citizens' rights without jeopardising innovative ways of digitalisation such as the use of big data, open data, profiling, electronic archives, cloud services in public services.
- **Regulation should not increase the administrative burden and create costs for local and regional authorities without bringing visible value to the economy as well as to the citizens.** Costs of implementation of the Regulation have been estimated up to €292 million/year (£250 million) in the UK, €200 million in the first years in Finnish local and regional authorities and at least €80,5 million for Danish local authorities. Therefore it is necessary to deliver evidence that ensures the suitable proportionality between costs and benefits, and the appropriate economic balance of the new Regulation's outcomes. Local and regional authorities oppose any new provision which would force them, for example, to hire inordinate data officers, to significantly invest in ICT services and to (re)train their staff, without there being clear added-value for citizens or for improved delivery of public services.
- **Employment conditions should be excluded from the scope of the Regulation.** Local governments undoubtedly require room for manoeuvre, as regards social agreements and collective bargaining. Avoiding an excessively detailed approach and the exclusion of employment conditions from the scope of the legislation is essential, as it is unclear how this might affect labour law and the procedure in labour market.