



Č e s k ý t e l e k o m u n i k a č n í ú ř a d
C z e c h T e l e c o m m u n i c a t i o n O f f i c e

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CTU comments on EDPB Guidelines on the Interplay between DSA and GDPR

To whom it may concern,

The Czech Telecommunication Office (hereinafter referred to as “CTU”), as the Digital Services Coordinator in the Czech Republic pursuant to DSA Regulation would firstly like to express gratitude for the opportunity to comment on the EDPB Guidelines on the relationship between the GDPR and the DSA. It is generally considered that the guidelines are well-written; they are clear and concise, and, with one exception mentioned below, cover all parts of the GDPR where there may be overlaps with the DSA.

The only significant criticism proposed by CTU relates to the absence of a description of Article 40 of the DSA and the Delegated Act in accordance with Article 40(13) of the DSA. As outlined in point 6 of the Guidelines:

*„Additional data protection-related obligations for political advertising arise from Regulation (EU) 2024/900 on the transparency and targeting of political advertising. Furthermore, the Commission has published a **delegated regulation** under Article 40(13) DSA laying down the technical conditions under which providers of very large online platforms or of very large online search engines are to share data (including personal data) with researchers under Article 40 DSA. The preceding matters **are not part of the present guidelines**, and the **EDPB will work separately** to ensure a consistent application of the GDPR in those contexts.“*

CTU acknowledges this perspective in view of the recent adoption of the aforementioned Delegated Act, but believes that the relationship between Article 40 of the DSA Regulation and the aforementioned Delegated Act, and between the GDPR Regulation, should be specified in these guidelines. According to CTU, particular emphasis should be placed on Articles 40(1), (2), (4), (5), (7), (8), and (12) of the DSA, as well as Articles 4, 5, 9, 10, and 15 of the Delegated Act.

Best regards,

DSC Czech Republic, ČTÚ