



Final

## 29th Plenary meeting

26 May 2020

Remote meeting

*Some points have been redacted from these minutes as their publication would undermine the protection of one or more of the following legitimate interests, in particular: the public interest as regards international relations; the privacy and integrity of the individual regarding the protection of personal data in accordance with Regulation 2018/1725; the commercial interests of a natural or legal person; ongoing or closed investigations; the decision-making process of the EDPB, in relation to matters upon which a decision has not yet been taken and/or the decision-making process of the EDPB, in relation to matters upon which a decision has been taken.*

### 1. Adoption of the minutes and of the agenda

#### 1.1 Minutes of the 28<sup>th</sup> EDPB meeting – adoption

The minutes were adopted with the proposed change.

#### 1.2 Draft agenda of the 29<sup>th</sup> EDPB meeting – adoption

The draft agenda was revised in order to include item 4.1 under AOB relating to the update on the breach notification received by the EDPS from the European Parliament. The revised agenda was adopted.

#### 1.3 Minutes of the 18<sup>th</sup> EDPB meeting – adoption

The Chair presented the comments received on the draft minutes relating to the February meeting. The discussion was postponed to the next meeting.

### 2. Current Focus of the EDPB Members

#### 2.1 Open letter from NOYB to the EDPB and others – discussion (Rapporteur: Chair)

The Chair provided an update to the members of the Board regarding the open letter sent by the NGO None Of Your Business (NOYB) to the EDPB, the Members, the European Commission and the European Parliament and a further email sent by Max Schrems to the Chair.

A discussion followed regarding the broad concerns raised within the open letter, specifically on the exchange of information among supervisory authorities, the expectations on the documents to be shared by LSAs (and related timing), and the effectiveness of the OSS system. The differences in national procedural rules and the impact that this has in enforcement measures was also mentioned. The members of the EDPB emphasised the need to reflect on possible ways to ensure consistency and improvement in convergence regarding the procedures. Indeed, these issues were already addressed by the EDPB Contribution to the GDPR Evaluation pursuant to Art. 97 GDPR.

It was agreed that the Chair shares the email received from NOYB and will draft a reply to the open letter with the support of the Secretariat.

### 3. FOR DISCUSSION AND/OR ADOPTION – Expert Subgroups and Secretariat

#### 3.1 ENF ESG - Amendment of [REDACTED] RoP by the RoP Drafting Team – request for mandate (Rapporteur: [REDACTED])

The mandate was granted to the RoP Drafting Team. The Secretariat will forward the inputs already gathered from the ENF ESG to the RoP Drafting Team.

#### 3.2 CEH ESG - Art. 64 Opinions on certification bodies and accreditation bodies - permission to broadcast (Rapporteur: [REDACTED] SA)

The coordinator of the CEH ESG presented the background, [REDACTED]  
[REDACTED]. The members of the Board gave the permission to broadcast the requests and agreed to the proposed procedure.

To improve the overview of the workload of the EDPB and to enable better work planning by the different ESGs with regard to consistency opinions or decisions, the EDPB Secretariat will create a page on Confluence to collect the information from the EDPB members relating to the future request of consistency opinions or decisions (before they are formally submitted in IMI).

#### 3.3 Secretariat - EDPB 2021 draft budget and MFF 2021-2027 - state of play (Rapporteur: SEC)

The Secretariat and the HRBA Unit of the EDPS presented the draft budget 2021 and the MFF for 2021-2027, prepared by the EDPB Secretariat, the HRBA Unit of the EDPS and the Chair. The HRBA Unit of the EDPS provided some further details about the draft budget 2021, clarifying that all the costs relating to the EDPB are now included in separate budget lines (ie. creation of a new budget line related to the building). Some members of the Board asked for clarifications, which were provided by the HRBA Unit of the EDPS and by the Secretariat.

### 4. AOB

#### 4.1

## Annex: Attendance List

**SAs:** AT SA, BE SA, BG SA, CY SA, CZ SA, DE SA, DK SA, EDPS, EE SA, EL SA, ES SA, FI SA, FR SA, HR SA, HU SA, IE SA, IS SA, IT SA, LI SA, LT SA, LU SA, LV SA, MT SA, NL SA, NO SA, PL SA, PT SA, RO SA, SE SA, SI SA, SK SA.

- European Commission

- EDPB Secretariat