



## Comments and proposals on the Chapter VI of the General Data Protection Regulation

Ahead of the triilogue negotiations in October, EDRi, Access, FIPR and Panoptykon would like provide comments on selected key elements of the Chapter VI on Independent Supervisory Authorities.

### INTRODUCTION

The role of supervisory authorities (Data Protection Authorities) is crucial to monitor the correct implementation of the Regulation at the national level. It is also equally important to ensure that the same criteria are used all across the European Union, and that the harmonization sought in the Regulation is not hampered by different interpretations of the Regulation in the member states.

In the table below, we indicate which proposal (from the Commission, Parliament, Council or EDPS) that we support on each point under discussion.

Supervisory authorities need to have the powers, the legitimacy, and the tools (including adequate budget, specialised staff and independence) to put all this in practice. EDRi, Access, FIPR and Panoptykon have recommend supporting the view of the EDPS for most of the articles and have decided to not include here its proposals but rather redirect the reader to the [EDPS recommendations](#).

Article	Article 46 – Supervisory Authority
<b>EDRi recommendations</b> (Commission version: COM, European Parliament: EP, European Data Protection Supervisor: EDPS)	46.1 COM
	46.2 EDPS
	46.3 COM
	<b>Article 47 – Independence</b>

47.1 EDPS
47.2 EDPS
47.3 EDPS
47.4 EDRI proposes deletion
47.5 EDPS
47.6 EDPS
47.7 Council or Commission.
47.7.a Parliament.
<b>Article 48 - General conditions for the members of the supervisory authority</b>
48.1 – EDPS
48.2 - EDPS
48.3 – COM
48.4 – COM
<b>Article 49 - Rules on the establishment of the supervisory authority</b>
49 – EDPS
49.1 - Council
50 - Council
<b>Article 50- Professional secrecy</b>
EDPS
<b>Article 51 - Competence</b>
EDPS
<b>Art 51a - Competence of the lead supervisory authority</b>
EDPS
<b>Art 52 – Duties</b>
EDPS
<b>Art. 53- Powers</b>
EDPS
<b>Art. 54 – Activity Report</b>
EDPS