

COMP Article 10

11.10.2013

Article 10

Processing not allowing identification

1. If the data processed by a controller do not permit the controller *or processor* to *directly or indirectly* identify a natural person, *or consist only of pseudonymous data*, the controller shall not ~~be obliged to process or~~ acquire additional information in order to identify the data subject for the sole purpose of complying with any provision of this Regulation.

2. *Where the data controller is unable to comply with a provision of this Regulation because of paragraph 1, the controller shall not be obliged to comply with that particular provision of this Regulation. Where as a consequence the data controller is unable to comply with a request of the data subject, it shall inform the data subject accordingly.*

Recitals

(45) If the data processed by a controller do not permit the controller to identify a natural person, the data controller should not be obliged to acquire additional information in order to identify the data subject for the sole purpose of complying with any provision of this Regulation. In case of a request for access, the controller should be entitled to ask the data subject for further information to enable the data controller to locate the personal data which that person seeks. *If it is possible for the data subject to provide such data, controllers should not be able to invoke a lack of information to refuse an access request.*