

COMP Article 36

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Article 36

Position of the data protection officer

1. The controller or the processor shall ensure that the data protection officer is properly and in a timely manner involved in all issues which relate to the protection of personal data.

2. The controller or processor shall ensure that the data protection officer performs the duties and tasks independently and does not receive any instructions as regards the exercise of the function. The data protection officer shall directly report to the *executive* management of the controller or the processor. *The controller or processor shall for this purpose designate an executive management member who shall be responsible for the compliance with the provisions of this Regulation.*

3. The controller or the processor shall support the data protection officer in performing the tasks and shall provide *all means, including* staff, premises, equipment and any other resources necessary to carry out the duties and tasks referred to in Article 37, *and to maintain his or her professional knowledge.*

4. Data protection officers shall be bound by secrecy concerning the identity of data subjects and concerning circumstances enabling data subjects to be identified, unless they are released from that obligation by the data subject.