Personal data protection: processing and free movement of data (General Data Protection Regulation)

2012/0011(COD) - 25/10/2012

The Council took note of the **state-of-play** on the proposal for a Regulation on the protection of individuals with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation).

The **choice of legal instrument** was raised during the debate. Some delegations expressed their preference for a directive instead of a regulation since it allowed for more flexibility where this was needed. However, some other delegations preferred the choice of a regulation, as proposed by the Commission.

Ministers have already discussed this proposal at the informal ministerial meeting in July on the basis of three questions: the administrative burden, the need for special treatment for the public sector and the number of delegated acts.

The proposal is the subject of in-depth discussions by experts in the Working Party on Data Protection, which began under the Danish Presidency and will continue under the Irish Presidency.