# Protection of personal data in the context of elections to the European Parliament

2018/0336(COD) - 06/12/2018 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Constitutional Affairs adopted the joint report by Mercedes BRESSO (S&D, IT) and Rainer WIELAND (EPP, DE) on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU, Euratom) No 1141/2014 as regards a verification procedure related to infringements of rules on the protection of personal data in the context of elections to the European Parliament.

The committee recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the Commission's proposal.

The amended text stipulated that a European political party or a European political foundation shall not influence or attempt to influence the outcome of elections to the European Parliament by taking advantage of an infringement, by a natural or legal person, of the applicable rules on the protection of personal data. This shall only apply if a supervisory authority of a Member State has established, by an **enforceable decision**, that an infringement of the applicable rules on data protection has occurred.

When the Authority becomes aware of such conduct, it shall refer this matter to the **committee of independent eminent persons** without undue delay and no later than 3 months after that notification. The committee shall give an opinion, within a short, reasonable deadline set by the Authority, as to whether or not the European political party or European political foundation concerned has violated such rights.

Having regard to the committee's opinion, the Authority shall decide whether to **impose financial sanctions** on the European political party or European political foundation concerned. The decision of the Authority shall be duly reasoned, in particular with regard to the committee’s opinion, and shall be published expeditiously.

Where a decision of the national supervisory authority has been definitively repealed or where a remedy against such decision has been successful and is final, the Authority shall review any sanction imposed at the request of the European political party or European political foundation concerned.