Basic information

1999/0153(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Data protection in Community institutions and bodies See also Directive 95/46/EC 1990/0287(COD) Repealed by 2017/0002(COD) **Subject** 1.20.09 Protection of privacy and data protection 8.40 Institutions of the Union	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Citizens' Freedoms and Rights, Justice and Home Affairs	PACIOTTI Elena Ornella (PSE)	29/07/1999

Committee for opinion	Rapporteur for opinion	Appointed
BUDG Budgets	VIRRANKOSKI Kyösti (ELDR)	14/10/1999
JURI Legal Affairs and Internal Market	THORS Astrid (ELDR)	13/10/1999

Council of the European Union

Council configuration	Meetings	Date
Competitiveness (Internal Market, Industry, Research and Space)	2289	2000-09-28

Key events

Date	Event	Reference	Summary
14/09/1999	Legislative proposal published	COM(1999)0337	Summary
04/10/1999	Committee referral announced in Parliament, 1st reading		
28/09/2000	Debate in Council		
11/10/2000	Vote in committee, 1st reading		Summary
11/10/2000	Committee report tabled for plenary, 1st reading	A5-0279/2000	
24/10/2000	Debate in Parliament		

14/11/2000	Decision by Parliament, 1st reading	T5-0494/2000	Summary
30/11/2000	Act adopted by Council after Parliament's 1st reading		
18/12/2000	Final act signed		
18/12/2000	End of procedure in Parliament		
12/01/2001	Final act published in Official Journal		

Technical information

Procedure reference	1999/0153(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	See also Directive 95/46/EC 1990/0287(COD) Repealed by 2017/0002(COD)
Legal basis	EC Treaty (after Amsterdam) EC 286
Stage reached in procedure	Procedure completed

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A5-0279/2000 OJ C 197 12.07.2001, p. 0007	11/10/2000	
Text adopted by Parliament, 1st reading/single reading		T5-0494/2000 OJ C 223 08.08.2001, p. 0020-0041	14/11/2000	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(1999)0337  OJ C 376 28.12.1999, p. 0024 E	14/09/1999	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES1128/1999 OJ C 051 23.02.2000, p. 0048	08/12/1999	
EU	Implementing legislative act	32004D0644 OJ L 296 21.09.2004, p. 0016-0022	13/09/2004	Summary
EU	Implementing legislative act	N6-0030/2005 OJ C 308 06.12.2005, p. 0001-0006	22/06/2005	Summary

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Final act	
Regulation 2001/0045 OJ L 008 12.01.2001, p. 0001	Summary

Data protection in Community institutions and bodies

1999/0153(COD) - 14/09/1999 - Legislative proposal

PURPOSE : to amend the European Directive on personal data. CONTENT : In accordance with Article 286 of the Treaty establishing the European Community, the proposal is designed to ensure that : - Community institutions and bodies apply the Community rules on the protection of personal data laid down by Directive 95/46/CE. - An independent supervisory body, the European Data Protection Supervisor (EDPS), monitors the application of those rules. This body is not part of the Commission but constitutes a new body performing its task on an inter-institutional level. - Personal information transmitted by Member States to the Commission in connection with the management or monitoring of the payment of Community subsidies is, in particular, protected. The Regulation would apply to the processing of personal data by all Community institutions and bodies but its scope would not extend to the processing of personal data by bodies set up under Title VI of the Union Treaty such as Europol. - There are provisions for the appointment of one or more Data Protection Officers (DPO) in each Community institution and body who will be responsible for ensuring in an independent manner that data are projected.

Data protection in Community institutions and bodies

1999/0153(COD) - 13/09/2004 - Implementing legislative act

LEGISLATIVE ACT : Council Decision 2004/644/EC adopting implementing rules concerning Regulation 45/2001/EC of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data.

CONTENT : Regulation 45/2001/EC sets out the principles and rules applicable to all Community institutions and bodies and provides for the appointment by each Community institution and Community body of the Data Protection Officer. This Decision lays down further implementing rules concerning Regulation 45/2001/EC as regards the Council of the EU. It defines the tasks, duties and powers of the Data Protection Officer. It also specifies the procedures for the exercise of rights of the data subjects.

The Deputy Secretary-General of the Council appoints the DPO and registers him with the European Data Protection Supervisor. The DPO is directly attached to the Deputy Secretary-General of the Council.

The term of office of the DPO is three years and is renewable twice.

ENTRY INTO FORCE : 22/09/2004.

Data protection in Community institutions and bodies

1999/0153(COD) - 22/06/2005 - Implementing legislative act

ACT : Implementing rules relating to Regulation 45/2001/EC of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data – European Parliament Bureau decision.

CONTENT : this Decision lays down the general rules governing the implementation of the Regulation in the case of the European Parliament. In particular, it supplements the provisions set out in the Regulation which relate to the tasks, duties and powers of the European Parliament's Data Protection Officer(s). Furthermore, the Decision lays down the detailed rules pursuant to which a data subject may exercise his or her rights, the

procedure for notifying a processing operation and the procedure for obtaining access to the register of processing operations kept by the Data Protection Officer.

The Data Protection Officer's tasks shall be as follows:

- Provision of information: the Officer shall inform the European Parliament's data controllers and data subjects of their rights and obligations under the Regulation, for which purpose he or she shall provide the necessary information concerning the legislation in force, current procedures and existing notified files, and he or she shall facilitate the exercise of those rights and the fulfilment of those obligations.

- Requests from the European Data Protection Supervisor: the Officer shall respond to requests from the European Supervisor.

- Cooperation with the European Data Protection Supervisor: within his or her area of responsibility, the Officer shall cooperate with the European Supervisor at the latter's request or on his or her own initiative, particularly as regards dealing with complaints and carrying out inspections.

- Provision of information to the European Data Protection Supervisor: the Officer shall inform the European Supervisor regarding any new development at the European Parliament which has a bearing on the protection of personal data.

- Register of processing operations: the Officer shall, pursuant to Article 26 of the Regulation, keep a register of the processing operations carried out by the data controllers and shall ensure that that register may be inspected by any individual.

- Notification of processing operations which are likely to present specific risks: the Officer shall notify the European Data Protection Supervisor of any processing operation which is likely to present specific risks. Should there be any doubt regarding the need for a prior check, the Data Protection Officer shall consult the European Data Protection Supervisor.

- Upholding data subjects' rights and freedoms: the Data Protection Officer shall ensure that processing operations do not undermine the rights and freedoms of data subjects and that no person suffers loss or damage for having brought to the Data Protection Officer's attention a matter which in the view of that person constitutes an infringement of the Regulation.

ENTRY INTO FORCE : 07/12/2005.

Data protection in Community institutions and bodies

1999/0153(COD) - 14/11/2000 - Text adopted by Parliament, 1st reading/single reading

The Parliament adopted, without debate, the report drafted by Ms Ornella PACIOTTI (PES, I) on the protection of personal data processed by the EU institutions and on the creation of a European data supervisory authority to ensure the correct handling of such data. Agreement had been reached with the Council on the amendments tabled by the committee responsible (refer to previous document) and these were approved.

Data protection in Community institutions and bodies

1999/0153(COD) - 18/12/2000 - Final act

PURPOSE: to ensure the introduction, the application and the monitoring of the data protection rules in the Community institutions and bodies.

COMMUNITY MEASURE: Regulation 45/2001/EC of the European Parliament and of the Council on the protection of individuals and bodies and on the free movement of such data.

CONTENT: in accordance with the present Regulation, the institutions and the Community bodies must ensure the protection of the fundamental freedoms of natural persons, and in particular the right to privacy with respect to the processing of personal data, in order to ensure the free flow of personal data in the Community.

The Regulation covers:

- the general rules on the lawfulness of the processing of personal data : data quality, lawfulness of processing, change of purpose, transfer of personal data within and between Community institutions or bodies, transfer of personal data to recipients, other than Community institutions and bodies, special categories of processing, information to be given to the data subject, exemptions and restrictions, confidentiality and security of processing, data protection officer, prior checking by the European Data Protection Supervisor and obligation to cooperate;
- remedies;
- protection of personal data and privacy in the context of internal telecommunications networks;
- independent supervisory authority (appointment, independence, professional secrecy, duties, powers).

ENTRY INTO FORCE : 22.01.2001.