

IS NATIONAL COMMISSION

JL DATA PROTECTION

OPINION/2019/89

I. Order

The Economy, Innovation and Public Works Commission asked the National Data Protection Commission (hereinafter CNPD) to issue an opinion on Bill No. 172/XIII/1.a concerning the 9th amendment to the Decree-Law 251/98, of 11 August, which regulates access to the activity and market of transport by taxi.

The request made and the opinion issued derive from the attributions and powers of the CNPD, as the national control authority for the processing of personal data, conferred by subparagraph c) of paragraph 1 of article 57 and paragraph 4 of article 36 of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 (General Regulation on Data Protection - RGPD), in conjunction with the provisions of article 3, no. Article 4(2) and Article 6(1)(a), all of Law No. 58/2019, of 8 August.

II. appreciation

The Bill in question amends the activity regime of the taxi sector, namely regarding the location of the taximeter, the intervention of local and regional authorities in the establishment of measures that bring supply and demand together, the alteration of tariffs, as well as impediments to the temporary exercise of the activity for reasons of force majeure.

The draft article under consideration does not include any rule that establishes or provides for the processing of personal data, in light of the notions contained in paragraphs 1) and 2) of article 4 of the RGPD.

III. Conclusion

On the grounds set out above, and considering that the Bill in question does not contain any rule that determines or regulates the performance of any processing of personal data, the CNPD has nothing to observe.

Lisbon, December 27, 2019

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