

Deliberation 2021-117 of October 7, 2021 Commission Nationale de l'Informatique et des Libertés Legal status: In force Date of publication on Légifrance: Wednesday October 27, 2021 Deliberation n° 2021-117 of October 7, 2021 approving Bureau Veritas Italia Spa as a regulatory body for the European code of conduct supported by CISPE (Cloud Infrastructure Service Providers Europe) The National Commission for Data Processing and Liberties, Having regard to Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 relating to the protection of individuals with regard to the processing of personal data and the free movement of such data (in particular Articles 40, 41 and 57); Having regard to deliberation no. 2020-050 of April 30, 2020 adopting a reference system relating to the approval of bodies responsible for monitoring compliance with codes of conduct; Having regard to deliberation no. 2021-065 approving the European code of conduct carried by Cloud Infrastructure Service Providers Europe (CISPE); On the proposal of Mrs Anne DEBET, commissioner, and after having heard the observations of Mr Benjamin TOUZANNE, government commissioner, Makes the following observations: Article 41 of the general regulations relating to the protection (GDPR) provides that the body responsible for monitoring compliance with a code of conduct by data controllers or subcontractors must be approved by the competent supervisory authority under Article 57.1 (q) of the GDPR. The European code of conduct carried by Cloud Infrastructure Service Providers Europe (CISPE) was approved by the Commission on June 3, 2021. It identifies the CNIL as the competent supervisory authority in accordance with the provisions of Article 40.5 of the GDPR. Consequently, the CNIL is competent for the instruction and the delivery of the approval to the control bodies designated by the code of conduct carried by CISPE. This code of conduct has designated as control body the company Bureau Veritas Italia Spa. On September 21, 2021, Bureau Veritas Italia Spa received a request for approval from Bureau Veritas Italia Spa for approval as a code of conduct monitoring body led by CISPE, in accordance with deliberation no. 2020-050 of 30 April 2020 on the adoption of a reference system relating to the approval of bodies responsible for monitoring compliance with codes of conduct. The application for approval was assessed by the CNIL services. The Commission acknowledges that the application for approval submitted complies with the approval reference system adopted on April 30, 2020. Decides: To issue approval to Bureau Veritas Italia Spa as a control body for the European code of conduct supported by Cloud Infrastructure Service Providers Europe (CISPE). This approval is issued for a period of five years from the date of this deliberation. If the requirements relating to the approval are not or no longer met, the approval may be revoked in accordance with the provisions of the Article 41.5 of the GDPR and Article 23 of Law No. 78-17 of January 6, 1978 as amended. President Marie-Laure DENIS