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Opinion on revised standard data protection clauses

The Federal Commissioner for Data Protection and Freedom of Information (BfDI), Professor Ulrich Kelber, is very satisfied with the result of the European Data Protection Board (EDSA) on standard data protection clauses (SDK). At the meeting on January 14, the European data protection supervisory authorities and the European Data Protection Supervisor (EDPS) decided on joint statements on the European Commission's draft SDK.

BfDI Ulrich Kelber said: There were intensive negotiations on the statements that I approved with my colleagues. EDSA and EDPS come to a clear verdict. Our German position can be found in many places in the papers. This joint proposal would bring legal certainty for the exchange of data with countries outside the European Economic Area without restricting data protection. The BfDI had developed the German position with its colleagues from the federal states. At the turn of the year, the European Commission asked the EDSA and the EDPS to draw up a joint statement on two draft SDKs in accordance with Art. 28 and Art. 46 of the General Data Protection Regulation (GDPR). The new SDK for Art. 46 GDPR are intended to replace the previous ones for international data transfers. There are innovations, for example, with adjustments to the requirements of the GDPR and the Schrems II case law of the European Court of Justice. The SDK for Article 28 GDPR is intended for the first time to set a standard that can be used throughout Europe for the drafting of contracts between controllers and processors, which will make it significantly easier for companies and authorities to implement the relevant requirements of the GDPR. The EDPB will shortly publish the joint proposal on its homepage: <https://edpb.europa.eu/>

contact finder

Here you can find out in just a few clicks who is responsible for your inquiry or complaint about data protection.

public bodies

The term public body not only includes the traditional administrative authorities, but also courts, parliaments and public foundations. This also includes social insurance, such as health insurance.

company

Private companies are mostly supervised by state authorities, but there are some exceptions. Private organizations such as clubs and associations also fall into this category.

Press, radio, church

Special responsibilities apply in these areas. Churches and public broadcasters have e.g. B. via their own data protection officers. The federal and state supervisory authorities are not responsible for other organizations either.