

Deliberation 2021-076 of June 17, 2021 Commission Nationale de l'Informatique et des Libertés Legal status: In force Date of publication on Légifrance: Friday July 16, 2021 Deliberation n°2021-076 of June 17, 2021 approving EY CERTIFYPOINT B.V. as an organization control of 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 April 27, 2016 relating to the protection of natural persons 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 organizations responsible for monitoring compliance with codes of conduct; Having regard to deliberation no. 2021-065 approving the European code of conduct supported by Cloud Infrastructure Service Providers Europe (CISPE); After having heard the report of Mrs Anne DEBET, Commissioner, and the observations of Mr Benjamin TOUZANNE, Government Commissioner, Observes that: Article 41 of the General Data Protection Regulation (GDPR ) provides that the body responsible for monitoring compliance with a code of conduct by data controllers or processors 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 EY CERTIFYPOINT B.V. .The May 27, 2021, the Commission received a request from EY CERTIFYPOINT B.V. for approval as a code of conduct control body led by CISPE, in accordance with the provisions of deliberation no. 2020-050 of April 30, 2020 adopting a reference system relating to the approval of organizations responsible for monitoring compliance with codes of conduct. The application for approval was assessed by the CNIL departments. The Commission acknowledges that the application presented complies with the accreditation reference system adopted on April 30, 2020. Decides: To issue accreditation to EY CERTIFYPOINT B.V. as a control body for the European code of conduct carried 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 article 41.5 GDPR and Article 23 of Law No. 78-17 of January 6, 1978 as amended. President Marie-Laure DENIS