



Notification Number: 2015/627/F

Articles 24, 27 and 28 of the Digital Republic Bill [projet de loi pour une République numérique]

Date received : 10/11/2015

End of Standstill : Closed

Message

Message 002

Communication from the Commission - TRIS/(2015) 03490

Directive (EU) 2015/1535

Translation of the message 001

Notification: 2015/0627/F

No abre el plazo - Nezahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201503490.EN)

1. Structured Information Line

MSG 002 IND 2015 0627 F EN 10-11-2015 F NOTIF

2. Member State

F

3. Department Responsible

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3. Originating Department

Ministère de l'économie, de l'industrie et du numérique

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4. Notification Number

2015/0627/F - SERV

5. Title

Articles 24, 27 and 28 of the Digital Republic Bill [projet de loi pour une République numérique]

6. Products Concerned

Articles 24, 27 and 28 of the Digital Republic Bill [projet de loi pour une République numérique]

7. Notification Under Another Act

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8. Main Content

Title II, Chapter II, Section 1 of the Digital Republic Bill contains a number of provisions relating to personal data protection.

Article 24 requires that where the relevant data controller has an internet site, the rights to information, objection, opposition and rectification as provided for by Chapter V of the Data Protection Act [loi informatique et libertés] can be exercised electronically.

Article 27 establishes the right to erase data relating to minors. The data controller is required to erase personal data collected when the data subject was a minor as soon as possible. In this case, Article 27 provides a specific fast-track procedure with reduced timeframes and more rapid intervention by the French Data Protection Authority [Commission nationale de l'informatique et des libertés - CNIL].

Article 28 relates to the management of digital data on deceased persons.

9. Brief Statement of Grounds

Articles 24, 27 and 28 come under Title II of the Digital Republic Bill, dedicated to enhancing protection in the digital society.

The mass deployment of digital technologies in the lives of French people has thrown up new challenges as regards respect for some of our values, particularly the right to privacy. The proliferation of public and private files, the increased dissemination of personal data and the rising sophistication of processing are some of the more visible and sensitive of these challenges.

In relation to these issues, France already has robust legislation on technological developments, with the French Data Protection Act No. 78-17 of 6 January 1978.

However, the extent of data collection and a number of recent scandals have underscored the need to enhance personal data protection. This will mainly be achieved through the European regulation on personal data protection currently under discussion and on which negotiations are expected to be finalised by the end of 2015. However, changes can also be made at national level, in line with the draft regulation.



10. Reference Documents - Basic Texts

No basic text(s) available

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

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13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

Yes

16. TBT and SPS aspects

TBT aspect

No - the draft is neither a technical provision nor a conformity assessment procedure.

SPS aspect

No - the draft is neither a sanitary nor phytosanitary measure.

European Commission

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