



Notification Number: 2016/249/F

Article 32 of the Digital Republic Bill

Date received : 31/05/2016
End of Standstill : 01/09/2016 (03/10/2016)
Issue of detailed opinion by : Commission

Message

Message 002

Communication from the Commission - TRIS/(2016) 01592
Directive (EU) 2015/1535
Translation of the message 001
Notification: 2016/0249/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 - Não 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: 201601592.EN)

1. Structured Information Line

MSG 002 IND 2016 0249 F EN 31-05-2016 F NOTIF

2. Member State

F

3. Department Responsible

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3. Originating Department

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4. Notification Number

2016/0249/F - SERV

5. Title

Article 32 of the Digital Republic Bill

6. Products Concerned

Information society services

7. Notification Under Another Act

-

8. Main Content

Article 32 establishes the right of minors to have data of a personal nature erased. The data controller is required to erase data of a personal nature collected when the data subject was a minor as soon as possible. Article 32 provides that data controllers who do not erase this data or who fail to respond within one month may be liable to a financial penalty of EUR 10 000, imposed by the French Commission on Information Technology and Liberties.

However, Article 32 introduces derogations to these rules, particularly to take into account requirements relating to the right to freedom of expression, imperatives associated with archiving duties, or for historical purposes.

9. Brief Statement of Grounds

Article 32 comes under Title II of the Digital Republic Bill, dedicated to enhancing protection in the digital society.

One of the strategic pillars of the French government's Bill is the protection of vulnerable persons from digital divides or threats. From this point of view, the French authorities are giving particular attention to the protection of young people and minors. As has been widely reported, minors represent one of the most vulnerable groups facing abuse via social media (bullying, propaganda, video blackmail, etc.). Since this is a question of data that is particularly liable to endanger a population of children and adolescents highly sensitive to the effects of social networks, the French authorities intend, consistently with European regulations, to implement effective guarantees and time frames for the implementation of this new right to be forgotten.

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

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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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