

NOTICE ON  
processing operations subject to the requirement of a data protection impact assessment

Article 1

*General*

Certain data processing activities automatically require a Data Protection Impact Assessment (DPIA).

The supervisory authority has an obligation to establish and to make public a list of the types of processing operations that are subject to the requirement for a Data Protection Impact Assessment (DPIA) pursuant to article 35(4). Such an assessment must be carried out before the processing of personal data is initiated.

The Icelandic DPA considers the following data processing activities likely to be of high risk to the rights and freedoms of the data subjects. This list is based on the Working Party 29's analysis in the Guidelines on Data Protection Impact Assessment (WP 248), which has been considered a core element for ensuring consistency across the European Economic Area (EEA).

This list is non-exhaustive by nature and includes processing activities that are likely to result in a high risk to the rights and freedoms of the data subjects. Therefore, data controllers have the responsibility to assess whether their processing activities are likely to be a high risk for the rights and freedoms of the data subjects, even though the processing is not included in this list.

Article 2

*Criteria included in the Working Party 29 Guidelines (WP 248)*

In most situations, according to the WP 29 Guidelines, the processing of information pertaining to two or more of these criteria would normally require a Data Protection Impact Assessment (DPIA). In some situations a processing meeting only one criteria can also require such an assessment.

1. Evaluation or scoring
2. Automated-decision making with legal or similar significant effect
3. Systematic monitoring
4. Sensitive data or data of a highly personal nature
5. Data processed on a large scale
6. Matching or combining datasets
7. Data concerning vulnerable data subjects
8. Innovative use or application of new technological or organisational solutions

9. Data processing that can prevent data subjects from exercising a right or using a service or a contract

### Article 3

#### *List of processing activities requiring a data protection impact assessment*

1. Data collected via third parties in conjunction with at least one other criterion.
  - For example, collecting and combining personal data from third parties in order to decide whether the data subject shall be offered, continue to receive, or shall be denied a product, service or offer. (Vulnerable data subject and evaluation/scoring),
  - or; combining data subject's location or traffic data from telephone records in a systematic manner, or processing of personal data about the subscriber's use of the telecom operators' services. (Sensitive data or data of highly personal nature and systematic monitoring).
2. Systematic monitoring, including camera surveillance, on a large scale, in areas accessible by the public. (Systematic monitoring and large scale).
3. Camera surveillance in schools or kindergartens during opening hours. (Systematic monitoring and vulnerable data subjects).
4. Processing of personal data for the purpose of evaluating learning, coping and well-being in schools or kindergartens. This includes all levels of education, from preschool, elementary, high school to university levels. (Vulnerable data subjects and systematic monitoring).
5. Processing of biometric data for identification purpose in conjunction with at least another criterion.
  - For example, processing of biometric data on a large scale (Sensitive data or data of highly personal nature and large scale).
6. Processing of genetic data in conjunction with at least another criterion.
  - For example, processing of genetic data on a large scale, including gene sequencing (Sensitive data or data of highly personal nature and large scale).
7. Processing of personal data involving measures for systematic monitoring of employee activities.
  - For example, monitoring the employees' internet activity, electronic communication or camera surveillance for the purposes of employee monitoring (Vulnerable subject and systematic monitoring).
8. Processing of personal data using innovative technology in conjunction with at least one other criterion.
  - For example, processing of health data using innovative welfare technology solutions like health implant aids (Innovative use and sensitive data).
9. Processing of personal data to systematically monitor proficiency, skills, scores, mental health and development. (Sensitive data or data of highly personal nature and systematic monitoring).
10. Processing of personal data without consent for scientific or historical purpose in conjunction with at least one other criterion.
  - For example, processing of health data without consent for research purposes (Evaluation and sensitive data or data of highly personal nature).
11. Processing personal data with the purpose of providing services or developing products for commercial use that involve predicting working capacity, economic status, health, personal

preferences or interests, trustworthiness, behaviour, location or route in conjunction with at least one other criterion (Sensitive data or data of highly personal nature and evaluation/scoring).

12. Processing of sensitive or highly personal data on a large scale for training of algorithms (Large scale and sensitive or highly personal data).
13. Collection of personal data on a large scale through the use of “internet of things” solutions or welfare technology solutions (Large scale and sensitive or highly personal data).
14. Data processing that in itself prevents data subjects from exercising a right or using a service or a contract in conjunction with one other criterion.  
- An example of this is where a bank screens its customers against a credit reference database in order to decide whether to offer them a loan (Evaluation/scoring and sensitive data or data of highly personal nature).

## Article 4

### *Entry into force etc.*

This notice is published in accordance with Art. 29, paragraph 2 of Act no. 90/2018 on Data Protection and the Processing of Personal Data, cf. Art. 35, paragraph 4, of the General Data Protection Regulation (EU) 2016/679.

This notice shall enter into force immediately. Concurrently, Notice no. 337/2019 on processing operations subject to the requirement of a data protection impact assessment is repealed.

*On behalf of the Data Protection Authority, August 29 2019,*

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