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NOTE

From:	Presidency
To:	Delegations
Subject:	Proposal for a Regulation of the European Parliament and of the Council laying down additional procedural rules relating to the enforcement of Regulation (EU) 2016/679 - Note from the Presidency

Note from the Presidency - Outcome of bilateral meetings with delegations on the 11th and 12th of January

On 11th and 12th of January, the Presidency organised bilateral meetings with delegations in order to exchange views on the proposal for a Regulation laying down additional procedural rules relating to the enforcement of the GDPR.

Priority topics identified

The Presidency has identified the following topics for discussion, on the basis of the priorities that the delegates have put forward during these bilateral meetings:

1. Administrative and procedural burden, including regarding the handling of complaints and the different steps of the procedure (this concern has been raised by almost all delegations).

2. Role of the complainant and due process for the parties under investigation (raised by 8 delegations)
3. Timing for fixing the scope of investigation (raised by 6 delegations).
4. Access to the file and confidentiality (raised by 5 delegations).
5. Compatibility with domestic procedures, possible discrepancies between cross-border and domestic cases (raised by 4 delegations).
6. Time limits and deadlines (raised by 4 delegations).
7. Preliminary findings (raised by 2 delegations).
8. Urgency procedure (raised by 1 delegation).

Methodology

The Presidency intends to prepare a discussion paper, which will take the form of a questionnaire, for each the identified topics. On the basis of this document, a discussion will take place during the second day of each meeting of the Working Party. The Presidency does not expect written comments from delegations on these discussion papers.

The Presidency will propose a redrafting proposal on the basis of the discussion held on each topic, addressing the related articles. After each discussion, a Presidency redrafting proposal will therefore be sent to delegations, to be discussed during the first day of the following meeting of the Working Party.

The same process will be repeated for all topics identified by the Presidency during the bilateral meetings. Through this process, the Presidency intends to address all concerns expressed by delegations in order, though certain topics may be regrouped or moved at a later stage, depending on the advancement of the overall discussion.

Timetable

The Presidency intends to conduct each two-day meeting of the Working Party meetings in the following way:

- First day: discussion on a Presidency redrafting proposal.
 - Second day: debate on a discussion paper, with a view to prepare a redrafting proposal for the following meeting.
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