

## data protection - legal changes published in December 2018

### On December 5, 2018, the European Data Protection Board ("EDPB") published a summary of the 5th Plenary session

According to the press release published at [https://edpb.europa.eu/news/news/2018\\_en](https://edpb.europa.eu/news/news/2018_en), the main topics of discussion were the following:

- 1) Adoption of the draft adequacy decision on the recognition of an adequate level of protection for Japan regarding the transfer of personal data

Board members adopted an opinion on the draft European Commission Decision on the recognition of an adequate level of protection in Japan. The EDPB does not expect the Japanese legal framework to replicate European data protection law. The efforts made by Japan for the convergence of the European and Japanese law have been appreciated, although there are still a number of concerns, such as the protection of personal, data transferred from the EU to Japan, throughout their whole life cycle. The adoption of this Decision is very important given that it would be the first of its kind since the entry into force of the General Data Protection Regulation (GDPR).

- 2) The EDPB adopted opinions on the Data Protection Impact Assessment (DPIA) lists

The EDPB adopted opinions on DPIA lists submitted to the Board by Denmark, Croatia, Luxembourg and Slovenia. These four opinions follow the 22 opinions adopted during the September plenary, and will further contribute to establishing common criteria for DPIA lists across the EEA.

- 3) Guidelines on accreditation

The EDPB has adopted a revised version of the WP29 guidelines on accreditation, including a new annex. The draft guidelines were originally adopted by the WP29 and submitted for public consultation. The EDPB finalized the analysis and reached a conclusion on the final version. The aim of the guidelines is to provide guidance on how to interpret and implement the provisions of Article 43 of the GDPR. In particular, they aim to help Member States, supervisory authorities and national accreditation bodies establish a consistent and harmonized baseline for the accreditation of certification bodies that issue certification in accordance with the GDPR.