



Data State Inspectorate
Republic of Latvia

Lawfulness of personal data processing from GDPR perspective

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- ✓ GDPR prescribes rules on personal data processing
- ✓ Personal data protection requirements is not an obstacle for lawful processing
- ✓ GDPR and other legislative regulation is not opposite, it supplements each other
- ✓ It is important to understand and find correct interaction and balance between several rights/legislative acts





In order to get the balance between rights, there are special derogation for the statistical purposes:

✓ Derogation from the storage limitation principle

Personal data may be stored for longer periods insofar as the personal data will be processed solely for statistical purposes in accordance with Article 89(1) subject to implementation of the appropriate technical and organisational measures required by this Regulation in order to safeguard the rights and freedoms of the data subject

✓ Derogation from purpose limitation principle

Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for statistical purposes shall, in accordance with Article 89(1), not be considered to be incompatible with the initial purpose

✓ Derogation from data subjects rights

Where personal data are processed for statistical purposes, Union or Member State law may provide for derogations from the rights referred to in Articles 15, 16, 18 and 21 subject to the conditions and safeguards referred to in paragraph 1 of this Article in so far as such rights are likely to render impossible or seriously impair the achievement of the specific purposes, and such derogations are necessary for the fulfilment of those purposes

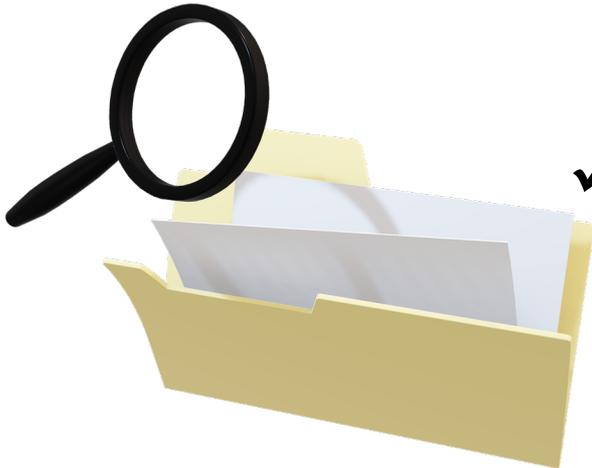




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Lawfulness of processing:

- ✓ Data subject consent
- ✓ Performance of the contract
- ✓ Legal obligation to which the controller is subject
- ✓ To protect vital interests
- ✓ Performance of a task carried out in the public interest (exercise of official authority)
- ✓ Legitimate interests





Requirements for the legislation as basis for the processing:

- ✓ Exercise of official authority
- ✓ Transparent regulation (legislative acts or sub-legislative acts) on:
 - ✓ purpose of the statistics
 - ✓ categories of personal data processed
 - ✓ controllers (authorities/companies) from whom personal data is collected
 - ✓ algorithms used for the analyses of collected personal data
- ✓ Appropriate organizational and technical measures implemented





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Thank you!

