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► **B**

COMMISSION IMPLEMENTING DECISION

of 21 August 2012

pursuant to Directive 95/46/EC of the European Parliament and of the Council on the adequate protection of personal data by the Eastern Republic of Uruguay with regard to automated processing of personal data

(notified under document C(2012) 5704)

(Text with EEA relevance)

(2012/484/EU)

(OJ L 227, 23.8.2012, p. 11)

Amended by:

		Official Journal		
		No	page	date
► <u>M1</u>	Commission Implementing Decision (EU) 2016/2295 of 16 December 2016	L 344	83	17.12.2016

▼ B**COMMISSION IMPLEMENTING DECISION****of 21 August 2012****pursuant to Directive 95/46/EC of the European Parliament and of the Council on the adequate protection of personal data by the Eastern Republic of Uruguay with regard to automated processing of personal data***(notified under document C(2012) 5704)***(Text with EEA relevance)****(2012/484/EU)***Article 1*

1. For the purposes of Article 25(2) of Directive 95/46/EC, the Eastern Republic of Uruguay is considered as ensuring an adequate level of protection for personal data transferred from the European Union.

2. The competent supervisory authority of the Eastern Republic of Uruguay for the application of the legal data protection standards in the Eastern Republic of Uruguay is set out in the Annex to this Decision.

▼ M1*Article 2*

Whenever the competent authorities in Member States exercise their powers pursuant to Article 28(3) of Directive 95/46/EC leading to the suspension or definitive ban of data flows to the Eastern Republic of Uruguay in order to protect individuals with regard to the processing of their personal data, the Member State concerned shall, without delay, inform the Commission which will forward the information to the other Member States.

Article 3

1. The Commission shall, on an ongoing basis, monitor developments in the legal order of the Eastern Republic of Uruguay that could affect the functioning of this Decision, including developments concerning access to personal data by public authorities, with a view to assessing whether the Eastern Republic of Uruguay continues to ensure an adequate level of protection of personal data.

2. The Member States and the Commission shall inform each other of cases where the action of bodies responsible for ensuring compliance with the standard of protection in the Eastern Republic of Uruguay fails to secure such compliance.

3. The Member States and the Commission shall inform each other of any indications that interferences by Uruguayan public authorities responsible for national security, law enforcement or other public interests with the right of individuals to the protection of their personal data go beyond what is strictly necessary, or that there is no effective legal protection against such interferences.

▼ M1

4. Where evidence shows that an adequate level of protection is no longer ensured, including in situations referred to in paragraphs 2 and 3, the Commission shall inform the competent Uruguayan authority and, if necessary, propose draft measures in accordance with the procedure referred to in Article 31(2) of Directive 95/46/EC with a view to repealing or suspending this Decision or limiting its scope.

▼ B*Article 4*

The Commission shall monitor the functioning of this Decision and report any pertinent findings to the Committee established under Article 31 of Directive 95/46/EC, including any evidence that could affect the finding in Article 1 of this Decision, that protection in the Eastern Republic of Uruguay is adequate within the meaning of Article 25 of Directive 95/46/EC and any evidence that this Decision is being implemented in a discriminatory way.

Article 5

Member States shall take all the measures necessary to comply with the Decision within three months of the date of its notification.

Article 6

This Decision is addressed to the Member States.

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ANNEX

Competent supervisory authority referred to in Article 1(2) of this Decision:

Unidad Reguladora y de Control de Datos Personales (URCDP)
Andes 1365, Piso 8
Tel. + 598 2901 2929 Int. 1352
11.100 Montevideo
URUGUAY

Contact e-mail: <http://www.datospersonales.gub.uy/sitio/contactenos.aspx>

Online complaints: <http://www.datospersonales.gub.uy/sitio/denuncia.aspx>

Website: <http://www.datospersonales.gub.uy/sitio/index.aspx>