

Decision (EU) 2020/655 of the European Central Bank of 5 May 2020  
adopting implementing rules concerning data protection at the European  
Central Bank and repealing Decision ECB/2007/1 (ECB/2020/28)

SECTION 4

**DATA SUBJECTS' RIGHTS**

*Article 11*

**Exercise of data subjects' rights**

1 Data subjects may contact the relevant controller to exercise their rights pursuant to Articles 17 to 24 of Regulation (EU) 2018/1725.

2 Data subjects' rights may only be exercised by the data subject or their duly authorised representative. Such persons may exercise any of these rights free of charge.

3 Requests to exercise data subjects' rights shall be submitted to the relevant controller in writing or, where appropriate, by electronic means. Upon receiving a request from a data subject, the relevant controller shall send an acknowledgment of receipt to the data subject within five working days, provide them with the contact details of the DPO and inform them of the possibility of lodging a complaint with the EDPS and of seeking judicial redress.

4 If the relevant controller has reasonable doubts concerning the identity of the data subject, or their authorised representative, the relevant controller may request the provision of additional information necessary to identify the data subject or their authorised representative. If the data subject is represented by an authorised representative, the relevant controller shall also verify the relevant authorisation. The relevant controller may request further information from the data subject in order to clarify the data subject's request and effectively address it.

5 In accordance with Article 14(3) and (4) of Regulation (EU) 2018/1725, the relevant controller shall provide information to the data subject on any action taken in relation to a request without undue delay and at the latest within one month of receiving the request. Where necessary, this period may be extended by two further months, taking into account the complexity and number of data subjects' requests received by the relevant controller. The relevant controller shall inform the data subject of any extension within one month of receiving the request and shall provide the reasons for the delay.

6 The relevant controller shall respond to the data subject's request in writing, if appropriate, and if the data subject's request was submitted by electronic means, the relevant controller shall also provide the requested information by electronic means.

7 The data subject may at any point contact the DPO, in particular if:

- a the relevant controller does not respect the time limits in paragraphs 3 and 5;
- b the data subject is dissatisfied with the action taken by the relevant controller; or
- c the data subject wishes to lodge a complaint with the EDPS.

The DPO shall advise the relevant controller on the appropriate course of action.

8 Where requests from a data subject are manifestly unfounded or excessive, in particular because of their repetitive character, the relevant controller may, having consulted the

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*Status: This is the original version (as it was originally adopted).*

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DPO, refuse to act on the request in accordance with Article 14(5) of Regulation (EU) 2018/1725 and shall inform the data subject accordingly.

#### *Article 12*

#### **Remedies**

The remedies available to ECB members of staff under the Conditions of Employment for Staff of the European Central Bank shall not apply to complaints concerning data protection.