

Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA

## CHAPTER I

### General provisions

- Article 1 Subject-matter and objectives
- Article 2 Scope
- Article 3 Definitions

## CHAPTER II

### Principles

- Article 4 Principles relating to processing of personal data
- Article 5 Time-limits for storage and review
- Article 6 Distinction between different categories of data subject
- Article 7 Distinction between personal data and verification of quality of personal data
- Article 8 Lawfulness of processing
- Article 9 Specific processing conditions
- Article 10 Processing of special categories of personal data
- Article 11 Automated individual decision-making

## CHAPTER III

### Rights of the data subject

- Article 12 Communication and modalities for exercising the rights of the data subject
- Article 13 Information to be made available or given to the data subject
- Article 14 Right of access by the data subject
- Article 15 Limitations to the right of access
- Article 16 Right to rectification or erasure of personal data and restriction of processing
- Article 17 Exercise of rights by the data subject and verification by the supervisory authority
- Article 18 Rights of the data subject in criminal investigations and proceedings

## CHAPTER IV

### Controller and processor

#### Section 1

##### General obligations

Article 19	Obligations of the controller
Article 20	Data protection by design and by default
Article 21	Joint controllers
Article 22	Processor
Article 23	Processing under the authority of the controller or processor
Article 24	Records of processing activities
Article 25	Logging
Article 26	Cooperation with the supervisory authority
Article 27	Data protection impact assessment
Article 28	Prior consultation of the supervisory authority

#### Section 2

##### Security of personal data

Article 29	Security of processing
Article 30	Notification of a personal data breach to the supervisory authority
Article 31	Communication of a personal data breach to the data subject

#### Section 3

##### Data protection officer

Article 32	Designation of the data protection officer
Article 33	Position of the data protection officer
Article 34	Tasks of the data protection officer

## CHAPTER V

### Transfers of personal data to third countries or international organisations

Article 35	General principles for transfers of personal data
Article 36	Transfers on the basis of an adequacy decision
Article 37	Transfers subject to appropriate safeguards
Article 38	Derogations for specific situations
Article 39	Transfers of personal data to recipients established in third countries
Article 40	International cooperation for the protection of personal data

## CHAPTER VI

### Independent supervisory authorities

#### Section 1

##### Independent status

Article 41	Supervisory authority
Article 42	Independence
Article 43	General conditions for the members of the supervisory authority
Article 44	Rules on the establishment of the supervisory authority

#### Section 2

##### Competence, tasks and powers

Article 45	Competence
Article 46	Tasks
Article 47	Powers
Article 48	Reporting of infringements
Article 49	Activity reports

## CHAPTER VII

### Cooperation

Article 50	Mutual assistance
Article 51	Tasks of the Board

## CHAPTER VIII

### Remedies, liability and penalties

Article 52	Right to lodge a complaint with a supervisory authority
Article 53	Right to an effective judicial remedy against a supervisory authority
Article 54	Right to an effective judicial remedy against a controller or processor
Article 55	Representation of data subjects
Article 56	Right to compensation
Article 57	Penalties

## CHAPTER IX

### Implementing acts

Article 58	Committee procedure
------------	---------------------

## CHAPTER X

## Final provisions

Article 59	Repeal of Framework Decision 2008/977/JHA
Article 60	Union legal acts already in force
Article 61	Relationship with previously concluded international agreements in the field of judicial cooperation in criminal matters and police cooperation
Article 62	Commission reports
Article 63	Transposition
Article 64	Entry into force
Article 65	Addressees Signature

- (1) [OJ C 391, 18.12.2012, p. 127.](#)
- (2) Position of the European Parliament of 12 March 2014 (not yet published in the Official Journal) and position of the Council at first reading of 8 April 2016 (not yet published in the Official Journal). Position of the European Parliament of 14 April 2016.
- (3) Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data ([OJ L 281, 23.11.1995, p. 31](#)).
- (4) Council Framework Decision 2008/977/JHA of 27 November 2008 on the protection of personal data processed in the framework of police and judicial cooperation in criminal matters ([OJ L 350, 30.12.2008, p. 60](#)).
- (5) Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation) (see page 1 of this Official Journal).
- (6) Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data ([OJ L 8, 12.1.2001, p. 1](#)).
- (7) Directive 2011/24/EU of the European Parliament and of the Council of 9 March 2011 on the application of patients' rights in cross-border healthcare ([OJ L 88, 4.4.2011, p. 45](#)).
- (8) Council Common Position 2005/69/JHA of 24 January 2005 on exchanging certain data with Interpol ([OJ L 27, 29.1.2005, p. 61](#)).
- (9) Council Decision 2007/533/JHA of 12 June 2007 on the establishment, operation and use of the second generation Schengen Information System (SIS II) ([OJ L 205, 7.8.2007, p. 63](#)).
- (10) Council Directive 77/249/EEC of 22 March 1977 to facilitate the effective exercise by lawyers of freedom to provide services ([OJ L 78, 26.3.1977, p. 17](#)).
- (11) Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers ([OJ L 55, 28.2.2011, p. 13](#)).
- (12) Council Decision 2008/615/JHA of 23 June 2008 on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime ([OJ L 210, 6.8.2008, p. 1](#)).
- (13) Council Act of 29 May 2000 establishing in accordance with Article 34 of the Treaty on European Union the Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union ([OJ C 197, 12.7.2000, p. 1](#)).
- (14) Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA ([OJ L 335, 17.12.2011, p. 1](#)).
- (15) [OJ L 176, 10.7.1999, p. 36.](#)
- (16) [OJ L 53, 27.2.2008, p. 52.](#)
- (17) [OJ L 160, 18.6.2011, p. 21.](#)
- (18) [OJ C 192, 30.6.2012, p. 7.](#)