

Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (Text with EEA relevance)

CHAPTER IX

PROCESSING OF OPERATIONAL PERSONAL DATA BY UNION BODIES, OFFICES AND AGENCIES WHEN CARRYING OUT ACTIVITIES WHICH FALL WITHIN THE SCOPE OF CHAPTER 4 OR CHAPTER 5 OF TITLE V OF PART THREE TFEU

Article 81

Limitations to the right of access

1 The controller may restrict, wholly or partly, the data subject's right of access to the extent that, and for as long as, such a partial or complete restriction constitutes a necessary and proportionate measure in a democratic society with due regard for the fundamental rights and legitimate interests of the natural person concerned, in order to:

- a avoid obstructing official or legal inquiries, investigations or procedures;
- b avoid prejudicing the prevention, detection, investigation or prosecution of criminal offences or the execution of criminal penalties;
- c protect the public security of Member States;
- d protect the national security of Member States;
- e protect the rights and freedoms of others, such as victims and witnesses.

2 In the cases referred to in paragraph 1, the controller shall inform the data subject, without undue delay, in writing of any refusal or restriction of access and of the reasons for the refusal or the restriction. Such information may be omitted where the provision thereof would undermine a purpose under paragraph 1. The controller shall inform the data subject of the possibility of lodging a complaint with the European Data Protection Supervisor or of seeking a judicial remedy before the Court of Justice. The controller shall document the factual or legal reasons on which the decision is based. That information shall be made available to the European Data Protection Supervisor on request.

Status:

Point in time view as at 23/10/2018. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Regulation (EU) 2018/1725 of the European Parliament and of the Council, Article 81.