



# Personal data access under the GDPR

 *DG Justice and Consumers*

## Personal data – Art. 4(1) GDPR

*‘personal data’ means any information relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;*

➡ broad definition – subjective and objective elements (C-487/21)

# Examples personal data – Art. 4(1) GDPR

- Creditworthiness assessment (C-487/21)
- Exam results and assessment (C-434/16)
- Analysis is not personal data (C-141/12 and 372/12)
- Log data ? (C-579/21 pending)

# Personal data access – Art. 15 GDPR

Three elements

- Confirmation of processing
- Personal data undergoing processing
- Related information

## Personal data access/copy – Art. 15(3) GDPR

- That right entails the right to obtain copies of extracts from documents or even entire documents or extracts from databases which contain, inter alia, those data, if the provision of such a copy is essential in order to enable the data subject to exercise effectively the rights conferred on him or her by that regulation, bearing in mind that account must be taken, in that regard, of the rights and freedoms of others.
  - ‘copy’ refers to the personal data which the document contains and which must be complete;
  - must have all the characteristics necessary for the data subject effectively to exercise his or her rights under that regulation and must, consequently, reproduce those data fully and faithfully;

# Useful information

- Articles 4(1), 12, 15; Recitals 26, 63 GDPR
- EDPB guidelines 01/2022 on data subject rights - Right of access

[https://edpb.europa.eu/our-work-tools/our-documents/guidelines/guidelines-012022-data-subject-rights-right-access\\_en](https://edpb.europa.eu/our-work-tools/our-documents/guidelines/guidelines-012022-data-subject-rights-right-access_en)

# Questions?



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