

# Legitimate Interest vs. Privacy

Views from a data protection perspective

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## **Art.6 GDPR**

Lawfulness of Processing

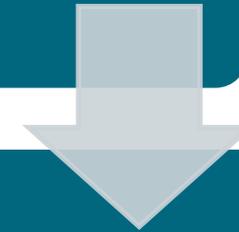
Art.6 (1) c) - Legal obligation of controller

Art.6 (1) e) - Task of public interest



## **AMLD**

Draft EP Art.12, 6th AMLD - Access based on legitimate interest



## **Art.6 (3) GDPR**

Compliance of AMLD with GDPR?

## Art. 12, 6th AMLD

### Art. 12 (2)

- Access should be granted to journalists and civil society organisations, that **intend** to carry out reporting or other activities on AML-activities

### Art. 12 (2) a

- Member States shall ensure timely access. If no decision on access has been communicated within **10 days** of the submission, access shall be considered to have been granted and shall be given **automatically**

### Art. 12 (2) b

- Access shall be valid for a period of at least **2,5 years** and shall be **recognised in all Member States**

### Art. 12 (2) c

- Possibility for the Member States to **automatically renew the access** granted

### Art. 12 (2) f

- **Common request form** and template for the declaration of honour

# Compliance of Art.12 AMLD with GDPR?

## Key principles of GDPR

Lawfulness, fairness and transparency

Purpose limitation

Data minimisation

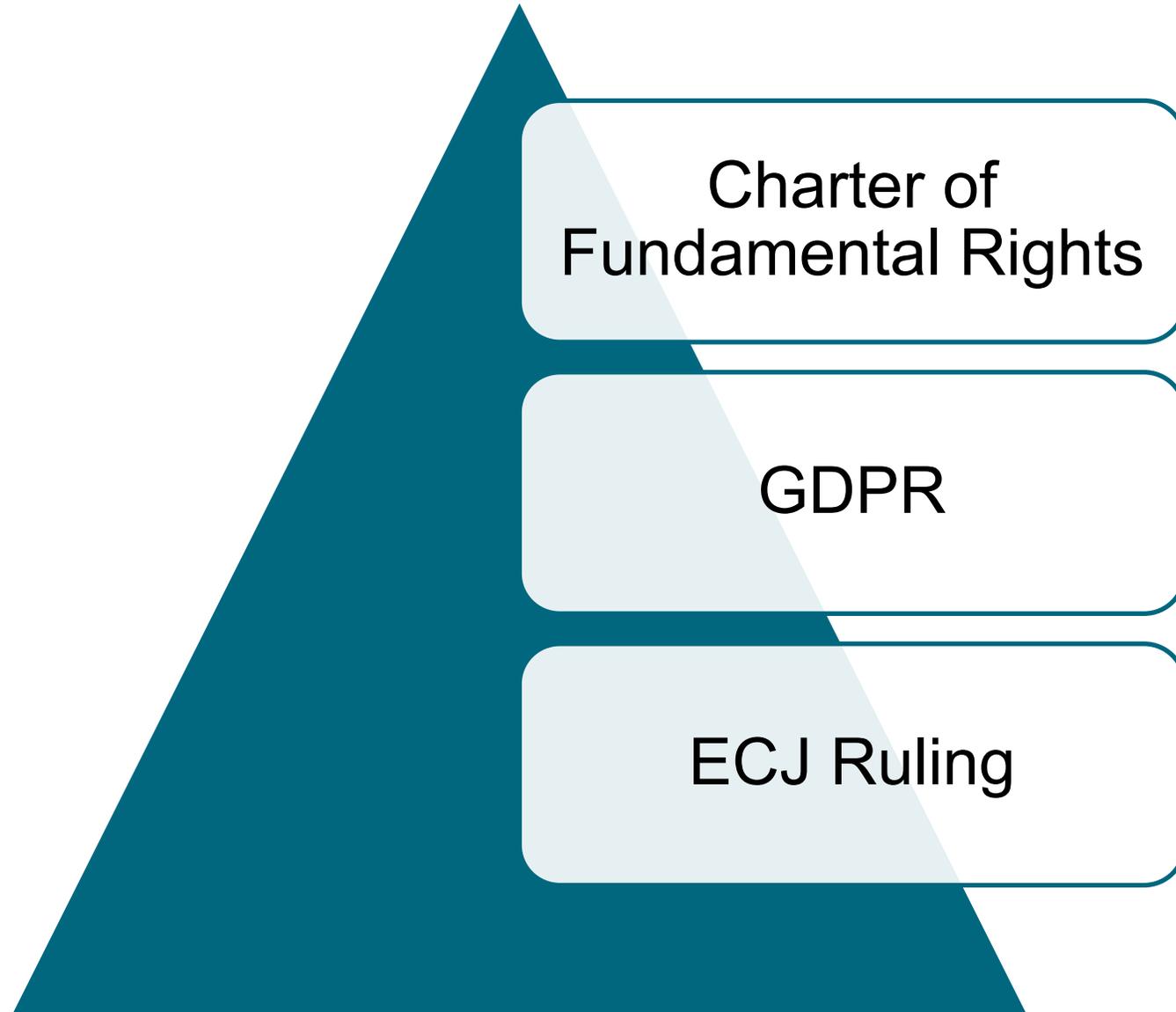
Accuracy

Storage limitation

Integrity and confidentiality (security)

Accountability

## Compliance Assessment of Art.12 AMLD – Access based on legitimate interest



# Thank you for your attention.



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