

Art. 5 GDPR Principles relating to processing of personal data

1. Personal data shall be:
 1. processed lawfully, fairly and in a transparent manner in relation to the data subject ('lawfulness, fairness and transparency');
 2. collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall, in accordance with [Article 89\(1\)](#), not be considered to be incompatible with the initial purposes ('purpose limitation');
 3. adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed ('data minimisation');
 4. accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay ('accuracy');
 5. kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with [Article 89\(1\)](#) subject to implementation of the appropriate technical and organisational measures required by this Regulation in order to safeguard the rights and freedoms of the data subject ('storage limitation');
 6. processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures ('integrity and confidentiality').
2. The controller shall be responsible for, and be able to demonstrate compliance with, paragraph 1 ('accountability').

Art. 6 GDPR Lawfulness of processing

1. ¹Processing shall be lawful only if and to the extent that at least one of the following applies:
 1. the data subject has given consent to the processing of his or her personal data for one or more specific purposes;
 2. processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
 3. processing is necessary for compliance with a legal obligation to which the controller is subject;
 4. processing is necessary in order to protect the vital interests of the data subject or of another natural person;
 5. processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;
 6. processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.

²Point (f) of the first subparagraph shall not apply to processing carried out by public authorities in the performance of their tasks.

2. Member States may maintain or introduce more specific provisions to adapt the application of the rules of this Regulation with regard to processing for compliance with points (c) and (e) of paragraph 1 by determining more precisely specific requirements for the processing and other measures to ensure lawful and fair processing including for other specific processing situations as provided for in [Chapter IX](#).
3. ¹The basis for the processing referred to in point (c) and (e) of paragraph 1 shall be laid down by:
 1. Union law; or
 2. Member State law to which the controller is subject.

²The purpose of the processing shall be determined in that legal basis or, as regards the processing referred to in point (e) of paragraph 1, shall be necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. ³That legal basis may contain specific provisions to adapt the application of rules of this Regulation, inter alia: the general conditions governing the lawfulness of processing by the controller; the types of data which are subject to the processing; the data subjects concerned; the entities to, and the purposes for which, the personal data may be disclosed; the purpose limitation; storage periods; and processing operations and processing procedures, including measures to ensure lawful and fair processing such as those for other specific processing situations as provided for in [Chapter IX](#). ⁴The Union or the Member State law shall meet an objective of public interest and be proportionate to the legitimate aim pursued.

4. Where the processing for a purpose other than that for which the personal data have been collected is not based on the data subject's consent or on a Union or Member State law which constitutes a necessary and proportionate measure in a democratic society to safeguard the objectives referred to in [Article 23\(1\)](#), the controller shall, in order to ascertain whether processing for another purpose is compatible with the purpose for which the personal data are initially collected, take into account, inter alia:
 1. any link between the purposes for which the personal data have been collected and the purposes of the intended further processing;
 2. the context in which the personal data have been collected, in particular regarding the relationship between data subjects and the controller;
 3. the nature of the personal data, in particular whether special categories of personal data are processed, pursuant to [Article 9](#), or whether personal data related to criminal convictions and offences are processed, pursuant to [Article 10](#);
 4. the possible consequences of the intended further processing for data subjects;
 5. the existence of appropriate safeguards, which may include encryption or pseudonymisation.

Art. 13 GDPR Information to be provided where personal data are collected from the data subject

1. Where personal data relating to a data subject are collected from the data subject, the controller shall, at the time when personal data are obtained, provide the data subject with all of the following information:
 1. the identity and the contact details of the controller and, where applicable, of the controller's representative;
 2. the contact details of the data protection officer, where applicable;
 3. the purposes of the processing for which the personal data are intended as well as the legal basis for the processing;
 4. where the processing is based on point (f) of [Article 6\(1\)](#), the legitimate interests pursued by the controller or by a third party;
 5. the recipients or categories of recipients of the personal data, if any;
 6. where applicable, the fact that the controller intends to transfer personal data to a third country or international organisation and the existence or absence of an adequacy decision by the Commission, or in the case of transfers referred to in [Article 46](#) or [47](#), or the second subparagraph of [Article 49\(1\)](#), reference to the appropriate or suitable safeguards and the means by which to obtain a copy of them or where they have been made available.
2. In addition to the information referred to in paragraph 1, the controller shall, at the time when personal data are obtained, provide the data subject with the following further information necessary to ensure fair and transparent processing:
 1. the period for which the personal data will be stored, or if that is not possible, the criteria used to determine that period;
 2. the existence of the right to request from the controller access to and rectification or erasure of personal data or restriction of processing concerning the data subject or to object to processing as well as the right to data portability;
 3. where the processing is based on point (a) of [Article 6\(1\)](#) or point (a) of [Article 9\(2\)](#), the existence of the right to withdraw consent at any time, without affecting the lawfulness of processing based on consent before its withdrawal;
 4. the right to lodge a complaint with a supervisory authority;
 5. whether the provision of personal data is a statutory or contractual requirement, or a requirement necessary to enter into a contract, as well as whether the data subject is obliged to provide the personal data and of the possible consequences of failure to provide such data;
 6. the existence of automated decision-making, including profiling, referred to in [Article 22\(1\)](#) and (4) and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.

3. Where the controller intends to further process the personal data for a purpose other than that for which the personal data were collected, the controller shall provide the data subject prior to that further processing with information on that other purpose and with any relevant further information as referred to in paragraph 2.
4. Paragraphs 1, 2 and 3 shall not apply where and insofar as the data subject already has the information.

Art. 30 GDPR Records of processing activities

1. Each controller and, where applicable, the controller's representative, shall maintain a record of processing activities under its responsibility. ²That record shall contain all of the following information:
 1. the name and contact details of the controller and, where applicable, the joint controller, the controller's representative and the data protection officer;
 2. the purposes of the processing;
 3. a description of the categories of data subjects and of the categories of personal data;
 4. the categories of recipients to whom the personal data have been or will be disclosed including recipients in third countries or international organisations;
 5. where applicable, transfers of personal data to a third country or an international organisation, including the identification of that third country or international organisation and, in the case of transfers referred to in the second subparagraph of [Article 49\(1\)](#), the documentation of suitable safeguards;
 6. where possible, the envisaged time limits for erasure of the different categories of data;
 7. where possible, a general description of the technical and organisational security measures referred to in [Article 32\(1\)](#).
2. Each processor and, where applicable, the processor's representative shall maintain a record of all categories of processing activities carried out on behalf of a controller, containing:
 1. the name and contact details of the processor or processors and of each controller on behalf of which the processor is acting, and, where applicable, of the controller's or the processor's representative, and the data protection officer;
 2. the categories of processing carried out on behalf of each controller;
 3. where applicable, transfers of personal data to a third country or an international organisation, including the identification of that third country or international organisation and, in the case of transfers referred to in the second subparagraph of [Article 49\(1\)](#), the documentation of suitable safeguards;
 4. where possible, a general description of the technical and organisational security measures referred to in [Article 32\(1\)](#).
3. The records referred to in paragraphs 1 and 2 shall be in writing, including in electronic form.
4. The controller or the processor and, where applicable, the controller's or the processor's representative, shall make the record available to the supervisory authority on request.
5. The obligations referred to in paragraphs 1 and 2 shall not apply to an enterprise or an organisation employing fewer than 250 persons unless the processing it carries out is likely to result in a risk to the rights and freedoms of data subjects, the processing is not occasional, or the processing includes special categories of data as referred to in [Article 9\(1\)](#) or personal data relating to criminal convictions and offences referred to in [Article 10](#).