



## PRESS RELEASE

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### **EDPS calls for strengthening of proposed Regulation on the Internal Market Information System**

In his Opinion, issued today, the European Data Protection Supervisor (EDPS) provides a series of recommendations to further strengthen the data protection framework for the Internal Market Information System ('IMI'). The EDPS supports a consistent approach to data protection in establishing an electronic system for the exchange of information, including relevant personal data. At the same time, the EDPS cautions that establishment of a single centralized electronic system for multiple areas of administrative cooperation also creates risks.

Giovanni Buttarelli, Assistant EDPS, says: "*We welcome the fact that the Commission has proposed a horizontal legal instrument for IMI in the form of a Parliament and Council Regulation (\*), which aims at comprehensively highlighting the most relevant data protection issues for IMI. The EDPS calls attention to two key challenges: the need to ensure consistency in the legal framework, while respecting diversity, and the need to balance flexibility and legal certainty.*"

The EDPS acknowledges the need for flexibility to cover administrative cooperation in different policy areas but insists that this flexibility should be accompanied by legal certainty. Against this background, the EDPS recommends that functionalities of IMI that are already foreseeable should be further clarified and that the inclusion of new functionalities should require appropriate procedural safeguards, such as preparation of a data protection impact assessment and consultation of the EDPS and national data protection authorities.

The Opinion also calls for further strengthening of data subjects' rights and for reconsideration of the extension of the currently applicable 6-months retention period unless adequate justifications are provided.

Finally, the EDPS welcomes the provisions on coordinated supervision and recommends that these should be further strengthened in order to guarantee effective and active cooperation among the data protection authorities involved.

#### **Background information**

IMI is an online application that allows national, regional and local authorities in European Union Member States to communicate quickly and easily with their counterparts in other European countries. IMI helps users find the right authority to contact in another country and communicate with them using pre-translated sets of standard questions and answers. IMI is designed as a flexible system that can be used for many pieces of single market legislation. Currently, it covers the following instruments: the Professional Qualifications Directive (2005/36/EC) and the Services Directive (2006/123/EC).

(\*) COM (2011) 522 final: Proposal for a Regulation of the European Parliament and of the Council on administrative cooperation through the Internal Market Information System ('the IMI Regulation').