

C-Roads Czech Republic

Personal data protection

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1) Challenges faced

- According to the opinions of WP29 and Czech supervisory authority the **personal data are being processed** within the C-Roads project
- Location tracking = potential large intrusion into privacy
 - Legitimate interest might be problematic
- There is **no legal obligation** to perform the processing of personal data
 - It is difficult to find an optimal legal basis for the processing
- **Nature of collection and sharing of personal data**
 - Personal data of all participants are shared by all project members
 - It is not possible to control the group of data subjects or beneficiaries

2) Pilot phase of the C-Roads project

- Limited number of entities processing personal data
 - Devices are not used on a common basis outside the C-Roads project
 - Only members of the C-Roads are involved
- Voluntary participation of the limited number of data subjects
 - Consent might be a relevant legal basis for the processing

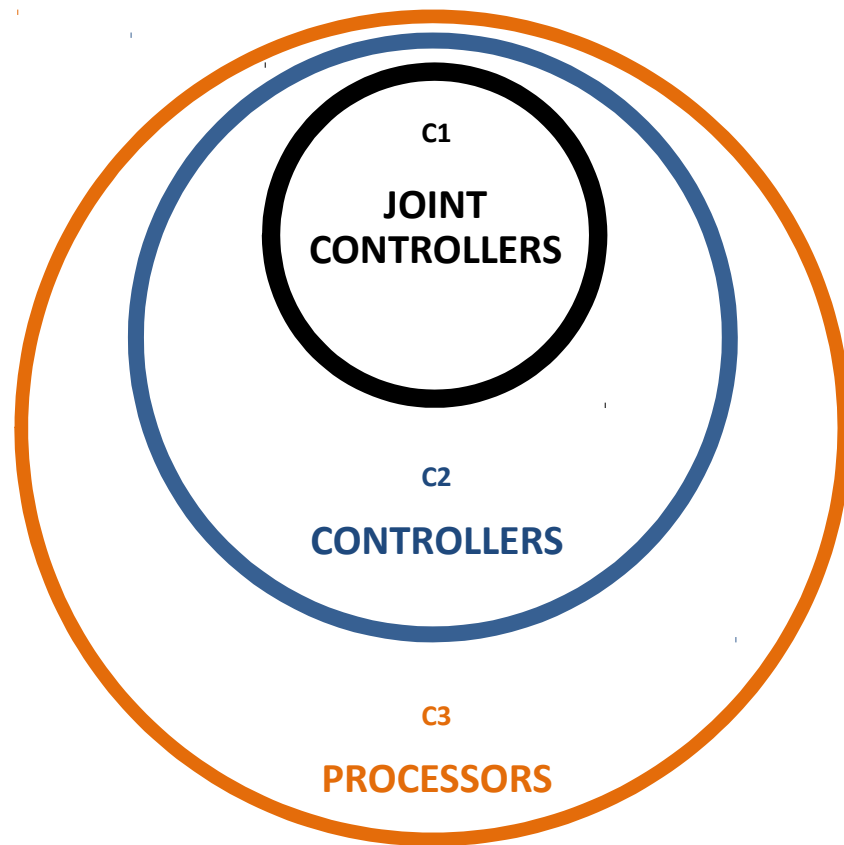
3) Legal basis for the processing

- Consent
 - Used by members with a limited number of data subjects that participate voluntarily
- Performance of a task carried out in the public interest or in the exercise of official authority vested in the controller
 - Specific legal basis for controllers from public sector
- Legitimate interest pursued by the controller
 - Used by other members and for a shorter period (than in case of the abovementioned legal basis)

4) C-Roads project members

- Joint controllers
 - Use consent as a legal basis
 - Jointly determine the purposes and means of processing
- Controllers
 - Other members
 - Members that are joint controllers are also individual controllers when processing the personal data of data subjects involved in the project by other members
- Processors
 - Members that process personal data on behalf of the controllers or joint controllers

Contractual relationships:



5) Current status

- **Analysis - pilot test phase of the C-Roads project**
- **Contractual documentation (11/2019)**
- **Information regarding the processing, etc. (11/2019)**
- **Data Protection Impact Assessment (11/2019)**

- **Analysis – full operation of the C-Roads project (2020)**

6) Problematic aspects of the future of C-Roads

- **Unlimited number** of data subjects and controllers
- Only applicable legal basis would be **legitimate interest**
- How to **inform** data subjects? How to ensure **exercise of rights**?

- There is need for a **change of legislation**

7) Next steps

- **We propose a realization of workshop**, where the data protection aspects in connection with C-Roads project will be discussed
 - Outcome of such workshop could be a proposal for a change of legislation or request for an interpretative opinion by EPDB

Thank you for your attention

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