

European Commission
Directorate-General Justice

PUBLIC CONSULTATION ON THE COMMISSION'S COMPREHENSIVE APPROACH ON PERSONAL DATA PROTECTION IN THE EUROPEAN UNION

The European Commission has launched a public consultation on the Commission's comprehensive approach on personal data protection in the European Union. The Central Chamber of Commerce of Finland submits the following statement.

2.1.1 Ensuring appropriate protection for individuals in all circumstances

The Central Chamber of Commerce of Finland believes that it will be particularly demanding for small and medium-sized enterprises to keep up to date of which collection of data individuals must be informed and the situations in which data protection rules should be observed. An additional challenge is the variety of applications used in collection of data and diversification as well as detail of regulation. Furthermore regulation should be technology independent and over-regulation should be avoided.

2.1.2 Increasing transparency for data subjects

Data controllers should be stressed about their duty to inform the individuals clearly and in a transparent way how and by whom their data are collected and processed. A standard form is not suitable for all situations, though it could serve as a framework for companies lacking resources in creating their own communication. The form should not be mandatory, as long as the information may be conveyed by some other appropriate means to the individuals. Transparency could be increased for an example by a direct and visible link, which leads to a data source, where the company explains more of its operations and also presents other information requested by the legislature.

The Central Chamber of Commerce of Finland opposes a general introduction of a mandatory data breach notification. A general obligation imposes a too heavy burden to the data controllers. If the obligation would be imposed, the threshold of disclosure should be clearly defined and should be limited only to situations relevant to data protection.

2.1.3 Enhancing control over one's own data

Instead of collecting as little data as possible, The Central Chamber of Commerce of Finland argues, that more emphasis should be put on applying the principle of exclusivity of purpose as well as on the requirement of necessity.

2.1.4 Raising awareness

Data Protection Authorities should be allocated sufficient resources not only to guidance of the individuals' but also to guidance of the data controllers'.

2.2.5 Encouraging self-regulatory initiatives and exploring EU certification schemes

Instead of introducing a new certification the Central Chamber of Commerce of Finland suggests that already existing certifications should be applied, extended and substantiated.

THE CENTRAL CHAMBER OF COMMERCE OF FINLAND

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