

European statistics relating to persons and households

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Opinion of the European Data Protection Supervisor (EDPS) on the proposed common framework for European statistics relating to persons and households.

The EDPS was asked by the Commission and the Council for its opinion on this proposal, which aims to establish a common framework for European statistics relating to persons and households based on data at an individual level collected from samples.

The EDPSs main concern is the ambiguity in the current draft surrounding the possibility of the use of administrative data and big data sources such as telephone location data, corporate and tax records, social security and medical records, records of unemployment offices and organisations managing social security.

In order to provide effective protection for the right of privacy and the right to the protection of personal data, the EDPS recommended:

- substantially revising Article 8 (on data sources and methods) in order to ensure: (i) that any data processing involving administrative records and other data sources must be done in compliance with applicable data protection laws and; (ii) that any direct provision of data by individuals (apart from certain exceptions as provided by law and subject to appropriate safeguards) must be made on a voluntary basis on the basis of the consent of the data subjects providing the data under Article 7 of the [General Data Protection Regulation](#) (GDPR);
- ensuring that linking administrative records, as foreseen in Article 11 must be done in compliance with data protection law, subject to necessity, proportionality, and specific safeguards under Member State or Union law;
- including a reference to the [ePrivacy Directive](#) when referring to applicable law in Recital 20 as well as making the necessary updates to all relevant references, if needed, in light of the current review of the data protection framework;
- clarifying references to substantial public interest in Recital 20 by adding the appropriate reference of the GDPR to enable easier reference for non-experts;
- considering a revision of the definition of administrative record as it seems to be too broad and appear to include, not only administrative records of public bodies but also sources such as mobile phone location data, which is, in the sense as the term is commonly used in everyday language, not always considered as an administrative record.