

**VĚRA JOUROVÁ**  
*Member of the European Commission*

Brussels,  
Ares(2017)

Dear Sirs,

We refer to the open letter sent by email to the Commission on 2 October 2017 drawing our attention to the situation in Denmark as regards the implementation of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 (General Data Protection Regulation). In the letter you point out concerns that Denmark will not be able to comply with certain obligations of the GDPR due to the fact that the competent supervisory authority in Denmark does not have sufficient resources to fulfil its tasks. You mention that the Danish government has just presented a draft Finance Bill increasing the budget of the supervisory authority, which will however not be sufficient, in your view, to remedy the problem.

We would like to underline that since the adoption of the GDPR, the Commission has been working closely with Member States to accompany them in the process of adapting or repealing their existing laws as necessary. The Commission has established an Expert Group with Member States to prepare the implementation of the GDPR and the transposition of the Police and Criminal Justice Authorities Directive. The Expert Group meets alternatively on the two pieces of legislation. In this context, the Commission is monitoring closely the progress of Member States in preparing for the entry into application of the GDPR.

As regards your concerns on available guidance on the GDPR, please note that currently the Article 29 Working Party, to be replaced by the European Data Protection Board (EDPB) on 25 May 2018, has a key role in ensuring the coherent interpretation and enforcement of the new rules. Pursuant to Article 70 of the GDPR, the EDPB is entrusted with the task of issuing a number of guidelines for companies and other stakeholders to ensure the proper implementation of the Regulation. The Article 29 Working Party has already issued six guidelines to assist with the implementation and interpretation of the new legislation as regards data portability, data protection officers, lead supervisory authority, and data protection impact assessments.

To further support the transition to the new rules, the Commission is co-financing the training of data protection authorities (DPAs) and other public authorities and data protection officers via action grants. We have also amended the Rights and Citizenship work programme in order to launch a new call for proposals restricted to the DPAs, aimed at supporting them in their tasks of reaching out to citizens and SMEs.

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Building on this and to accompany these various actions, the Commission is developing guidance, including an interactive online toolkit, in order to prepare business, public authorities and citizens for the new rights and obligations under the GDPR. We plan to launch it at the next Data Protection day on 28 January 2018.

In its role of guardian of the Treaties, the Commission will continue monitoring the implementation of the GDPR by the Member States. In the event that the Commission would identify possible infringements of EU law, it may ask the concerned Member State to take actions to remedy the suspected violation of EU law.

We hope you will find this information useful.

Yours sincerely,



Věra Jourová