

## Data protection: UEAPME assessment of the vote in the European Parliament's ITRE Committee on 20 February 2013

UEAPME<sup>1</sup>, the European Association of Crafts, Small and Medium- sized Enterprises, which represents 12 million SMEs across Europe, supports the following amendments that have been approved by the ITRE Committee of the European Parliament on 20 February 2013 on the draft opinion of Mr Sean Kelly MEP on the General Data Protection Regulation.

The final adoption and introduction of the amendments listed below would lead to a more balanced data protection framework which properly takes into account also the needs and possibilities of the SMEs, which represent the majority of European enterprises (99%) while respecting the fundamental rights of data subjects and keeping an appropriate data protection standard.

In particular, UEAPME welcomes the fact that the draft opinion and the vote have not changed the originally proposed provision of the European Commission on art.35 regarding the designation of the data protection officer. At the current stage of the discussions and the process, UEAPME sees the implementation of article 35 as proposed by the Commission as the only way forward for SMEs.

UEAPME welcomes in particular the following amendments approved by the ITRE Committee on 20.2.2013:

- AM 183 on recital 12 with respect to legal persons
- AM 304-306 on Art.1.1; Art.1.2 and Art.1.3 with respect to legal persons
- CA 35 on Art.4.1.8
- CA 38 on Art. 6.1.a)
- AM 365 on Art. 6.1.b)
- AM 366 on Art. 6.1.c)
- CA 39 on Art. 6.1.f
- CA 40 on Art. 6.1.f.a) UEAPME welcomes in particularly AM 375
- CA 41 on Art.6.1.f.b)
- AM 22 of the rapporteur; AM 389; AM 390 on Art.6.5
- AM 395 on Art.7.1.a) (in particular AM 395)

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<sup>1</sup> UEAPME subscribes to the European Commission's Register of Interest Representatives and to the related code of conduct as requested by the European Transparency Initiative. Our ID number is [55820581197-35](https://ec.europa.eu/transparency/regexp1/index.html).

- AM 47 of the rapporteur on Art.14.1.b)
- CA 49 on Art. 14.1.c)
- AM 49 of the rapporteur on Art. 14.1.e)
- AM 50 of the rapporteur on Art.14.1.h) (although UEAPME understands the idea behind the European Commission's proposal and is in general not against this, the way it is presented by the EC would indeed bring legal uncertainty and this provision would be used a blanket clause)
- AM 51 of the rapporteur on Art.14.2
- CA 50 (UEAPME supports in particular AM 460 which would establish a balanced situation) on Art.14.3
- AM 53 of the rapporteur on Art.14.4.b)
- CA 51 on Art.14.5.b)
- AM 463 on Art.14.5.d.a)
- AM 464 on Art.14.8
- AM 60 of the rapporteur on Art. 17.2
- Am 61 of the rapporteur on Art.17.3
- AM 65 of the rapporteur on Art. 18.1
- CA 70 on Art. 31.1
- CA 71 on Art. 32.1
- AM 93 of the rapporteur on Art. 33.4
- AM 852 on Art.73.2

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