



European data protection board (edpb)

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PUBLICATION OF CODES OF CONDUCT AND MONITORING BODIES UNDER REGULATION 2016/679

[Public Transport Norway](#) is a national industry organization representing public enterprises who plan, buy and market public transport services in Norway. The members are currently involved in a project, working on a code of conduct when processing personal data in public transport services in Norway.

We refer to the publication of Codes of Conduct and Monitoring Bodies under Regulation 2016/679 and the invitation to submit comments by 2. April

We have read the draft for guidelines with interest and overall, we find them to be a comprehensive and well formulated guideline.

The guideline states that "a monitoring body (or bodies), must be identified as part of the code and accredited by the CompSA". If this means that the local Data protection agency cannot have such a function we believe that this is not compliant with the wording in GDPR article 41, which states:

*"Without prejudice to the tasks and powers of the competent supervisory authority under Articles 57 and 58, the monitoring of compliance with a code of conduct pursuant to Article 40 **may** be carried out by a body which has an appropriate level of expertise in relation to the subject-matter of the code and is accredited for that purpose by the competent supervisory authority"*

Such a requirement will substantially increase the effort of creating codes of conduct, especially in small countries. We are also concerned about the issue of impartiality if each sector establishes their own monitoring bodies.



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For small countries we consider it more relevant to use the national data protection agencies for this purpose.

We therefore propose to replace "must" with "may" in the phrasing about the monitoring body.

Med vennlig hilsen
Kollektivtrafikkforeningen



Olov Grøtting