

COMP Article 5
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Article 5
Principles relating to personal data processing

Personal data *must shall* be:

(a) processed lawfully, fairly and in a transparent manner in relation to the data subject (*lawfulness, fairness and transparency*);

(b) collected for specified, explicit and legitimate purposes and not further processed in a way incompatible with those purposes (*purpose limitation*);

(c) adequate, relevant, and limited to the minimum necessary in relation to the purposes for which they are processed; they shall only be processed if, and as long as, the purposes could not be fulfilled by processing information that does not involve personal data (*data minimisation*);

(d) accurate and, *where necessary*, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay (*accuracy*).

(e) kept in a form which permits *direct or indirect* identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the data will be processed solely for historical, statistical or scientific research *or for archive* purposes in accordance with the rules and conditions of Articles 83 *and 83a* and if a periodic review is carried out to assess the necessity to continue the storage, *and if appropriate technical and organizational measures are put in place to limit access to the data only for these purposes (storage minimisation)*;

(ea) processed in a way that effectively allows the data subject to exercise his or her rights (effectiveness);

(eb) processed in a way that protects against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures (integrity);

(f) processed under the responsibility and liability of the controller, who shall ensure and *be able to* demonstrate ~~for each processing operation~~ the compliance with the provisions of this Regulation (*accountability*).

Recitals

(30) Any processing of personal data should be lawful, fair and transparent in relation to the individuals concerned. In particular, the specific purposes for which the data are processed should be explicit and legitimate and determined at the time of the collection of the data. The data should be adequate, relevant and limited to the minimum necessary for the purposes for which the data are processed; this requires in particular ensuring that the data collected are not excessive and that the period for which the data are stored is limited to a strict minimum. Personal data should only be processed if the purpose of the processing could not be fulfilled by other means. Every reasonable step should be taken to ensure that personal data which are inaccurate are rectified or deleted. In order to ensure that the data are not kept longer than necessary, time limits should be established by the controller for erasure or for a periodic review.

(48) The principles of fair and transparent processing require that the data subject should be informed in particular of the existence of the processing operation and its purposes. ***This should also mean that personal data are processed in a way that effectively allows the data subject to exercise his or her rights.***