

COMP AM Article 77
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Article 77

Right to compensation and liability

1. Any person who has suffered damage, *including non-pecuniary damage*, as a result of an unlawful processing operation or of an action incompatible with this Regulation shall have the right to *receive claim* compensation from the controller or the processor for the damage suffered.
2. Where more than one controller or processor is involved in the processing, each *of those* controllers or processors shall be jointly and severally liable for the entire amount of the damage, *unless they have an appropriate written agreement establishing liability in the determination of determining the responsibilities pursuant to Article 24*.
3. The controller or the processor may be exempted from this liability, in whole or in part, if the controller or the processor proves that they are not responsible for the event giving rise to the damage.

Recitals

(118) Any damage, *whether pecuniary or not*, which a person may suffer as a result of unlawful processing should be compensated by the controller or processor, who may be exempted from liability *only* if they prove that they are not responsible for the damage, in particular where he establishes fault on the part of the data subject or in case of force majeure.