

Re.01 Primacy of legal bases

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Usual and expected data processing should be allowed by law. Since the processing of personal data is the norm in a digital world, a generous rather than restrictive standard should be applied to the interpretation of legal bases to justify data processing.

If necessary, this could be combined with opt-out possibilities for the data subject.

Only for processing that cannot reasonably be expected should consent (opt-in) be relied on as an exception. However, this assessment would have to take into account widespread digital innovations. The GDPR also knows the criterion of "[reasonable expectations](#)". However, it is underdeveloped there.

Such a reform of data protection law would not abolish the current [precautionary principle](#), but it would modify it considerably.