Law | GDPR:Balancing Decisions

BD.02 Fairness

Authors: Winfried Veil

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3 GDPR provisions stipulate that the controller must check whether its processing complies with the principle of fairness (German: “Treu und Glauben”):

> ***Art. 5 I a:*** *”Personal data shall be processed […]* ***fairly*** *[…].”*

> ***Art. 13 II:*** *The controller shall provide the data subject with additional information “necessary to ensure* ***fair*** *and transparent processing”.*

> ***Art. 14 II:*** *The controller shall provide the data subject with additional information “necessary to ensure* ***fair*** *and transparent processing in respect of the data subject”.*