

BD.07 Reasonableness & More

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10 provisions of the German version of the GDPR stipulate that the controller has to check the *Angemessenheit* of his processing, of his data security or of his measures.

Funfact: in the English version of the GDPR the term *Angemessenheit* is translated in 6 different ways:

- „adequate“ (1 x)
- „reasonable“ (5 x)
- „appropriate“ (1 x)
- „suitable“ (1 x)
- „proportionate“ (1 x)
- „due“ (1 x)

Here is the 10 *Angemessenheitsprüfungen* of the German version in its English equivalent:

Art. 5 I c: "Personal data shall be **adequate**, relevant and limited to what is necessary in relation to the purposes for which they are processed."

Art. 5 I d: "[...] 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');

Art. 5 I f: "Personal data shall be processed in a manner that ensures **appropriate** security of the personal data [...]."

Art. 8 II: "The controller shall make **reasonable** efforts to verify in such cases that consent is given or authorised by the holder of parental responsibility [...]."

Art. 12 V a: "[...] the controller may charge a **reasonable** fee [...]."

Art. 15 III 2: "[...] the controller may charge a **reasonable** fee based on administrative costs."

Art. 17 II: "[...] the controller [...] shall take **reasonable** steps [...]."

Art. 22 III: "[...] the data controller shall implement **suitable** measures to safeguard [...]."

Art. 24 II: "Where **proportionate** in relation to processing activities, the measures referred to in paragraph 1 shall include [...]."

Art. 33 IV: "[...] the information may be provided in phases without **undue** further delay."

The term "reasonable" is used in 14 Recitals: 26, 39, 47, 50, 61, 63, 64, 66, 86, 92, 94, 106, 129 and 141 GDPR.

The term "adequate" is used in 7 Recitals: 39, 103, 104, 107, 114, 168 and 169 GDPR.

The term "appropriate" is used in 30 Recitals: 39, 43, 47, 50, 56, 58, 62, 71, 74, 77, 78, 83, 84, 85, 86, 87, 88, 102, 107, 108, 110, 129, 134, 141, 148, 150, 156, 157, 162 and 166 GDPR.

The term "suitable" is used in 5 Recitals: 52, 53, 54, 71 and 113 GDPR.

The term "proportionate" is used in 9 Recitals: 19, 49, 50, 62, 73, 129, 148, 151 and 152 GDPR.

The terms "due" and "undue" are used in 9 Recitals: 9, 59, 78, 85, 86, 87, 88, 148 and 150 GDPR.