

P.02 Blanket Clauses

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The GDPR contains numerous references to the public interest. A distinction is made between

Processing obligations = legal obligations that are in the public interest (Art. 6 I c GDPR)

Obligations to perform tasks = tasks that are in the public interest (Art. 6 I e Alt. 1 GDPR)

Processing authorisations = exercise of official authority that is in the public interest (Art. 6 I e Alt. 2 GDPR)

A distinction is also made between (simple) public interest and important/substantial public interest:

- Public interest (eg Art. 6 I e)
- Exercise of official authority (eg Art. 6 I e)
- Reasons of substantial public interest (Art. 9 II g)
- Reasons of important public interest (Art. 18 II)
- Important objectives of general public interest (Art. 23 I e)
- Important grounds of public interest (Art. 28 III a)
- Important reasons of public interest (Art. 49 I d)

The GDPR contains only a few provisions that directly regulate the admissibility of data processing in the public interest:

Articles: 6 I c/e, 9 II, 17 III b, 18 II, 23 I e, 28 III a and 49 I d GDPR.

Recitals: 73 and 112 GDPR.

As a rule, specific provisions in the law of the Union or the Member States are required (cf. Art. 6 III 1 GDPR).