



Annex 3: GDPR-ground and purpose

The General Data Protection Regulation (GDPR) applies to the processing of CBS microdata.¹

Who is responsible for processing the CBS microdata?

My institution

The client

Both

My institution or client has a legal ground under Article 6 paragraph 1 GDPR e) or f). Institutions in countries subject to an adequacy decision² must have a comparable ground. Fill in:

The processing is necessary for the performance of a task in the public interest or of a task in the exercise of public authority entrusted to my institution or client (GDPR Article 6 paragraph 1 e)³. Name the relevant legislation:

1 Together with the research institution (or its client), Statistics Netherlands is joint controller. As a joint controller, if you want to conduct research on CBS micro data, you must have a valid ground for doing so in accordance with Article 6(1) of the GDPR. For research on the CBS microdata you can only use ground e or f. Institutions in countries subject to an adequacy decision should have a comparable ground. If your institution does not have its own lawful ground for data processing, but conducts research commissioned by another institution, you can do this in the role of data processor on behalf of your client in the role of joint controller, whereby your client must have a lawful ground for processing. For each project, you must always state the processing ground or that of your client and the purpose of the research with the application.

2 [Adequacy decisions | European Commission \(europa.eu\)](https://european-council.europa.eu/media/en/press-room/pages/press-room.aspx?IPID=pr_18-117)

3 'e) Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.'



The processing is necessary for the representation of the legitimate interests of my institution or client (GDPR article 6 paragraph 1 f).⁴ ***Explain what these interests are and explain why they outweigh the interests of the persons whose data is processed.*** Please note, research based on legitimate interest is only permitted if this concerns a scientific interest and/or the research is carried out for the benefit of a concrete and current social interest. Explain:

In addition, within the framework of the GDPR, the purpose of the research must be stated. Institutions in countries subject to an adequacy decision² must also indicate the purpose of the investigation.

Purpose of the investigation:

- for the benefit of science (eg. universities);
- for a statutory duty;
- for policy research;
- for the benefit of society or the public interest.

Explain how the research contributes to the above goal:

⁴ 'f) Processing is necessary for the protection of the legitimate interests of the controller or of a third party, except where the interests or fundamental rights and freedoms of the data subject which require the protection of personal data outweigh those interests, in particular where the data subject is a child.' f) does not apply to processing by public authorities in the performance of their duties.