



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 11 June 2014
(OR. en)**

**Interinstitutional File:
2012/0011 (COD)**

**10349/14
COR 1**

**DATAPROTECT 85
JAI 375
MI 467
DRS 74
DAPIX 73
FREMP 106
COMIX 292
CODEC 1384**

NOTE

From: General Secretariat of the Council
To: Delegations
Subject: Proposal for a regulation of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation)
- Partial General Approach on Chapter V

On the page 25 of document 10349/14 INIT, footnote 30 should read as follows:

HU **and PL** have serious concerns; the proposed general clause (“a legally binding instrument”) is too vague because the text does not define its content. Furthermore, the text does not provide for previous examination by the DPA either. HU therefore suggests either deleting this point or subjecting such instrument to the authorisation of the DPA, as it believes that there is a real risk that transfers based on such a vague instrument might seriously undermine the rights of the data subjects.