

EN
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Answer given by Mr Reynders
on behalf of the European Commission
(23.12.2019)

Any organisations processing personal data of individuals in the EU, such as Facebook, must fully comply with the rules laid down in the General Data Protection Regulation (GDPR)¹.

Without prejudice to the powers of the Commission as guardian of the Treaties, the monitoring and enforcement of the application of data protection legislation falls primarily under the competence of national authorities and courts.

The Irish Data Protection Commission is the lead competent supervisory authority regarding the handling of personal data by Facebook. Since 25 May 2018, the Irish Data Protection Commission has opened several investigations regarding the processing of personal data by Facebook². It will be for the Irish Data Protection Commission, in cooperation with all the concerned data protection authorities in the EU, to determine whether European citizens have been affected and to take appropriate measures.

Data protection supervisory authorities have a range of investigative and corrective powers laid down in the GDPR, including the power to impose administrative fines. Failure to comply with the Regulation can be sanctioned by an administrative fine up to EUR 20 million or to 4% of the total worldwide annual turnover of the company, whichever is higher. The fines shall in each individual case, be effective, proportionate and dissuasive.

¹ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), OJ L 119, 4.5.2016, p. 1–88.

² See Annual Report 25 May – 31 December 2018 from the Irish Data Protection Commission: <https://www.dataprotection.ie/sites/default/files/uploads/2019-03/DPC%20Annual%20Report%2025%20May%20-%2031%20December%202018.pdf>