

Isabelle Falque-Pierrotin
Chairman Working Party Article 29
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23 January 2018

Re: Guidelines on Transparency under Regulation 2016/679

Dear Ms Isabelle Falque-Pierrotin,

The 40 European credit reference agencies (CRAs) members of ACCIS, the Association for Consumer Credit Information Suppliers, welcome the opportunity to comment on the Guidelines on Transparency under Regulation 2016/679.

On ‘appropriate measures’

ACCIS supports the recommendation (p13) that the data controller ‘*should take into account all of the circumstances of the data collection and processing when deciding upon the appropriate modality and format of the information provision*’. In the experience of ACCIS members, certain sorts of communication are more appropriate than others in certain situations. The data controller should be allowed to responsibly evaluate what communication is more appropriate, depending on the context.

On information ‘fatigue’

ACCIS also supports the WP29 recommendation (p17) that ‘*layered privacy statements/ notices should be used to link to the various categories of information which must be provided to the data subject*’. In our view, only substantive information should be included in the first layer of the privacy statement/ notice.

As is stated on p7, ‘*data controllers should present the information / communication efficiently and succinctly in order to avoid information fatigue*’. We think that this layered approach to avoid information overload can be adopted across different communication channels, not just in a digital context.

On the exercise of the data subject’s rights

The WP29 states (p24) that ‘*a data controller may wish to provide different modalities for the exercise of rights which are reflective of the different ways in which data subjects interact with that data controller*’. Among the different modalities, the guidelines refer to the use of paper forms as ‘good practice’. Although the exercise of data rights with respect to the personal data recorded in a credit information system has traditionally happened in writing, the members of ACCIS think that, going forward, it should be possible to enable a data subject to primarily review his/her personal data and to file for a rectification via a mobile app or another similar instrument, or utilising a mix of communication channels, as appropriate.



We are at your disposal for any questions.

A handwritten signature in blue ink, appearing to read 'Velázquez', with a vertical line extending downwards from the end of the signature.

Enrique Velázquez
Director General
ACCIS