

**AGENDA**  
**STATE RECORDS BOARD**  
**1/18/2018**  
**8:30 a.m.**  
**Kansas State Historical Society**  
**Center for Historical Research**  
**6425 SW 6<sup>th</sup> Ave.**  
**Executive Conference Room, 2<sup>nd</sup> Floor**

1. Introductions and announcements
2. Minutes from previous meeting
3. Kansas Board of Pharmacy
  - a. Revised Entries
4. Kansas Secretary of State
  - a. New Entry
5. Kansas State University
  - a. Revised Entry
6. Housekeeping changes:
  - a. Superseded to the general schedule
    - Kansas Racing and Gaming Commission
7. Other business:
  - a. EU GDPR Discussion
  - b. Kathy Sachs: SOS Records Discussion
  - c. Future meetings:
    - April 19, 2018
    - July 19, 2018
    - October 18, 2018

## State Records Board

October 19, 2017

### Executive Conference Room – Kansas Historical Society

Present: Lisa Mendoza, designee of the Attorney General (chair)  
Jennie Chinn, Executive Director, Kansas Historical Society (KHS)  
Matt Veatch, State Archivist  
Bill Sowers, designee of the State Librarian  
Philip Michael, designee of the Secretary of Dept. of Administration (DofA)  
Megan Rohleder, Electronic Records Archivist (KHS)  
Ryan Alfson, Collections – ESU Graduate Research Assistant (KHS)  
Mark Cole, Archives Specialist (KHS)

Via Phone: Heidi Lynch, Kansas Bureau of Investigation (KBI)  
Mitch Beemer, Kansas Bureau of Investigation (KBI)  
Sheila Rice, Kansas State Board of Nursing, (KSBN)

Meeting called to order at 8:35 a.m. and Ms. Mendoza began the introductions. Ms. Mendoza inquired if there were announcements for the board. Mr. Veatch provided an update to the board on the recruitment process for the replacement Government Records Archivist. Mr. Veatch indicated that KSHS staff were in the last round of interviews and hopeful they will have a new hire by the time the board meets again. With no further announcements, board moved to review previous meeting minutes.

*Minutes:* Previous meeting minutes were reviewed. Ms. Mendoza provided copies of technical amendments to be made by KHS staff.

**Motion:** Mr. Veatch moved approval of meeting minutes as amended by Ms. Mendoza. Ms. Chinn seconded, unanimous approval of July 27, 2017 minutes as amended.

*Kansas Bureau of Investigation:* Ms. Rohleder presented Electronic Records Committee (ERC) endorsed ERP for the eCitation system. Ms. Rohleder indicated that the system essentially indexes a wide variety of information received from various law enforcement agencies throughout the state. Mr. Veatch indicated that it is an excellent plan and the first one to use the new ERP template. Ms. Chinn asked why the continuity plan was not applicable in this system. Ms. Rohleder stated that question on the ERP template was to provide information if data was moved from one vendor to another. This system is in-house system and in this case not applicable. Ms. Rohleder also indicated that the wording for this question is on the list to clarify.

**Motion:** Mr. Chinn moved to approve the ERC endorsed ERP for eCitation as submitted. Mr. Veatch seconded, unanimous approval.

Ms. Rohleder then moved to the new records series entry which is to address the new records series created by the eCitation system. Ms. Rohleder pointed out that the official record-holder for the original records will be the agency that originally created them and that KBI will only remove information as directed by that agency. Mr. Beemer clarified that the records contained within the system are treated much like an index, but statute requires originating agency to be the official record-holder for the original records. Mr. Veatch added that the data within the system is pulled directly from those original records, but is used in a different way, requiring a new retention schedule to be created. Ms. Rohleder inquired if there should be an additional restrictions and board determined that restrictions listed were sufficient.

**Motion:** Ms. Chinn moved to approve new series as presented. Mr. Sowers seconded, unanimous approval.

*Kansas Attorney General:* Ms. Rohleder presented the revised schedule entry indicating revisions done were to reflect current business practices and indicate the records are now electronically stored on the agency website. Ms. Mendoza indicated that the sub agency should be, "Legal Opinions & Government Counsel (LOGIC) Division. No further discussion required.

**Motion:** Mr. Veatch moved to approve revises series as amended. Mr. Sowers seconded, all in favor.

*Housekeeping:* The board reviewed the housekeeping changes and no discussion necessary.

*Other Business:* Ms. Mendoza inquired if there was anything to report regarding body cam records. Ms. Rohleder indicated that Johnson County has contacted her and are willing to provide help in the process. Once the government records archivist position is filled, work will continue moving forward with Johnson County on this series. The board also briefly discussed some of the general differences of ownership rights for speeches and writings for Universities and agencies. Mr. Sowers indicated that Cindy Rupp is now the new interim State Librarian and may be 6 months or longer before that position is filled permanently. Ms. Mendoza inquired if Ms. Rice had any questions regarding the SRB process. Ms. Rice indicated that she didn't and appreciated the board allowing her to sit in on the meeting.

The final order of business was to confirm the proposed future meeting on January 18, 2018. With nothing further to discuss, the board adjourned at 9:15 a.m.

**KANSAS STATE RECORDS BOARD  
RECORDS APPRAISAL REPORT FOR  
REVISION TO  
RETENTION/DISPOSITION SCHEDULE  
January 18, 2018**

1. **Agency:** Kansas Board of Pharmacy
2. **Records Officer:** Jackie Yingling **Phone:** 785-296-6504
3. **Appraising Archivist(s):** Megan Rohleder
4. **Date of Appraisal:** 12/14/2017
5. **a) Total records – No. of Series:** 2  
**b) New series – No. of Series:** 0  
**c) Revised existing series – No. of Series:** 2  
**d) Obsolete schedule entries – No. of Series:** 0  
**e) Series superseded by other schedule entries – No. of Series:** 0
6. **Archival/Permanent records – No. of Series:** 1
7. **Appraisal Narrative:**

The Kansas Board of Pharmacy ensures that all persons and entities conducting business relating to the practice of pharmacy in the state of Kansas are properly licensed and registered.

The appraisal is based upon discussions with agency staff by the appraising archivist. Two new series were identified by Jackie Yingling as needing revisions to reflect current business practice:

Abandoned Incomplete Applications series 0044-531 was updated to show a 1 year retention period instead of 2 years. Registration (or license) files 0023-531 was revised to clarify the retention comments. The agency has been digitizing records, and have updated their process to reflect that. Anything post 2000 is now kept electronically exclusively, once QA has been completed.

An ERP was approved at the April 2017 SRB meeting.

## Retention/Disposition Schedule Entries

### 531-001

#### Board of Pharmacy

##### **Abandoned Incomplete Applications** (Series 0044-531)

Includes abandoned incomplete applications and related documents for any license or registration type for which there has been no activity within the last year.

**Entry Status:** Ready for SRB

**Recommended Status:**Revise

**Retention Period:** 001 cldr year after receipt of last document

**Disposition:** Destroy

**Restrictions:** K.S.A. 45-221(a)(3)(9)(10)(49)

**Schedule Authority:** Agency schedule

**KAR Number** 53-2-182

**Last Surveyed** 11 February 2014

**Record Copy:** Electronic

**Electronic Recordkeeping Plan Endorsed**

**Remarks:** 09/03/2014: new entry.

01/13/2018: revised to reflect retention from 2 years to 1 year.

##### **Registration (or License) Files - Pharmacists and Resident Pharmacies** (Series 0023-531)

Registration or licensing files for pharmacists and resident pharmacies. Includes application for license, license renewal information, intern registration and other related documents for pharmacists. Also includes application for license, license renewal information, inspection reports, and other related documents for pharmacies located in Kansas.

**Entry Status:** Ready for SRB

**Recommended Status:**Revise

**Retention Period:** See comments

**Disposition:** Archives

**Restrictions:** K.S.A. 45-221(a)(3)(9)(10)(49)

**Comments:** Retain paper copy until quality assurance of the electronic copy has been performed. Retain electronic copy permanently. If license issue date is before January 1, 2000, transfer paper copy of canceled pharmacists and pharmacies to State Archives. If license issue date is after January 1, 2000, transfer electronic copy of pharmacists and pharmacies to State Archives within two years after cancellation.

**Schedule Authority:** Agency Schedule

**KAR Number** 53-2-182

**Last Surveyed** 14 April 2014

**Record Copy:** Electronic

**Electronic Recordkeeping Plan Endorsed**

**Remarks:** 10/21/2013: revised title, added description. Currently paper is the record copy; agency intends to convert to purely electronic recordkeeping in next several months.

04/14/2014: supersede into 0029-531, revised entry for Licensing Information System.

05/01/2014: schedule entry tabled at SRB meeting to discuss further.

09/03/2014: revised description and retention period; revised language to allow for transition from paper to electronic recordkeeping and to preserve both pharmacist licensing files and

resident pharmacy files. Keeping separate entry from other licensing types to lessen confusion.

**KANSAS STATE RECORDS BOARD  
RECORDS APPRAISAL REPORT FOR  
REVISION TO  
RETENTION/DISPOSITION SCHEDULE  
January 18, 2018**

1. **Agency:** Kansas Secretary of State
2. **Records Officer:** Kathy Sachs      **Phone:** 785-296-4564
3. **Appraising Archivist(s):** Megan Rohleder
4. **Date of Appraisal:** 11/8/2017
5. **a) Total records – No. of Series:** 1  
**b) New series – No. of Series:** 1  
**c) Revised existing series – No. of Series:** 0  
**d) Obsolete schedule entries – No. of Series:** 0  
**e) Series superseded by other schedule entries – No. of Series:** 0
6. **Archival/Permanent records – No. of Series:** 0
7. **Appraisal Narrative:**

The Secretary of State's office, along with Duncan Friend of the Information Network of Kansas, approached KSHS staff to complete a retention schedule for the records generated by the Business Form Finder application. The Business Form Finder is a searchable database of forms required to start and maintain a business in the state of Kansas. While the actual forms are owned by the originating agency, the data that is kept within the system are a unique set of records that require a retention schedule.

## Retention/Disposition Schedule Entries

**622-006**

**Secretary of State**

**Business Services**

**Business Form Finder** (Series Unknown)

Metadata about state agency forms held in the Secretary of State's Business Form Finder application (hyperlinks to business forms held by agencies, the associated form title, fees, a brief description of the purpose, etc.). It includes a field-level log of activity by users.

**Entry Status:** Ready for SRB

**Recommended Status:** Approve As New

**Retention Period:** 003 cldr years

**Disposition:** Destroy

**Restrictions:** None

**Schedule Authority:** Agency

**Last Surveyed** 08 November 2017

**Record Copy:** Electronic

**Electronic Recordkeeping Plan Not Required**

**Remarks:** 11/8/2017 - Duncan Friend and Kathy Sachs approached KSHS staff to create schedule for new application hosted by SOS office. MR



**KANSAS STATE RECORDS BOARD  
RECORDS APPRAISAL REPORT FOR  
REVISION TO  
RETENTION/DISPOSITION SCHEDULE  
January 18, 2018**

1. **Agency:** Kansas State University
2. **Records Officer:** Ryan Leimkuehler                      **Phone:** 785-532-5013
3. **Appraising Archivist(s):** Megan Rohleder
4. **Date of Appraisal:** 12/15/2017
5. **a) Total records – No. of Series:** 1  
**b) New series – No. of Series:** 0  
**c) Revised existing series – No. of Series:** 1  
**d) Obsolete schedule entries – No. of Series:** 0  
**e) Series superseded by other schedule entries – No. of Series:** 0
6. **Archival/Permanent records – No. of Series:** 0
7. **Appraisal Narrative:**

Ryan Leimkuehler, records officer for Kansas State University, approached KSHS staff to update the Grade Books record series 0025-367. The series name, description, and retention was updated to reflect current grading practices.

## Retention/Disposition Schedule Entries

### 367-001

#### Kansas State University

##### **Coursework Assessment Records** (Series 0025-367)

Records created by instructional staff that document students' performance leading to a final grade. These records may include scores from assessment, coursework participation, communications between students and instructors, and other methods of tracking students' performance.

**Entry Status:** Ready for SRB

**Recommended Status:** Revise

**Retention Period:** See comments

**Disposition:** Destroy

**Restrictions:** KSA 45-221(a)(1)(9), 20 U.S.C. Â§ 1232g; 34 CFR Part 99

**Comments:** Five (5) fiscal years after grade is initially issued.

Each academic unit is responsible for maintaining accreditation records in accordance with the accreditation body; see Accreditation Reports and Review Records 0005-367.

Academic units interested in retaining records longer for the purpose of research should consult with IT and records management staff.

Academic units and instructors are responsible for keeping and maintaining these records.

**Schedule Authority:** Agency Schedule

**KAR Number** 53-2-103

**Last Surveyed** 24 November 1994

**Record Copy:** Paper, Electronic

**Electronic Recordkeeping Plan Pending**

**Remarks:** 01/13/2018-R. Lemikuehler approached public records staff to propose changing the series title from Grade Books to Coursework Assessment Records. The change reflects current grading practices.

# Housekeeping Changes Since 20 October 2017

## 13 January 2018

### Superseded series

553-001

#### Kansas Racing and Gaming Commission Administration

Board Packets (Series 0058-553)

Description: Agenda, minutes, background information, etc. relating to meetings of a board or commission.

Budget Preparation Files - Annual (Series 0055-553)

Description: Documents used in the preparation of the annual agency budget: correspondence, draft budget requests, computer reports, notes, and other miscellaneous materials.

Clippings Files (Series 0056-553)

Description: Newspaper clippings compiled regarding agency activities.

Correspondence - Policy Related (Series 0053-553)

Description: Incoming and outgoing letters and memoranda that state or form the basis for policy, set precedent, or record important events in the operational and organizational history of the agency.

Correspondence - Routine (Series 0052-553)

Description: Incoming and outgoing letters and memoranda which pertain only to routine matters handled in accordance with existing policy and procedures: requests for information, letters of transmittal, etc.

Hearing and Meeting Transcripts and Electronic Media Recordings (Series 0059-553)

Description: Records of agency hearings and other meetings: transcripts, audiotapes, videotapes, notes, etc.

Litigation Files (Series 0054-553)

Description: Documents relating to lawsuits involving alleged violations of the Kansas Parimutuel Racing Act.

Payroll Adjustment Records (Series 0057-553)

Description: Copies of documents and supporting materials used to make adjustments in agency payroll accounts: forms AR-9, AR-10, DA-10A, DA-21 series, DA-171-177, DA-251 thru 262.

Travel Request and Authorization Records (Series 0007-553)

Description: Records related to employee travel: DA forms 25 (Request for Out of State Travel) and various internal documents.

Vehicle Operation Records (Series 0008-553)

Description: Documents related to the use of state-owned motor vehicles: MP forms 1a, 2c, 3a, 3b, 10, 20, and internal agency forms.

553-005

Kansas Racing and Gaming Commission  
State Gaming Agency

Accounts Payable Records (Series 0020-553)

Description: Documents related to payment for goods and services: vouchers, correspondence, invoices, ledger books and cards, etc.

Accounts Receivable Records (Series 0021-553)

Description: Documents related to the collection of payments due the agency: copies of invoices, correspondence, DA forms 32, etc.

Annual and Special Reports (Series 0022-553)

Description: General and specific reports on agency activities.

Budget Preparation Files - Annual (Series 0028-553)

Description: Documents used in the preparation of the annual agency budget: correspondence, draft budget requests, computer reports, notes, and other miscellaneous materials.

Budget Requests and Appeals - Annual (Series 0029-553)

Description: Copies of budgets submitted yearly to the state legislature for approval and subsequent appeals: DA forms 400 thru 518 and associated supporting documents.

Correspondence - Policy Related (Series 0034-553)

Description: Incoming and outgoing letters and memoranda that state or form the

basis for policy, set precedent, or record important events in the operational and organizational history of the agency.

Correspondence - Routine (Series 0035-553)

Description: Incoming and outgoing letters and memoranda which pertain only to routine matters handled in accordance with existing policy and procedures: requests for information, letters of transmittal, etc.

Employee Personnel Files (Series 0036-553)

Description: Documents associated with the employment of specific personnel: employee evaluation forms, applications for employment, and other personnel materials.

Employee Time Report Records (Series 0037-553)

Description: Records documenting time worked by individual employees on a daily, weekly, or monthly basis: time sheets, time cards, attendance reports, absence reports, sign-in-out sheets, etc.

Policy Statements (Series 0039-553)

Description: Original copies of formal explanations of agency policies and procedures issued in individual statement formats.

Procedures Manuals (Series 0050-553)

Description: Original copies of agency procedures issued in a collective manual.

Subject Files - Director (Series 0041-553)

Description: Variety of documents relating to the administration and operation of the agency.

Travel Request and Authorization Records (Series 0043-553)

Description: Records related to employee travel: DA forms 25 (Request for Out of State Travel) and various internal documents.

Visitors Logs (Series 0045-553)

Description: Registers or logs used to record names of employees, outside contractors, service personnel, and other visitors admitted to agency facilities.

Vouchers - Purchase (Series 0048-553)

Description: Copies of documents used to order and pay for goods and services: DA forms 100 thru 109 and DA-120.

Vouchers - Receipts (Series 0046-553)

Description: Copies of documents used to transfer funds received by agencies from individuals and organizations into their particular accounts: forms DA-3 series.

Vouchers - Travel (Series 0047-553)

Description: Copies of documents used to certify the validity of claims for the reimbursement of travel expenses: DA forms 121, 122, and 123.

Agency Retention Schedules that Defer to State Retention Schedules

<b>State No.</b>	<b>State Title</b>	<b>Agency No.</b>	<b>Agency Title</b>
0118-000	Travel Request and Authorization Records	0007-553	Travel Request and Authorization Records
0120-000	Vehicle Operation Records	0008-553	Vehicle Operation Records
0001-000	Accounts Payable Records	0020-553	Accounts Payable Records
0002-000	Accounts Receivable Records	0021-553	Accounts Receivable Records
0005-000	Annual and Special Reports	0022-553	Annual and Special Reports
0016-000	Budget Preparation Files	0028-553	Budget Preparation Files
0017-000	Budget Requests and Appeals	0029-553	Budget Requests and Appeals
0027-000	Correspondence – Policy Related	0034-553	Correspondence – Policy Related
0028-000	Correspondence- Routine	0035-553	Correspondence – Routine
0036-000	Employee Personnel Files	0036-553	Employee Personnel Files
0039-000	Employee Time Records	0037-553	Employee Time Report Records
0084-000	Policy Statements	0039-553	Policy Statements
0004-000	Agency Director’s Files	0041-553	Subject Files- Directors
0118-000	Travel Request and Authorization Records	0043-553	Travel Request and Authorization Records
0122-000	Visitors Logs	0045-553	Visitors Logs
0126-000	Vouchers-Receipts	0046-553	Vouchers – Receipts
0127-000	Vouchers – Travel	0047-553	Vouchers – Travel
0093-000	Purchasing Records	0048-553	Vouchers – Purchase
0087-000	Procedures Manuals	0050-553	Procedures Manuals
0028-000	Correspondence – Routine	0052-553	Correspondence – Routine
0027-000	Correspondence – Policy Related	0053-553	Correspondence – Policy Related
0071-000	Litigation Case Files	0054-553	Litigation Files
0016-000	Budget Preparation Files	0055-553	Budget Preparation Files
0021-000	Clippings Files	0056-553	Clippings Files
0077-000	Payroll Adjustment Records	0057-553	Payroll Adjustment Records
0015-000	Board Packets	0058-553	Board Packets
0052-000	Hearing and Meeting Transcripts and Electronic Media Records	0059-553	Hearing and Meeting Transcripts and Electronic Media Recordings.



## Agreement on Commission's EU data protection reform will boost Digital Single Market

Brussels, 15 December 2015

### The European Commission put forward its EU Data Protection Reform in 2012 to make Europe fit for the digital age (IP/12/46).

The European Commission put forward its EU Data Protection Reform in January 2012 to make Europe fit for the digital age ([IP/12/46](#)). Today, an agreement was found with the European Parliament and the Council, following final negotiations between the three institutions (so-called 'trilogue' meetings).

More than 90% of Europeans say they want the same data protection rights across the EU – and regardless of where their data is processed: this will soon be a reality. The Reform package will put an end to the patchwork of data protection rules that currently exists in the EU.

Andrus **Ansip**, Vice-President for the Digital Single Market, said: *"Today's agreement is a major step towards a Digital Single Market. It will remove barriers and unlock opportunities. The digital future of Europe can only be built on trust. With solid common standards for data protection, people can be sure they are in control of their personal information. And they can enjoy all the services and opportunities of a Digital Single Market. We should not see privacy and data protection as holding back economic activities. They are, in fact, an essential competitive advantage. Today's agreement builds a strong basis to help Europe develop innovative digital services. Our next step is now to remove unjustified barriers which limit cross-border data flow: local practice and sometimes national law, limiting storage and processing of certain data outside national territory. So let us move ahead and build an open and thriving data economy in the EU – based on the highest data protection standards and without unjustified barriers."*

Věra **Jourová**, Commissioner for Justice, Consumers and Gender Equality said, *"Today we deliver on the promise of the Juncker Commission to finalize data protection reform in 2015. These new pan-European rules are good for citizens and good for businesses. Citizens and businesses will profit from clear rules that are fit for the digital age, that give strong protection and at the same time create opportunities and encourage innovation in a European Digital Single Market. And harmonised data protection rules for police and criminal justice authorities will ease law enforcement cooperation between Member States based on mutual trust, contributing to the European Agenda for Security."*

The Reform consists of two instruments:

- The **General Data Protection Regulation** will enable people to better control their personal data. At the same time modernised and unified rules will allow businesses to make the most of the opportunities of the Digital Single Market by cutting red tape and benefiting from reinforced consumer trust.
- The **Data Protection Directive** for the police and criminal justice sector will ensure that the data of victims, witnesses, and suspects of crimes, are duly protected in the context of a criminal investigation or a law enforcement action. At the same time more harmonised laws will also facilitate cross-border cooperation of police or prosecutors to combat crime and terrorism more effectively across Europe.

### A fundamental right for citizens

The reform will allow people to regain control of their personal data. Two-thirds of Europeans (67%), according to a recent Eurobarometer survey, stated they are concerned about not having complete control over the information they provide online. Seven Europeans out of ten worry about the potential use that companies may make of the information disclosed. The data protection reform will strengthen the right to data protection, which is a fundamental right in the EU, and allow them to have trust when they give their personal data.

The new rules address these concerns by strengthening the existing rights and empowering individuals with more control over their personal data. Most notably, these include:

- **easier access to your own data**: individuals will have more information on how their data is processed and this information should be available in a clear and understandable way;



- **a right to data portability:** it will be easier to transfer your personal data between service providers;
- **clarified "right to be forgotten":** when you no longer want your data to be processed, and provided that there are no legitimate grounds for retaining it, the data will be deleted;
- **the right to know when your data has been hacked:** For example, companies and organisations must notify the national supervisory authority of serious data breaches as soon as possible so that users can take appropriate measures.

### **Clear modern rules for businesses**

In today's digital economy, personal data has acquired enormous economic significance, in particular in the area of big data. By unifying Europe's rules on data protection, lawmakers are creating a business opportunity and encouraging innovation.

- **One continent, one law:** The regulation will establish one single set of rules which will make it simpler and cheaper for companies to do business in the EU.
- **One-stop-shop:** businesses will only have to deal with one single supervisory authority. This is estimated to save €2.3 billion per year.
- **European rules on European soil**– companies based outside of Europe will have to apply the same rules when offering services in the EU.
- **Risk-based approach:** the rules will avoid a burdensome one-size-fits-all obligation and rather tailor them to the respective risks.
- **Rules fit for innovation:** the regulation will guarantee that data protection safeguards are built into products and services from the earliest stage of development (Data protection by design). Privacy-friendly techniques such as pseudonymisation will be encouraged, to reap the benefits of big data innovation while protecting privacy.

### **Benefits for big and small alike**

The data protection reform will stimulate economic growth by cutting costs and red tape for European business, especially for small and medium enterprises (SMEs). The EU's data protection reform will help SMEs break into new markets. Under the new rules, SMEs will benefit from four reductions in red tape:

- **No more notifications:** Notifications to supervisory authorities are a formality that represents a cost for business of €130 million every year. The reform will scrap these entirely.
- **Every penny counts:** Where requests to access data are manifestly unfounded or excessive, SMEs will be able to charge a fee for providing access.
- **Data Protection Officers:** SMEs are exempt from the obligation to appoint a data protection officer insofar as data processing is not their core business activity.
- **Impact Assessments:** SMEs will have no obligation to carry out an impact assessment unless there is a high risk.

### **Protecting personal data in the area of law enforcement**

#### **- Better cooperation between law enforcement authorities**

With the new Data Protection Directive for Police and Criminal Justice Authorities, law enforcement authorities in EU Member States will be able to exchange information necessary for investigations more efficiently and effectively, improving cooperation in the fight against terrorism and other serious crime in Europe.

The Data Protection Directive for Police and Criminal Justice Authorities takes account of the specific needs of law enforcement, respects the different legal traditions in Member States and is fully in line with the Charter of Fundamental Rights.

#### **- Better protection of citizens 'data**

Individuals' personal data will be better protected, when processed for any law enforcement purpose including prevention of crime. It will protect everyone – regardless of whether they are a victim, criminal or witness. All law enforcement processing in the Union must comply with the principles of necessity, proportionality and legality, with appropriate safeguards for the individuals. Supervision is ensured by independent national data protection authorities, and effective judicial remedies must be provided.

The Data Protection Directive for Police and Criminal Justice Authorities provides clear rules for the transfer of personal data by law enforcement authorities outside the EU, to ensure that the level of protection of individuals guaranteed in the EU is not undermined.

## Next steps

Following political agreement reached in trilogue, the final texts will be formally adopted by the European Parliament and Council at the beginning 2016. The new rules will become applicable two years thereafter.

The Commission will work closely with Member State Data protection authorities to ensure a uniform application of the new rules. During the two-year transition phase, the Commission will inform citizens about their rights and companies about their obligations.

Data Protection Authorities will work more closely together in the future, especially through the one-stop shop mechanism to solve cross-border data protection cases.

## Background

The Data protection package is a key enabler of the [Digital Single Market](#) and the [EU Agenda on Security](#).

Proposed by then EU Justice Commissioner, Vice-President Viviane Reding in January 2012 (see [IP/12/46](#)), the data protection reform package includes the General Data Protection Regulation and the data Protection Directive for Police and Criminal Justice Authorities. It updates and replaces the current Data protection rules that are based on the 1995 Data Protection Directive and the 2008 Framework Decision for the police and criminal justice sector.

## For more information

[EU Data Protection Reform](#)

IP/15/6321

Press contacts:

[Christian WIGAND](#) (+ 32 2 296 22 53)

[Melanie VOIN](#) (+ 32 2 295 86 59)

General public inquiries: [Europe Direct](#) by phone [00 800 67 89 10 11](#) or by [email](#)