



**00744/06/EN  
WP 120**

**Work Programme 2006-2007  
Article 29 Working Party**

**Adopted on 5<sup>th</sup> April 2006**

This Working Party was set up under Article 29 of Directive 95/46/EC. It is an independent European advisory body on data protection and privacy. Its tasks are described in Article 30 of Directive 95/46/EC and Article 15 of Directive 2002/58/EC.

The secretariat is provided by Directorate C (Civil Justice, Rights and Citizenship) of the European Commission, Directorate General Justice, Freedom and Security, B-1049 Brussels, Belgium, Office No LX-46 01/43.

Website: [http://europa.eu.int/comm/justice\\_home/fsj/privacy/index\\_en.htm](http://europa.eu.int/comm/justice_home/fsj/privacy/index_en.htm)

This Working Party (WP) was set up under Article 29 of Directive 95/46/EC and its tasks are the following (Art. 30.1):

- (a) examine any question covering the application of the national measures adopted under this Directive in order to contribute to the uniform application of such measures;
- (b) give the Commission an opinion on the level of protection in the Community and in third countries;
- (c) advise the Commission on any proposed amendment of this Directive, on any additional or specific measures to safeguard the rights and freedoms of natural persons with regard to the processing of personal data and on any other proposed Community measures affecting such rights and freedoms;
- (d) give an opinion on codes of conduct drawn up at Community level.

In accordance with the tasks set out above, the Working Party intends to concentrate, for the period of 2006-2007, on a limited number of strategic issues aiming at contributing to a common understanding of key provisions of directives 95/46/EC & 2002/58/EC and ensure better implementation of them.

These issues are as follows:

**1. Directive 95/46/EC: interpretation of key provisions, enforcement and contribution to future developments**

**A) Interpretation of key provisions of the Directive**

- ✓ Article 2 – personal data, data subject (minors), consent
- ✓ Article 6 par. 1 sub e – preservation of data
- ✓ Article 8 – processing of medical data

**B) Enforcement/joint investigation action**

- ✓ Private health insurance sector

**C) Follow-up of Work Program for a better implementation of the Directive**

- ✓ Input to Commission's Communications on Directive and Privacy Enhancing Technologies (PETs)

**2. Radio Frequency Identification (RFID), ubiquitous computing, ambient intelligence** (impact of RFID applications with special emphasis on concept of 'personal data')

**3. Identity Management, especially in eGovernment** (including Private Identification Numbers (PINs) & biometrics as means of unique identification)

**4. E-Health Patients Records** (with special emphasis on 'consent' and 'processing of medical data')

**5. Archives & Privacy** (with special emphasis on 'preservation of data' and 'access')

**6. Children & Privacy** (with special emphasis on exercise of rights)

**7. International transfers to third countries**

- ✓ Binding Corporate Rules (BCR)
- ✓ Organisation of seminar
- ✓ If relevant: Passenger Name Record (PNR) USA/Australia/Canada/Other countries or organisations (New Zealand)
- ✓ If relevant: Adequacy finding Australia, New Zealand
- ✓ If relevant: Report on the implementation of the decision on Canada

**8. External communication and relations with public**

- ✓ WP's Annual Report
- ✓ Relations with Institutions & Public (transparency and other issues to improve external communication of the activities of the Art. 29 WP)

**9. Directive 2002/58/EC**

- ✓ Interpretation and enforcement issues, spam, cookies, spyware, email services, etc
- ✓ Review of Directive
- ✓ eCall

**10. Self Evaluation of WP documents as appropriate instrument to achieve harmonisation of national practice**

- ✓ Analysis of document substance and concrete steps taken by Data Protection Authorities (DPAs) to accommodate national practice to conclusions reached by the WP

**11. Other important issues**

- ✓ Possible JLS developments
- ✓ Input to Commission's Proposal for a Council Regulation on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations (ALIMENTA)
- ✓ Card Fraud Prevention
- ✓ If relevant, Codes of Conduct

Done at Brussels, on 5<sup>th</sup> April 2006

*For the Working Party*  
The Chairman  
Peter Schar