



Council of the  
European Union

Brussels, 8 July 2014  
(OR. en)

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

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**11028/14  
COR 1**

**LIMITE**

**DATAPROTECT 94  
JAI 529  
MI 498  
DRS 87  
DAPIX 89  
FREMP 124  
COMIX 323  
CODEC 1496**

**NOTE**

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From: General Secretariat of the Council  
To: Delegations

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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)

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On the page 169 of document 11028/14 INIT footnote 347 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.