



EUIPO
EUROPEAN UNION
INTELLECTUAL PROPERTY OFFICE

DPOs Network meeting

Alicante
11 May 2023

Charter of the Network of the Data Protection Officers in the EU institutions, bodies, offices and agencies

Preamble:

In accordance with the Regulation (EU) 2018/1725, each EU institution, body, office or agency ("EUIs") nominates a Data Protection Officer (DPO) to perform independently the tasks assigned by the Regulation. Under the regime of the previous Regulation (EU) 45/2001, the DPO function was already well established.

Since the start of the implementation of the Regulation (EU) 45/2001, preceding the Regulation (EU) 2018/1725, the DPOs met regularly to exchange experience and best practices in the framework of an informal network. The number of EUIs has substantially grown over the years and the evolution of social, legislative and rapid technological events have brought new challenges for the protection of personal data. In view of these circumstances, the network has become an integral and necessary means of collaboration and information exchange between the DPOs of the EUIs.

To facilitate and further promote this beneficial informal dialogue, the DPOs adopt the following charter for their common network (hereinafter the "DPO network" or "the Network"):

Article I. Membership

1. The DPO network is composed of the DPOs of all EU institutions bodies, offices and agencies ('members').
2. The DPO of each EU institution, body, office or agency may delegate and/or invite other members of their team (e.g. Deputy DPOs, Data Protection Co-ordinators/DPCs or assistants) to participate in the activities of the DPO network.
3. Upon agreement of the Board, other parties, such as DPOs of international organisations, representatives of other inter-institutional networks or national Data Protection Authorities, data protection experts, etc., may be invited occasionally or regularly to join specific activities of the DPO network at ad-hoc basis.

Article II. Mandate

1. The DPOs network aims, in particular:
 - *To provide a forum for discussion on data protection and privacy matters for the DPOs of all EUIs, in the form of, e.g., bi-annual plenary meetings – including preparatory meetings thereof – as well as thematic discussions and exchanges in person and online;*
 - *To support knowledge sharing among its members to the extent possible, e.g., by facilitating exchanges of good practices and information, maintaining a common platform for sharing documents, as well as creating common templates, where possible and with respect to confidentiality;*
 - *To foster cooperation and mutual support among its members for the purposes of producing collective outputs on commonly agreed topics, e.g., non-binding best practice guidance and*

advice to its members. This includes, amongst other, promoting where appropriate, common approaches and responses to issues affecting most of the EUIs;

- *To provide common comments, wherever possible, on EDPS/EDPB guidelines or other regulatory initiatives open for consultation, without prejudice to individual DPOs commenting separately on the same matter;*
- *To organise trainings on topics of common interest, as well as topical discussion forums, social gatherings and workshops among its members;*
- *To provide, whenever possible, support, training and mentoring to new DPOs upon request;*
- *To liaise with the EDPS, as well as with relevant fora¹ and on specific points of common interest upon request of its members;*
- *To support, promote and enhance the DPO profession at EU public level.*

2. All the activities of the DPO network are performed only on voluntary basis. All the outputs (documents) produced in the framework of the network have no binding effect towards the members and respect fully the independence of the DPO of each EU institution, body, office or agency, as enshrined in Regulation (EU) 2018/1725.

Article III. Organisation of the DPO's network

1. The DPO's network organises itself via the following structures:

- Plenary of members;
- Board;
- Thematic Working Groups (TWGs).

Article IV. Plenary of members

The Plenary is the core decision-making body of the DPOs network.

1. The Plenary is composed of all the members of the DPO's network.
2. **The responsibilities of the Plenary** are as follows:
 - To designate the members of the Board.
 - To decide on the indicative list of topics of common interest for the upcoming year(s).

¹ Such as the EU Agencies network and the ICTAC network.

- To decide on the launch of Thematic Working Groups and receive regular reports of progress. It can endorse the common output(s) produced by the Thematic Working Groups.
- To debate and decide on the way of working/ functioning of the Network, including the involvement of other parties in certain activities of the Network.

3. The **functioning of the Plenary** shall be based on the following principles:

- Each EU institution, body, office or agency may only be represented by one person at the Plenary and shall only have one vote thereat (e.g., in case of elections for Board members). The DPO should be the representative at the Plenary, however, it can be delegated to another member of their team.
- The DPO of each EU institution, body, office or agency may invite other members of their team (e.g. Deputy DPOs, DPCs or assistants) to participate in the activities of the Plenary. For organisational reasons, participation in the Plenary meetings in particular shall be subject to co-ordination with the Board and the host of these meetings.
- The voting at the Plenary is based on simple majority of the present members. A secret voting procedure shall be applied for the elections of the Board members or in other cases upon request.

Article V: Board

The Board is the co-ordinating body of the DPO network, which oversees the Network's activities and co-ordinates actions among the members, where needed.

1. **The Board is composed by 7 members:**

- Three (3) permanent members, each representing respectively the European Commission, the Council and the European Parliament.
- Four (4) members on fixed term.

2. The permanent members of the Board are responsible for ensuring continuity and contributing in a stable way to the DPO network's activities.

3. The elected members of the Board are elected by the Plenary via anonymous voting. Their election is ad personam but with due consideration to their availability and work that can be provided to the DPO network.

4. The term of the elected members is two (2) years with possibility of renewal. If one of the elected members leaves before the end of their term, the Plenary will elect a new Board member, unless decided otherwise by the Plenary.

5. **The responsibilities of the Board** are as follows:

- To organise the bi-annual meetings of the DPO network, including the setting up of the agenda after consulting the Plenary, in co-operation with the hosts, e.g. member(s) that are providing the venue of the meeting.
- To collect and/or co-ordinate proposals for common topics of interest within the Network, including on TWG themes, and submit these proposals to the Plenary.
- To co-ordinate and follow up the activities of the Thematic Working Groups, as well as further initiatives agreed by the Network, such as the provision of joint comments on EDPS guidelines, submission of common positions on behalf of the Network, etc.
- To co-ordinate training of members and mentoring activities within the Network, e.g., by maintaining a list of DPOs who express interest to provide training sessions or act as mentors for newly appointed DPOs.
- To liaise with and stay up-to-date on relevant activities of the EDPS, as well as other relevant fora and on specific points of common interest upon request of the Plenary.
- To collectively provide logistic and administrative support to the Network.

6. The **functioning of the Board** shall be based on the following principles:

- The Board allocates tasks based on consensus among its members, including the different aspects of logistic and administrative support, and informs accordingly the Plenary (all members).
- The Board may appoint a Chair. The Chair shall be chosen from within the Board members and shall co-ordinate the overall activities of the Board.
- The members shall participate in the Board and follow up on specific tasks that they have undertaken in this context.

7. The Board provides collectively logistic and administrative support to the DPO network, in order to facilitate information sharing and exchange between the members. This support includes the following:

- Keeping up-to-date the list of the DPOs network members.
- Administratively supporting the organisation of the DPO network meetings, in co-operation with the hosts (e.g. member(s) providing the venue of the meetings).
- Maintaining/updating the existing shared platform of the DPOs network with all relevant information and material.

Article VI. Thematic working groups

The Thematic (Working) Groups (TWG) are groups of members mandated by the Plenary to work on specific topics and for a specific time period, with a view to provide proposals/outputs in the thematic area of interest.

1. The TWG are composed by members of the Network, who wish to join. There is no restriction as to the number of the members. The DPOs may delegate the participation to one of their team members.

2. Thematic Working Groups do not cover other dedicated DPOs fora (e.g. of Executive Agencies or Law Enforcement Agencies); DPOs may meet in different set-ups and report to Plenary if they find it useful.
3. The **responsibilities of the Thematic Groups** are as follows:
 - Uptake and further co-ordinate the specific topical work assigned to the Thematic Working Groups.
 - Inform the Board and the Plenary on the work progress and activities undertaken.
 - Submit/propose to the Plenary any outputs related to the Thematic Working Group theme for consultation and validation. Such outputs may include for example discussion papers, analyses and reviews on specific data protection topics, common templates and/or other relevant activities (e.g. proposals for trainings, collaboration with other inter-institutional groups, etc.).
 - Organise thematic meetings or workshops where needed and with all relevant parties (within or outside the network where applicable).
4. The **functioning of the Thematic Working Groups** is based on the following principles:
 - Each TWG group is in principle defined for specific tasks and specific time-period, unless otherwise decided by the Plenary.
 - The TWG consists of Chair (s) and members; the Chair(s) are chosen from within the TWG members.
 - The TWG works collegially and on the basis of consensus among its members.
 - The TWG shall report to the Plenary on the progress of their work regularly and at least twice per year.

Article VII. Review clause

The Plenary shall review the practical implementation of this Charter three (3) years after its adoption.

Adopted by the Plenary of the DPO network in Alicante

Signature of participants present in person at the DPOs Network meeting held on 11 May 2023
in Alicante, Spain.

Name	Organization	Signature
	EUIPO	
	EC	
	COUNCIL	
	EUROPEAN PARLIAMENT	
	SATCEN	
	REA	
	EU - OLJHA	
	EUSPA	
	FRA	
	EUROPOL	
	EUROJUST	
	EUROFOUND	
	eu-LISA	
	EU-RAIL	
	ETF	
	ERC EA	
	OMBUDSMAN	
	OLAF	
	ENISA	
	ELA	
	EIT	
	EISMEA	
	EIOPA	
	EIB	
EFSA		
EFCA		

