

Please note that the English version of the rules of procedure is an unofficial translation. In case of any inconsistency between the English and French texts, the text in French language shall prevail.

Rules of procedure of the National Data Protection Commission

Adopted by Decision No. 07AD/2024 of 23 February 2024, pursuant to Articles 32(1) and 33 of the Act of 1 August 2018 on the organisation of the National Data Protection Commission and the general data protection framework

Table of contents

Chapter 1 - Operating conditions of the National Commission	3
Section I - Composition of the National Commission	3
Art. 1. Composition	3
Art. 2. Independence, incompatibilities and impartiality of members of the National Commission	3
Art. 3. Replacement of the President	4
Section II - Functioning of the National Commission.....	4
Art. 4. Headquarters of the National Commission	4
Art. 5. Daily business and external representation.....	4
Art. 6. Financial management	4
Section III – Meetings of the National Commission.....	5
Art. 7. Convening of meetings and agenda.....	5
Art. 8. Place of meetings.....	5
Art. 9. Quorum at meetings	6
Art. 10. Conduct of the meetings	6
Art. 11. Attendance at the meetings.....	7
Art. 12. Decisions	7
Art. 13. Communication and publicity of the decision	8
Art. 14. Minutes of the debates	8
Art. 15. Secretary of the meeting	8
Chapter 2 – Organisation of the National Commission	9



Please note that the English version of the rules of procedure is an unofficial translation. In case of any inconsistency between the English and French texts, the text in French language shall prevail.

Art. 16. General structure of the National Commission.....	9
Art. 17. Duties directly associated to the College of the National Commission	9
Art. 18. “Guidance” Division	10
Art. 19. “Compliance” Division	10
Art. 20. “Complaint” Division	11
Art. 21. “Investigation” Division.....	11
Art. 22. “Administration” Division	11
Art. 23. Management of the divisions and missions of the National Commission	11
Chapter 3 – Procedures applicable to the National Commission	11
Art. 24. Notification of a personal data breach	11
Art. 25. Reporting a breach of Union law	12
Art. 26. Prior consultation	12
Art. 27. Notification of the designation of the Data Protection Officer	12
Art. 28. Approval of Codes of Conduct.....	12
Art. 29. Accreditation of bodies for monitoring codes of conduct	13
Art. 30. Approval of certification criteria	13
Art. 31. Accreditation of certification bodies	13
Art. 32. Authorisations of contractual clauses and administrative arrangements	13
Art. 33. Approval of binding corporate rules.....	14
Art. 34. Complaint-handling	14
Art. 35. Requests for prior opinion under Article L.261-1 of the Labour Code	14
Art. 36. Investigation procedure.....	14
Art. 37. Remedies	14
Chapter 4 – Final Provisions	15
Art. 38. Amendment of the Rules of procedure.....	15
Art. 39. Entry into force and publication	15
Art. 40. Repeal	15

Please note that the English version of the rules of procedure is an unofficial translation. In case of any inconsistency between the English and French texts, the text in French language shall prevail.

Chapter 1 - Operating conditions of the National Commission

Section I - Composition of the National Commission

Art. 1. Composition

The National Data Protection Commission (hereafter the “National Commission”) is a collegiate body composed of four Commissioners, including a President. Four deputy members are called to replace members of the college when they are absent or prevented from acting.

For the purposes of these rules, Commissioners and deputy members shall be referred to jointly as “members” in the plural if it is referred to all or more of the Commissioners and deputy members, or as a “member” in the singular if it is referred to one of the Commissioners or deputy members.

Art. 2. Independence, incompatibilities and impartiality of members of the National Commission

The members of the National Commission exercise their mandate independently without being exposed to pressure or influence of any kind.

According to Article 27 of the Act of 1 August 2018 on the organisation of the National Data Protection Commission and the general data protection framework (hereafter the “Act of 1 August 2018”), members of the National Commission may not be members of the Government, of the Chamber of Deputies, of the Council of State or of the European Parliament, nor may they engage in any professional activity or directly or indirectly hold interests in a company or any other body operating in the field of data processing.

Any change in the situation of a member of the National Commission during his term of office which may give rise to the application of Article 27 mentioned above must be disclosed to the National Commission by that member within one month.

The National Commission does not examine whether the exercise of these functions or the holding of such participations is compatible with the status of member of the National Commission, but communicates the information obtained to the Minister having relations with the National Data Protection Commission in his responsibilities who shall rule on a potential incompatibility on the part of a member of the National Commission.

The members cannot sit, deliberate or adopt decisions in a matter in which they have a direct or indirect interest.

If a member of the National Commission considers himself to have a direct or indirect interest in a matter, he must inform the Commissioners of the National Commission thereof beforehand. He refrains from attending the meeting on this matter and his willingness not to participate upon reception of the convening notice.

In this case, the President convenes a deputy member who is called to sit and deliberate in place of the member who is prevented from acting in this matter.

In the case referred to in paragraph 6 of this article, the National Commission shall accept and



Please note that the English version of the rules of procedure is an unofficial translation. In case of any inconsistency between the English and French texts, the text in French language shall prevail.

respect the member's choice without separate deliberations concerning the personal assessment made by the member.

In other cases, the National Commission shall prior to each decision, identify any conflicts of interest which may be enforceable against its members and shall adopt this decision by majority vote, since the member concerned is not excluded either from the relevant discussions or from the vote relating thereto, and this shall be recorded in the minutes.

Art. 3. Replacement of the President

In the event the President is absent or has a conflict of interest, his duties shall be performed by the most senior Commissioner and, where there is equal seniority, by the oldest. The cause for the replacement is mentioned in the minutes. This replacement takes place without the need for specific delegation. In this case, a deputy member sits in place of the Commissioner chairing the meeting.

Section II - Functioning of the National Commission

Art. 4. Headquarters of the National Commission

The offices of the National Data Protection Commission are established at the place in which it has its headquarters as determined by Grand-Ducal regulation pursuant to Article 3 of the Act of 1 August 2018.

Art. 5. Daily business and external representation

The President is tasked with the day-to-day business and the day-to-day management of the National Commission. The President shall be responsible for external relations and represents the National Commission at public events. The President regularly reports to the Commissioners about his/her activities during meetings.

A member of the National Commission, requested directly or indirectly to represent the National Commission in an institution or at an event, shall request the President to be designated for that purpose.

Art. 6. Financial management

The financial management of the National Commission is the responsibility of the President, who has the authority to make commitments and to sign in the name and on behalf of the National Commission as a public institution as part of everyday management.

Beyond a threshold to be determined by the National Commission, a second Commissioner countersigns the financial commitments made by the President.



Please note that the English version of the rules of procedure is an unofficial translation. In case of any inconsistency between the English and French texts, the text in French language shall prevail.

Financial commitments exceeding a threshold to be determined by the National Commission require the joint signature of all Commissioners.

The National Commission may confer signature powers within the limits and the areas it determines to one or more of the Commissioners and/or members of its staff without, however, granting the latter the right to subdelegate these powers.

Section III – Meetings of the National Commission

Art. 7. Convening of meetings and agenda

The President shall convene the Commissioners to the meetings at dates and times fixed by him. The President establishes the agenda.

A member who wishes to put an item on the agenda of the next meeting shall make a request to the President.

An item on the agenda may be deferred to a future meeting. In order to ensure the proper functioning of the National Commission, it holds a meeting whenever necessary, when convened by the President or at the request of two Commissioners.

At the end of each meeting, the President shall, in so far as possible, indicate the day of the next meeting. In principle, he shall convene an ordinary meeting every week.

An extraordinary meeting will be held at the request of two Commissioners. This request shall be made either in writing to the President or at a meeting of the National Commission and shall specify the purpose of the meeting to be convened. The National Commission meets within fifteen days of the request.

Except in case of urgency, as assessed by the President, the convening notice accompanied by the agenda and, in so far as possible, related supporting documents or a link to the related supporting documents shall be sent to all Commissioners by electronic means or any other means at least two working days before the date of the meeting.

If the supporting documents on the agenda have not been communicated together with the convening notice, they may exceptionally be communicated at a later stage to enable them to become acquainted with them.

The Commissioner who is absent or prevented from acting at a meeting for the reasons referred to in Article 2 shall inform the President thereof as soon as possible. If necessary or depending on the agenda, the President provides for his immediate replacement.

Art. 8. Place of meetings

The meetings shall be held at the headquarters of the National Commission or at any other place on the national territory if it so decides. The members may attend meetings remotely through teleconferencing or other technical means approved by the National Commission.



Please note that the English version of the rules of procedure is an unofficial translation. In case of any inconsistency between the English and French texts, the text in French language shall prevail.

Art. 9. Quorum at meetings

The National Commission meets in plenary or in restricted committee (hereafter “Restricted Committee”). It may validly sit and deliberate only if at least three members of the College are present. Only Commissioners and deputy members sitting in place of a Commissioner shall have a vote.

The following matters require the vote of the four members of the National Commission:

- 1° the decisions to be adopted pursuant to Article 29 of the Act of 1 August 2018;
- 2° the adoption and subsequent amendments of the rules of procedure pursuant to Article 32 of the Act of 1 August 2018;
- 3° the adoption and subsequent amendments of the Regulation relating to the investigation procedure before the National Commission pursuant to Article 40 of the Act of 1 August 2018;
- 4° the determination of the thresholds applicable to the financial management of the National Commission;
- 5° the authority to make commitments and to sign in the name and on behalf of the National Commission as a public institution;
- 6° the allocation of the divisions between the Commissioners pursuant to Article 23 of these Rules of procedure;
- 7° the internal procedures adopted pursuant to Chapter 3 of these Rules of procedure.

The Restricted Committee is composed of three members, excluding the Commissioner acting as Head of Investigation for the investigation on the agenda. The Restricted Committee shall be competent, in accordance with article 41 of the Act of 1 August 2018, to decide on the outcome of an investigation.

Art. 10. Conduct of the meetings

1° Common provisions

The president of the meeting opens and closes the meetings in which he leads the debates.

The participants in the meeting sign the attendance register.

The National Commission shall adopt the agenda at the beginning of each meeting. Any matter not on the agenda may be put for discussion only if at least a majority of the present members agree to consider it. In the event, that new documents are communicated at the meeting, the unanimous agreement of the sitting members is required to take these into account.

The decisions of the National Commission shall be adopted by a majority vote. In the event of a tie, the President shall have a casting vote. Abstentions are not admissible.

Voting by proxy is not allowed. Votes shall be taken by show of hands unless the President or two members of the National Commission request a secret ballot.

In case of urgency, as assessed by the President, a written voting procedure shall be authorised.

Meetings are not public and the debates are confidential.



Please note that the English version of the rules of procedure is an unofficial translation. In case of any inconsistency between the English and French texts, the text in French language shall prevail.

2° Specific provisions for meetings of the Restricted Committee

a) Deliberations relating to a proposal to close an investigation by the Head of Investigation

After acquainting itself with the investigation file transmitted to the National Commission by the Head of Investigation together with a proposal to close the investigation, and, where applicable, after hearing the Head of Investigation, the Restricted Committee shall deliberate on the outcome of the investigation. Neither the Head of Investigation nor the Controlled take part in the deliberations. The Restricted Committee shall issue a final decision to close the case or, when it considers itself insufficiently informed, request the Head of Investigation to proceed to further investigations.

b) Deliberations following a communication of objections

Following the transmission of the investigation file by the Head of Investigation, the President shall inform the Controlled of the date of the meeting in relation to the case and that he or his representative is given the opportunity to be heard at this meeting, by registered letter with acknowledgment of receipt or by any other means attesting the date of notification. This information shall be received at least one month before the date of the meeting at which the case is discussed. In the event of a review or postponement of the case at a subsequent meeting, this minimum period may be reduced to seven days.

At the meeting, the Head of Investigation is invited to submit oral observations on the case. Then, if attending the session, the Controlled is invited to submit oral observations. If deemed necessary, the Restricted Committee may hear any person whose hearing it considers useful, including authorised agents who participated in the investigation. In any case, the Controlled shall be the last to speak. Where the Restricted Committee considers itself insufficiently informed, it may, where applicable, request the Head of Investigation to proceed to further investigations.

Following the hearing of the Head of Investigation and the Controlled, the Restricted Committee shall deliberate on the case. Neither the Head of Investigation nor the Controlled take part in the deliberations.

Art. 11. Attendance at the meetings

The President invites any person belonging or not belonging to the staff of the National Commission, whose presence appears useful to the debates, to attend all or part of the meeting. These persons participate in the meetings only in an advisory capacity. They are subject to the provisions of Article 42 of the Act of 1 August 2018 on professional secrecy.

Art. 12. Decisions

The decisions of the National Commission are reasoned and signed by the Commissioners or deputy members who took part in the deliberations. They are numbered and indicate the current year and bear the date of their signature. They also mention the applicable remedies and time limits

Please note that the English version of the rules of procedure is an unofficial translation. In case of any inconsistency between the English and French texts, the text in French language shall prevail.

for appeals.

Art. 13. Communication and publicity of the decision

The President shall notify the decision on the outcome of an investigation to the Controlled by registered letter with acknowledgement of receipt.

Other decisions shall be communicated to interested parties by any appropriate means.

Without prejudice to the provisions of Article 52 of the Act of 1 August 2018, the National Commission may decide, if deemed useful, to publish its decisions other than decisions on the outcome of an investigation.

Art. 14. Minutes of the debates

Minutes of the meetings shall be drafted, containing a list of the members present, a summary of the debates, the decisions adopted by the National Commission and, if applicable, an indication of the distribution of votes for each vote taken.

The opinions expressed and votes cast at a meeting are not documented by name, except where one of the members of the National Commission requests it as far as he is concerned.

The draft minutes are sent for approval to members who have deliberated. Only those members who attended the meeting of the draft minutes concerned and submitted for approval may require an amendment.

The approved minutes shall be signed by the Commissioners, the deputy members and the secretary of the meeting concerned.

Art. 15. Secretary of the meeting

The National Commission shall appoint one or more secretary(s) among its staff members.

The secretary assists the President in preparing the meetings, attends the meetings and prepares the related minutes. He is in charge of sending it to the members of the National Commission.

Under the authority of the President, he shall ensure that the deadlines are respected and that the procedures and rules applicable to the proper functioning of the National Commission are correctly applied.

The secretary shall also keep an attendance register, which, at the beginning of the meeting, shall be signed by the members present. He ensures the storage and archiving of documents and minutes of the meetings of the National Commission.

If the Secretary is absent, the most junior Commissioner or deputy member and, where there is equal seniority, the youngest, shall draw up the minutes of the meeting.

Please note that the English version of the rules of procedure is an unofficial translation. In case of any inconsistency between the English and French texts, the text in French language shall prevail.

Chapter 2 – Organisation of the National Commission

Art. 16. General structure of the National Commission

The National Commission shall establish divisions, which shall be subdivided into services according to an organisational chart and the provisions of this Chapter.

The organisational chart includes the following divisions:

- a “Guidance” division;
- a “Compliance” division;
- a “Complaint” division;
- an “Investigation” division and
- an “Administration” division.

The following functions are directly attached to the College of the National Commission:

- the General Secretary of the College of the National Commission;
- the Communications Officer;
- the European and International Relations Officer;
- the Data Protection Officer.

Art. 17. Duties directly associated to the College of the National Commission

1° General Secretary

The General Secretary assists the President of the National Commission in carrying out the following tasks:

- Managing and monitoring the agenda of the National Commission;
- Organising, managing and monitoring meetings and files of the National Commission;
- Participating in the management of relations with other public and private bodies, including the organisation of meetings and events;
- Handling, managing, monitoring and archiving mail and other documents of the National Commission.

The following services are under the supervision of the General Secretary:

1. "Sanctions and Litigation", responsible for preparing files for the Restricted Committee, drafting decisions on the outcome of an investigation, and monitoring legal appeals against decisions of the National Commission;
2. "Legal texts", responsible for drafting legal opinions on legal texts, in particular proposals for laws and Grand-Ducal regulations;
3. "Project Management" is responsible for managing the National Commission's organisational and technical projects, as well as assisting and supporting the teams carrying out these projects.

Please note that the English version of the rules of procedure is an unofficial translation. In case of any inconsistency between the English and French texts, the text in French language shall prevail.

2° Communications Officer

The Communications Officer draws up, implements, and supervises an external communications strategy considering all means and channels of communication. He is the point of contact for press representatives.

3° European and International Relations Officer

The European and International Relations Officer represents the National Commission on the instructions of the College in dealings with European and international organisations in the field of data protection.

He assists the President in preparing the plenary sessions of the European Data Protection Board.

He also supervises, under the authority of the President, the work of the National Commission in the various sub-groups of the abovementioned board, as well as in other European and international organisations.

4° Data Protection Officer

The Data Protection Officer carries out the tasks set out in Article 39 of Regulation (EU) 2016/679 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, and repealing Directive 95/46/EC (hereafter the "GDPR").

Art. 18. “Guidance” Division

The “Guidance” Division handles requests for information addressed to the National Commission, drafts thematic guidelines and also analyses requests for prior opinions under Article L. 261-1 of the Labour Code.

It develops external communications activities in collaboration with the Communications Officer, while providing training and awareness-raising activities.

It manages the documentation of the National Commission while ensuring the monitoring of legal and technological developments.

Art. 19. “Compliance” Division

The “Compliance Division” is responsible for developing, promoting, and applying tools designed to facilitate the demonstration of compliance by controllers and processors, such as codes of conduct, certifications and other support and innovation tools.

It also drafts opinions on data protection impact assessments and handles mandatory audits of large-scale national and European data files and information systems.

It also prepares authorisations for contractual clauses and administrative arrangements, as well as approvals for binding corporate rules, which are submitted to the National Commission in



Please note that the English version of the rules of procedure is an unofficial translation. In case of any inconsistency between the English and French texts, the text in French language shall prevail.

accordance with the procedures set out in Articles 32 and 33 of these Rules of procedure.

Art. 20. “Complaint” Division

The “Complaint” Division is responsible for managing complaints lodged with the National Commission, both on a national level and in the context of European cooperation.

This Division also manages internal and external reports of breaches of Union law, as well as breaches of personal data notified to the National Commission in accordance with the procedures set out in Articles 24 and 25 of these Rules of procedure.

Art. 21. “Investigation” Division

The “Investigation” Division conducts the National Commission's investigations in accordance with the instructions of the Head of Investigation.

Art. 22. “Administration” Division

The “Administration” Division is responsible for the operational and technical management of the National Commission, including the reception, the performance of the day-to-day secretarial work as well as the building management.

This division is also responsible for human resources management and for preparing and implementing the National Commission's budget and finances.

It also oversees IT and internal logistics.

Art. 23. Management of the divisions and missions of the National Commission

On the basis of a proposal of the President, the National Commission shall assign to each of the Commissioners one or more divisions and/or missions for the exercise of the technical and administrative powers conferred to the National Commission by the Act of 1 August 2018.

Chapter 3 – Procedures applicable to the National Commission

Art. 24. Notification of a personal data breach

In accordance with Article 33 of the GDPR, controllers must notify a personal data breach to the National Commission not later than 72 hours after having become aware that the personal data breach in question is likely to result in a risk to the rights and freedoms of the data subjects.

In accordance with Article 2 of Regulation (EU) No 611/2013 of the European Commission of 24 June 2013, providers of publicly available electronic communications services shall notify personal data breaches to the National Commission within 24 hours after the detection of the personal data



Please note that the English version of the rules of procedure is an unofficial translation. In case of any inconsistency between the English and French texts, the text in French language shall prevail.

breach.

The National Commission provides specific notification forms on its website.

Art. 25. Reporting a breach of Union law

In accordance with Articles 6 and 17 of the Act of 16 May 2023 transposing Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law, the National Commission establishes internal and external reporting channels and deals with the reports received through these channels in accordance with the procedures set out in Articles 7, 18 et seq. of the aforementioned Act.

The National Commission provides dedicated reporting channels on its website.

Art. 26. Prior consultation

In accordance with Article 36 of the GDPR, a request for prior consultation may be referred to the National Commission by a controller where the data protection impact assessment under Article 35 of the GDPR indicates that the processing would result in a high residual risk in the absence of measures taken by the controller to mitigate the risk.

For this purpose, the National Commission provides a dedicated form for the submission of a prior consultation to the public on its website.

Art. 27. Notification of the designation of the Data Protection Officer

Where a controller or processor designates a data protection officer pursuant to Article 37(1) of the GDPR, the National Commission provides a dedicated form on its website for the notification of this designation to the National Commission in accordance with Article 37(7) of the GDPR.

Within one month of receipt of the notification of a designation of a data protection officer or of an amendment thereto, the National Commission shall verify that it contains all the required elements and shall send an acknowledgement of receipt to the controller or processor as well as to the designated Data Protection Officer. The deadline only starts from the moment the notification is complete.

Art. 28. Approval of Codes of Conduct

Associations and other bodies representing categories of controllers or processors intending to prepare a code of conduct or to amend or extend an existing code of conduct shall submit the draft code, amendment or extension to the National Commission in accordance with Article 40(5) of the GDPR for national codes or in accordance with Article 40(7) of the GDPR for transnational codes. The National Commission shall provide an opinion on whether the draft code, amendment or extension complies with the GDPR and approves the draft code of conduct, amendment or



Please note that the English version of the rules of procedure is an unofficial translation. In case of any inconsistency between the English and French texts, the text in French language shall prevail.

extension if it considers that it offers adequate safeguards.

Applications for approval of draft codes of conduct, amendments or extensions are submitted in accordance with a procedure adopted by the National Commission and published on its website.

When the draft codes of conduct, amendments or extension have been approved, the National Commission shall register and publish the code of conduct.

Art. 29. Accreditation of bodies for monitoring codes of conduct

In accordance with Article 41(3) of the GDPR, the National Commission adopts criteria for the accreditation of bodies for monitoring approved codes of conduct. Bodies applying for accreditation as a body for monitoring codes of conduct under Article 41(1) of the GDPR shall submit their application to the National Commission in accordance with a procedure adopted by the National Commission and published on its website.

The National Commission will initiate the accreditation procedure of the applicant body based on the adopted accreditation criteria in force at the time of the application.

Art. 30. Approval of certification criteria

In accordance with Article 42 of the GDPR, the National Commission approves certification criteria the purpose of which is to demonstrate the compliance of processing activities implemented by controllers and processors with the GDPR.

The National Commission is also competent for approving the European Seal on the basis of certification criteria approved by the European Data Protection Board in accordance with the consistency mechanism as set out in Article 63 of the GDPR.

Applications for approval shall be submitted to the National Commission in accordance with a procedure adopted and published on its website.

Art. 31. Accreditation of certification bodies

In accordance with Article 15 of the Act of 1 August 2018, the certification bodies referred to in Article 43(1) of the GDPR are approved by the National Commission.

Applications for accreditation shall be submitted to the National Commission in accordance with a procedure adopted by the National Commission and published on its website.

Art. 32. Authorisations of contractual clauses and administrative arrangements

Subject to the application of the consistency mechanism referred to in Article 63 of the GDPR, the National Commission may authorise in accordance with Article 46(3) of the GDPR:



Please note that the English version of the rules of procedure is an unofficial translation. In case of any inconsistency between the English and French texts, the text in French language shall prevail.

- 1° contractual clauses between the controller or processor and the controller, processor or the recipient of the personal data in the third country or international organisation; or
- 2° provisions to be inserted into administrative arrangements between public authorities or bodies which include enforceable and effective data subject rights.

Applications for authorisation are submitted to the National Commission in writing and shall follow the procedures described in the working documents issued by the European Data Protection Board in accordance with the GDPR.

Art. 33. Approval of binding corporate rules

Under Article 47 of the GDPR, the National Commission shall approve binding corporate rules in accordance with the consistency mechanism set out in Article 63 of the GDPR.

Applications for approval are submitted to the National Commission in writing and shall follow the procedures described in the working documents issued by the European Data Protection Board in accordance with the GDPR.

Art. 34. Complaint-handling

The complaints are handled in accordance with a procedure adopted by the National Commission and published on its website.

The National Commission provides the public with a complaint form on its website.

Art. 35. Requests for prior opinion under Article L.261-1 of the Labour Code

When the National Commission has been requested to issue an opinion referred to in article L.261-1(4) of the Labour Code, it shall issue its opinion within one month of the request. The deadline starts from the moment the file in relation to the request for an opinion is complete.

Art. 36. Investigation procedure

The National Commission's investigation procedure is described in a regulation on the investigation procedure adopted pursuant to article 40 of the Act of 1 August 2018.

Art. 37. Remedies

Subject to the provisions of the Act of 1 August 2018, the rules laid down by the Grand-Ducal Regulation of 8 June 1979 on the procedure to be followed by State and municipal administrations apply to all individual administrative decisions issued by the National Commission for which no specific text provides a special procedure providing at least equivalent guarantees for the citizen in accordance with Article 4 of the Act of 1 December 1978 regulating the non-contentious



Please note that the English version of the rules of procedure is an unofficial translation. In case of any inconsistency between the English and French texts, the text in French language shall prevail.

administrative procedure.

Chapter 4 – Final Provisions

Art. 38. Amendment of the Rules of procedure

Amendments to these Rules of Procedure may be proposed by the President or a Commissioner. Any amendments to the Rules of Procedure must be adopted unanimously.

Art. 39. Entry into force and publication

These Rules of Procedure shall enter into force on the day of their signature.

The Rules of Procedure and subsequent amendments are published in the Official Journal of the Grand Duchy of Luxembourg and on the website of the National Commission.

Art. 40. Repeal

The Rules of Procedure approved by the National Commission by decision no. 3/2020 dated 22 January 2020 are repealed.

Thus, decided unanimously at Belvaux on 23 February 2024.

The National Data Protection Commission

Tine A. Larsen
President

Thierry Lallemand
Commissioner

Alain Herrmann
Commissioner

Marc Lemmer
Commissioner

