

# *Market, Opinion, and Social Research Sector's final recommendations for the GDPR Trilogue process*

## **1. Article 83: securing maximal legal certainty**

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- We support proposals to establish further processing for research as a legitimate ground for processing under Article 6(2) with the appropriate safeguards foreseen in Article 83.
- We support the Commission's proposals for an Article 83 exemption for research provided certain safeguards are met, as this will provide legal certainty and create a level playing field for all research actors operating across the EU.

## **2. Recital 126: ensuring diverse research applications are foreseen**

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- We welcome clarifications of scope for Recitals 125 and 126 proposed by Council to ensure a wide diversity of research applications are covered by Article 83, thereby ensuring that market, opinion and social research actors benefit from clear requirements for research projects that guide evidence-based decision-making. We welcome further clarification of the research definition so that market, opinion and social research can be explicitly referenced as part of “historical, statistical, and scientific research”.
- Many research fields including market, opinion and social research have adopted self-regulatory codes, ethics boards, and other operating safeguards that enshrine the principles of “no-return path to the individual,” a strict “purpose” limitation, and strict aggregation protocols before releasing results.

Research actors continue to be responsible and ethical actors safeguarding the collection, use, and dissemination of data as part of legitimate research activities conducted by academic institutions, public and private sector organisations.

## **3. Conclusion**

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The sector welcomes the opportunity to further cement legal certainty for actors needing the Article 83 derogations to conduct research projects that would otherwise be impossible and hopes this provides a constructive input to inform the trilogue partners' deliberations. We remain at your disposal for any further inputs that you may deem appropriate at this stage of negotiations.

## On behalf of the market, opinion, and social research sector:



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**ESOMAR**  
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Founded in 1948, ESOMAR gathers nearly 5000 professionals and over 400 companies in 130+ countries providing or commissioning research, including public and academic bodies. For further information on ESOMAR and its activities, contact Kim Smouter, Government Affairs Manager.

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Founded in 1992, EFAMRO represents the interests of market, social and opinion research in Europe. Its members are national trade associations for research businesses. For further information on EFAMRO and its activities, contact Michelle Goddard, Director of Policy & Standards.

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