General Data Protection Regulation (GDPR)

EU-GDPR-2016 · EU · binding regulation

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Summary

Foundational EU personal-data protection regulation. Most-cited European instrument PW catalogues at the AI-governance boundary — every CNIL / Garante / AEPD / BfDI / DPC enforcement action against an AI system (Clearview, ChatGPT, Replika, automated-hiring complaints) invokes GDPR Arts. 5/6/9/22/35. Art. 22 (automated individual decision-making + profiling) is the load-bearing provision that interacts with EU AIA Art. 26(11) deployer use of AI-system output for decisions concerning natural persons. Art. 35 (DPIA) partially overlaps EU AIA Art. 27 FRIA; the EDPB is finalising a joint EDPB-AI-Office guideline on the AIA-FRIA / GDPR-DPIA interplay through 2026. Art. 9 (special-category processing) interacts with EU AIA Art. 5(1)(c)(d)(g) prohibitions on social scoring + emotion recognition in workplace + untargeted facial-image scraping. Enforced by national Data Protection Authorities; the European Data Protection Board (EDPB, formerly Art. 29 Working Party) coordinates one-stop-shop + Article 65 binding-decision procedures across DPAs. Currency (2026-06-21): GDPR remains in force and unamended; Regulation (EU) 2025/2518 (adopted 26 Nov 2025, OJ 12 Dec 2025, applies 2 April 2027) supplements it with harmonised cross-border enforcement procedural rules for DPAs/EDPB, and the Commission's Digital Omnibus (proposed 19 Nov 2025, in trilogue) would, if adopted ~mid-2026, amend Arts. 5(1)(b)/13/22, breach-reporting, and add new Art. 88c on ML-model training (EUR-Lex OJ:L_202502518).

At a glance

Adopted

2016-04-27

Effective

2018-05-25

Status

in force

Primary source

Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), OJ L 119, 4.5.2016, p. 1-88 (CELEX:32016R0679; ELI:http://data.europa.eu/eli/reg/2016/679/oj); applied from 25 May 2018.

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CHICAGO

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OSCOLA

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