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Resolution of the Conference of European Data Protection Authorities
Budapest, Hungary, 10-12 May 2023 (V1.3)

Resolution on the revision of the Rules and Procedures of the Conference

Sponsor: UK Information Commissioner's Office (ICO).
Co-sponsors: Croatian Personal Data Protection Agency (AZOP); Cyprus Commissioner for Personal Data Protection; Georgia Personal Data Protection Service (PDPS); Gibraltar Regulatory Authority (GRA); Swiss Federal Data Protection and Information Commissioner (FDPIC); European Data Protection Supervisor (EDPS).

Preamble:

Recognising that:

- The Spring Conference of European Data Protection Authorities ("Spring Conference") remains a forum that brings together independent European Data Protection Authorities to address issues of common interest, emergent trends and novel developments that affect citizens' rights to data protection and privacy across the European continent.
- The data protection landscape in Europe has changed significantly since 2017, and so has the European Spring Conference alongside it.

Recalling that:

- The Spring Conference first adopted its Rules and Procedures at Limassol, Cyprus, in 2017.
- In 2017, Members of the Spring Conference established the Working Group on the Future of the Conference to work on developing the strategic goals of the Conference.
- In 2020, the Working Group on the Future of the Conference consulted Spring Conference Members and Observers regarding the future direction of the Conference.
- In May 2022, the Conference adopted the Resolution on the Conference Vision, Mission and Steering Group ("Catvat Resolution") and mandated the establishment of an Interim Steering Group to update the Rules and Procedures to reflect the proposed Mission and the Vision of the Conference.
- The Conference also mandated the Interim Steering Group to propose a revision of the 2017 Rules and Procedures to create a permanent Steering Group, to describe

the role and mission of such Steering Group, and to clarify the Conference Accreditation Rules.

- In 2022-2023, the Interim Steering Group closely examined the Rules and Procedures regarding whether these continued to reflect the membership's views, as well as current Conference practices in general, and in relation to accreditation matters in particular.
- The Interim Steering Group launched a consultation in late February 2023, to inform and to consult the Members and Observers of the proposed changes to the Rules and Procedures.
- The overwhelming majority of respondents agreed with the Interim Steering Group's suggested proposals.

Noting that:

- The Spring Conference Accreditation Rules were first introduced in 2004 and divided Conference Members into national, sub-national, or supra-national authorities with or without voting rights.
- The 2017 Limassol Rules and Procedures further updated the Accreditation Rules and provided clarity to the accreditation criteria with regard to Members and Observers.
- The status of Observers and their possible participation in Spring Conference sub-groups, including the European Case-Handling Workshop, was not clarified in the 2017 Rules and Procedures.
- Since its foundation, the Conference is hosted annually by a volunteer Member authority, who traditionally bears all the hosting expenses. As such, the host should enjoy some flexibility with regard to the organisation of the Conference, including the possibility to host an 'Open Day'.

The European Conference of Data Protection authorities hereby resolves to

adopt the revised Rules and Procedures, as outlined in **Annex I.**

Annex I

Revised Rules and Procedures of the European Spring Conference

1. TITLE

The official title of the conference is "the Conference of European Data Protection Authorities", hereinafter "the Conference".

2. VISION OF THE CONFERENCE

The Conference commits to being the continent's forum for all European data protection regulators, bridging borders and fostering practical collaboration and exchange of best practice among its Members to promote and uphold the protection of personal data and privacy in Europe.

3. MISSION OF THE CONFERENCE

The Conference will:

a. Address issues of common interest, emergent trends and novel developments relating to the rights to privacy and data protection, as applicable to the European context including by looking at relevant developments globally as appropriate to inform European developments.
b. Reflect the pan-European composition of its membership, thus serving to strengthen the relationship between regulators across Europe and their ability to consider communiques or resolutions;
c. Build cooperation between the different systems in Europe and between the professionals who work within these systems, in pursuit of an unparalleled regional data privacy ecosystem.
d. Focus on the practical exchange and discussion of best practice in the development and implementation of policy and privacy-related legislation, as well as stakeholder engagement activity.

4. PURPOSES OF THE CONFERENCE

a. To address issues of common interest relating to the rights to privacy and data protection.
b. To draft and adopt Declarations and Resolutions on subjects of common interest by making strong and clear statements to defend individuals' rights.
c. To exchange best practices enabling Data Protection Authorities (hereafter 'DPAs') to better fulfil their mandates.
d. To discuss the activities of its Members and important developments of the previous year and define priorities for the year to come and how to achieve them collectively.
e. To strengthen international cooperation by resolving that DPAs collaborate with each other in order to enforce data subjects' rights in cross-border cases.

5. STRUCTURE OF THE CONFERENCE

The Conference consists of:

- The (annual) Plenary
- The Steering Group
- Sub-Groups

6. PLENARY - ORGANISATION

As a general rule, the Plenary of the Conference should be held once a year, preferably during the months of April or May. It shall be hosted by one of the accredited Members on a voluntary basis.

A certain amount of flexibility should be given to the host of the Plenary of the Conference in terms of the duration of the meeting, the agenda, including the items to be discussed, the speakers, and potential invited guests.

The Plenary host can decide to hold an Open Session with the participation of governments, industry, academia, civil society and other relevant stakeholders. The Open Session may be held in addition to the Plenary, in which only Conference Members, Observers, and invited guests can participate.

The host of the Plenary of the Conference may decide, on its own initiative, to invite other DPAs, individuals or organisations to attend a specific session or the entire Plenary of the Conference, with the status of ad hoc “invited guests”. This would be without prejudice to the possibility of admitting a public entity, DPA or international organisation as an Observer through a formal decision of the Conference. The host shall inform at first instance the Steering Group about these invitations and the participation of invited guests to the Plenary. Members of the Conference shall be informed about these invitations and the participation of invited guests before the Plenary.

Members may decide that specific items may be discussed in presence of Conference Members and Observers only.

7. FUNCTIONS AND POWERS OF THE PLENARY

The functions and powers of the Plenary of the Conference are:

a. To define the Conference’s strategic direction.
b. To consider and adopt proposed Resolutions and Declarations building upon previous Conference commitments, in accordance with section 9.
c. To decide on the accreditation to the Conference of Members and Observers pursuant to these Rules and Procedures.
d. To consider and adopt the Accreditation Reports delivered by the Accreditation Committee, upon the recommendation of the Steering Group.
e. To establish appropriate Sub-Groups as per section 10 of these Rules and Procedures and decide on their direction.
f. To implement and, where appropriate, to amend these Rules and Procedures.

8. THE STEERING GROUP

8.1. Purpose

The purpose of the Steering Group is to guide and advise on the organisation of the annual meeting of the Conference, including its transition from one host to the next, and to help ensure the relevance, continuity, and coherence of its work.

The Steering Group should not be conceived as a Secretariat function, for which the annual Conference host is primarily responsible.

8.2. Responsibilities and Relationship to the Conference

The responsibilities of the Steering Group are:

8.2.1. Conference Organisation

a. To seek expressions of interest to host the annual Plenary of the Conference; review applications to host the annual meeting and make a host recommendation to the Plenary of the Conference for the subsequent year.
b. To provide support to potential host applicants to understand the task of hosting.
c. To advise the host country with the organisation of the annual Plenary of the Conference, in particular but not limited to advise on the format and to propose moderators, external speakers, or key speakers as requested.
d. To support the host with the development of the strategic aspects of the agenda for the annual Conference.
e. To support the handover from the current to the incoming host.

8.2.2. Communication

a. To advise the current host on how the host can best maintain an accurate database of Members and Observers, including how to address the existence and maintenance of the database in any data protection policy.
b. In conjunction with the current host, to support timely communications with Members and Observers.

8.2.3. Governance and accountability

a. If relevant, to lead the implementation of any deliverables allocated to the Steering Group agreed at the annual Plenary of the Conference.
b. To monitor the progress of any activity mandated by the Members at the annual conference.
c. To receive and support the review of new applications for accreditation, and recommend the accreditation of new Members/Observers, in collaboration with the Accreditation Committee who is in charge of providing Accreditation Reports.
a. To receive and publish updates from any Spring Conference sub-groups where applicable.
b. To keep the Conference Rules and Procedures under review to ensure they remain fit for purpose.

c. To analyse and present requests for amendments to the Rules and Procedures at the annual Plenary of the Conference.

8.2.4. Maintaining Conference Sustainability

a. To further develop the processes governing the workings of the Conference, in consultation with the Members.
b. To progress work to help ensure the continuity and coherence of the Conference year-to-year, to secure its future and delivery of its objectives.

8.3. Eligibility and Composition

a. Any Member of the Conference can volunteer to participate in the Steering Group.
b. The Steering Group strives for wide representation to reflect the diversity of the Conference's Membership, including but not limited to geographical, linguistic, size of authority, and EU/non-EU.
c. The Steering Group comprises up to eight Members: the current conference Plenary host, the most immediate previous host, and (optionally) the current host of the European Case-Handling Workshop, plus up to four ordinary seats. A minimum of two ordinary seats are required for the Steering Group to fulfil its mandate.
d. A call for candidates should be issued at least two calendar months before the Plenary of the Conference. Applications to join the Steering Group should be made to a single point of contact, this usually being the current Steering Group coordinator or to the conference host three weeks before the annual Plenary takes place.
e. In the event that there are more applicants than seats, an election will take place at the Plenary of the Spring Conference for filling each seat.
f. Where the future year's host is already known, this Spring Conference Member can be invited to observe the Steering Group.

8.4. Duration of Mandate

a. The current Conference host and the previous Conference host each serve for one year in these respective capacities. A host can expect to be on the Steering Group for a total of two years, one year as host and one year afterwards.
b. Ordinary seats serve for three years, unless the Member indicates a wish to step down.
c. An existing Steering Group seat may serve on the Steering Group as current host if the Conference Member is successful in their host application. In this event, the substantive ordinary seat is advertised for the remaining term but there is no requirement for it to be filled.
d. A Member may stand again after a period of two years or sooner, subject to the agreement of the Conference, if there is an otherwise unfilled seat on the Steering Group and the Member wishes to continue their involvement.

8.5. Decision-making

a. The position of Steering Group Coordinator is agreed by consensus annually by the Members of the Group itself and announced to the Conference.

b. Decisions by the Steering Group are taken by consensus. In cases where a consensus is not possible, a decision requires a simple majority of the Members of the Steering Group.
c. The Steering Group is quorate with four Members present, which must include the current Conference host, or, in their absence, their nominated alternate.

8.6. Commitments

a. Members of the Steering Group commit to actively engaging in the activities and outputs of the Steering Group.
b. Each authority will bear for itself any costs associated with participating in the work of the Steering Group.

8.7. Frequency of meetings

a. The Steering Group will decide for itself the frequency of its meetings, dependent on the workplan and activities of the Steering Group at that time, with quarterly (video) calls as a minimum.
b. Meetings will generally be held remotely via teleconference, with further communication via e-mail. The Steering Group will seek to meet in person when there are opportunities to do so.

9. SUBMISSION OF PROPOSED RESOLUTIONS AND DECLARATIONS

Accredited Member(s) may submit proposals for Resolutions or Declarations to the host of the Plenary of the Conference for consideration and adoption by the Plenary at least six weeks before the Plenary.

Draft Resolutions should be co-sponsored by at least two other Members of the Conference.

The host should circulate the draft documents to the Members at least one month before the Plenary of the Conference. Members will have a deadline of 15 days for written comments. This does not preclude the possibility for Members to provide oral comments during the Plenary of the Conference.

10. SUB-GROUPS

The Conference may decide to establish sub-groups for the exchange of information on specific topics and for enhancing cooperation. Sub-groups derive their mandate and direction from the Plenary of the Conference and they shall report to it.

Sub-groups will be composed of Members of the Conference and participation is voluntary. Observers may be invited to participate in sub-groups on an ad hoc basis and following the agreement of the sub-group Members.

The case handling workshop (European Case Handling Workshop) is a sub-group established under the mandate of the Conference and will continue to operate after adoption of these

Rules and Procedures, as provided in the framework decided in the Edinburgh Conference (23-24 April 2009).

11. ACCREDITATION OF MEMBERS AND OBSERVERS TO THE CONFERENCE

11.1. Accreditation of Members

Entities that wish to be accredited as Members of the Conference must submit their application provided for in section 11.3 to the Steering Group.

The application for accreditation may take the form of a questionnaire similar to the one applying before the adoption of these Rules and Procedures.

The applications must be submitted at least three months before the annual Plenary of the Conference the applicant wishes to attend.

11.1.1. Accreditation criteria

Entities who meet all the following criteria can be accredited as Members of the Conference.

The applicant must:

a. be a public body in Europe established on an appropriate legal basis,
b. be competent to supervise and enforce, in their respective jurisdictions, the implementation of legislation on the protection of personal data or privacy, specifically at least one of the of following:
    - Council of Europe Convention 108/108+
    - Council of Europe Regulations on the Protection of Personal data
    - EU Regulation 2016/679
    - EU Regulation 2018/1725
    - EU Directive 2016/680
c. have an established degree of independence and autonomy; and
d. have an appropriate array of functions combined with the power to perform these functions.

11.1.2. Subsidiary criteria

When assessing the application, the Accreditation Committee may take into account the participation of the applicant as an accredited Member of the Global Privacy Assembly[1] .

11.2. Accreditation of Observers

The following entities and organisations, that fulfil one of the following criteria, can be accredited as permanent observers:

a. Public entities or DPAs in Europe that meet some but not all of the criteria of section 11.1.1. and are involved in dealing with the protection of personal data.

[1] Formerly known as the International Conference of Data Protection and Privacy Commissioners.

b. International organisations whose activity is related to the protection of personal data or privacy.

Public entities, DPAs, or International organisations wishing to be accredited for participation in the Conference with Observer status must submit to the Steering Group an application to become Observer to the Conference.

The application for accreditation of Observers may take the form of a questionnaire similar to the one applying for Members.

The applications must be submitted at least three months before the annual Conference the applicant wishes to attend.

The admission of Observers will be decided by the Plenary upon the recommendation of the Steering Group, based on the recommendation of the Accreditation Committee.

Observers are admitted as a permanent observer until they undergo changes which would affect their status at the Conference. Observers may be admitted for a fixed period, based on the recommendation of the Accreditation Committee or the Steering Group to the Plenary of the Conference.

Non-European DPAs, which belong to a State Party to Convention 108/108+, may, on request, participate as one-time observers or for a period of time as otherwise agreed by the Plenary of the Conference, upon the recommendation of the Steering Group.

11.3. Accreditation Committee

Each year, an ad hoc Accreditation Committee will be set up to assess the applications for Members and for Observers.

The Accreditation Committee will be comprised of the former, current and next host of the Conference. If no authority has been announced to host the following year's Conference by the time the Accreditation Committee starts its proceedings, another Member of the Steering Group will be appointed as the third Member of the Accreditation Committee.

The Accreditation Committee will assess the information contained in the application form and can request from the applicant any further information which is deemed fit to complete its assessment.

Once it has completed its assessment, the Accreditation Committee will make a recommendation concerning the application and will prepare a report which is to be submitted to the Steering Group for consideration.

The Steering Group will make a recommendation, based on the Accreditation Report prepared by the Accreditation Committee, to the Plenary of the Conference for adoption.

11.4. Notification of changes

All accredited Members and Observers of the Conference accept their obligation to promptly notify the Steering Group of any significant legal or procedural changes which may affect the status of their accreditation.

12. VOTING

12.1. Voting procedure

Declarations and Resolutions presented via the host according to section 9, as well as accreditation decisions on the proposals made by the Steering Group will be adopted by vote or by consensus.

When consensus is not possible, Declarations, Resolutions and Decisions will be adopted by the majority of the votes cast by the Members attending the Plenary of the Conference who are entitled to vote.

12.2. Voting rights

The principle of “one Member, one vote” will apply, other than where there are multiple Members from one State. In such a case there will be only one vote per State.

An international or supranational body which is made up of Members or representatives of the DPAs will only have the right to vote on issues within their scope of competence. In case of any difficulties in determining if these Members are entitled to vote on a specific issue, the decision will be taken by the simple majority of the votes of the Member delegations attending the meeting.

Observers are not entitled to vote.

13. AMENDMENTS

Amendments to these Rules and Procedures may be proposed by Members where necessary. Proposed amendments will be considered by the Plenary of the Conference and adopted by means of Resolutions in accordance with the Rules and Procedures set out in section 9.

14. FINAL CLAUSES

Existing Members and Observers of the Conference, at the time of adoption of these Rules and Procedures, conserve their status as Members and Observers of the Conference in line with the previous accreditation Resolutions adopted by the Plenary of the Conference and do not have to reapply.

The existing Members and Observers of the Conference are listed in **Annex II**.

Annex II – List of Accredited Members and Observers of the Spring Conference

I. European Authorities Accredited as Members

Country/Region	Name	Status
Albania	Information and Data Protection Commissioner (Komisioneri për të Drejtën e Informimit dhe Mbrojtjen e të Dhënave Personale)	National
Andalusia	Andalusian Transparency and Data Protection Council (CTPDA) (Consejo de Transparencia y Protección de Datos de Andalucía)	Sub-National
Andorra	Andorran Agency for Personal Data Protection (Agència Andorrana de Protecció de Dades Personales)	National
Armenia	Armenian Personal Data Protection Agency	National
Austria	Data Protection Authority (Datenschutzbehörde)	National
Belgium	Data Protection Authority (Autorité de protection des données - Gegevensbeschermingsautoriteit)	National
Bosnia and Herzegovina	Personal Data Protection Agency (Agencija za zaštitu ličnih/ osobnih podatka u Bosni I Hercegovini)	National
Bulgaria	Commission for Personal Data Protection (Комисия за защита на личните данни)	National
Croatia	Croatian Personal Data Protection Agency (Agencija za zaštitu osobnih podataka)	National
Cyprus	Commissioner for Personal Data Protection (Επίτροπος Προστασίας Δεδομένων Προσωπικού Χαρακτήρα)	National
Czech Republic	Office for Personal Data Protection (Urad Pro Ochranu Osobnich Udaju)	National
Denmark	Data Protection Agency (Datatilsynet)	National

Estonia	Estonian Data Protection Inspectorate (Andmekaitse Inspektsioon)	National
Finland	Office of the Data Protection Ombudsman (Tietosuojavaltuutetun Toimisto)	National
France	Data Protection Commission (Commission Nationale de l'Informatique et des Libertés)	National
Georgia	Personal Data Protection Service (პერსონალურ მონაცემთა დაცვის სამსახური)	National
Germany	Federal Commissioner for Data Protection and Freedom of Information (Der Bundesbeauftragte für den Datenschutz und die Informationsfreiheit)	National
Germany / Bavaria	Privacy Commissioner (Bayerische Landesbeauftragte für den Datenschutz)	Sub-National
Germany / Berlin	Data Protection and Freedom of Information Commissioner (Beauftragte für den Datenschutz und Informationsfreiheit)	Sub-National
Germany / Brandenburg	Data Protection and Access to Information Commissioner (Landesbeauftragte für den Datenschutz und für das Recht auf Akteneinsicht)	Sub-National
Germany / Lower Saxony	Data Protection Commissioner (Landesbeauftragte fuer den Datenschutz)	Sub-National
Germany / Mecklenburg-West Pomerania	Data Protection Commissioner (Landesbeauftragte für den Datenschutz Mecklenburg-Vorpommern)	Sub-National
Germany / Northrhein-Westphalia	Data Protection and Freedom of Information Commissioner (Beauftragte für den Datenschutz und Informationsfreiheit Nordrhein-Westfalen)	Sub-National
Germany / Rhineland Palatinate	Data Protection Commissioner (Landesbeauftragte für den Datenschutz Rheinland-Pfalz)	Sub-National
Germany / Schleswig-Holstein	Data Protection Authority (Unabhängiges Landeszentrum für Datenschutz)	Sub-National
Gibraltar	Gibraltar Regulatory Authority	Sub-National

Greece	Hellenic Data Protection Authority (Αρχή Προστασίας Δεδομένων)	National
Guernsey	Data Protection Commissioner	Sub-National
Hungary	National Authority for Data Protection and Freedom of Information (Nemzeti Adatvédelmi és Információszabadság Hatóság)	National
Iceland	Data Protection Authority (Persónuvernd)	National
Ireland	Data Protection Commission (An Coimisiún um Chosaint Sonraí)	National
Isle of Man	Isle of Man Information Commissioner	Sub-National
Italy	Data Protection Commission (Garante per la protezione dei dati personali)	National
Jersey	Data Protection Commissioner for Jersey	Sub-National
Kosovo	National Agency for Personal Data Protection (Agjencia Shtetërore për Mbrojtjen e të Dhënave Personale)	Other specific status
Latvia	State Data Inspectorate (Datu Valsts Inspekcija)	National
Liechtenstein	Data Protection Commissioner (Stabsstelle für Datenschutz)	National
Lithuania	State Data Protection Inspectorate (Valstybine Duomenu Apsaugos Inspekcija)	National
Luxembourg	National Commission for Data Protection (Commission Nationale pour la Protection des Données)	National
Malta	Information and Data Protection Commissioner	National
Moldova	National Center for Personal Data Protection (Centrul National pentru Protecția Datelor cu Caracter Personal al Republicii Moldova)	National
Monaco	Data Protection Commission (Commission de contrôle des informations nominatives)	National
Montenegro	Agency for Personal Data Protection and Free Access to Information	National
Netherlands	Dutch Data Protection Authority (Autoriteit Persoonsgegevens)	National

North Macedonia	Directorate for Personal Data Protection (Агенција за заштита на личните податоци)	National
Norway	Data Protection Authority (Datatilsynet)	National
Poland	Personal Data Protection Office (Urząd Ochrony Danych Osobowych)	National
Portugal	National Data Protection Commission (Comissão Nacional de Protecção de Dados)	National
Romania	National Supervisory Authority for Personal Data Processing (Autoritatea Națională de Supraveghere a Prelucrării Datelor cu Caracter Personal)	National
San Marino	San Marino Data Protection Authority (Autorità Garante per la Protezione dei Dati Personali)	National
Serbia	Commissioner for Information of Public Importance and Personal Data Protection (Повереник за информације од јавног значаја и заштиту података о личности)	National
Slovakia	Office for Personal Data Protection (Úrad na ochranu osobných údajov)	National
Slovenia	Information Commissioner (Informacijski pooblaščenec)	National
Spain	Data Protection Agency (Agencia Española de Protección de Datos)	National
Spain / Basque Country	Basque Data Protection Authority (Agencia Vasca de Protección de Datos)	Sub-National
Spain / Catalonia	Catalan Data Protection Authority (Agència Catalana de Protecció de Dades)	Sub-National
Sweden	Authority for Privacy Protection (Integritetsskyddsmyndigheten, IMY)	National
Switzerland	Federal Data Protection and Information Commissioner (Préposé Féderal à la protection des données et à la transparence)	National
Switzerland / Basel Landschaft Canton	Canton Data Protection Commissioner (Datenschutzbeauftragter des Kantons Basel-Landschaft)	Sub-National

Switzerland / Zurich Canton	Canton Data Protection Commissioner (Datenschutzbeauftragter des Kantons Zürich)	Sub-National
Switzerland / Zug Canton	Data Protection Commissioner (Datenschutzbeauftragter des Kantons Zug)	Sub-National
Turkiye	Personal Data Protection Authority (Kişisel Verileri Koruma Kurumu)	National
United Kingdom	Information Commissioner's Office	National
European Union	European Data Protection Supervisor (Contrôleur Européen de la Protection des Données)	International or Supranational
European Union	Customs Information System Joint Supervisory Authority	International or Supranational
Europe	The Data Protection Authority of the European Space Agency	International or Supranational
Council of Europe	Data Protection Commissioner	International or Supranational

II. International and European Organisations Accredited as Observers

Country/Region	**Name**	**Status**
Council of Europe	Council of Europe	Observer
European Union	European Commission	Observer
European Union	European Data Protection Board	Observer
European Union	European Parliament	Observer
European Union	Agency for Fundamental Rights	Observer
AFAPDP	Association Francophone des Autorités de Protection des Données Personnelles	Observer

Annex III. Explanatory Note of Proposed Changes to the Rules and Procedures

Background

In 2022, the Members of the Spring Conference mandated the Interim Steering Group (ISG) to propose a revision of the 2017 Rules and Procedures (RoP).[2] As part of the revision, the ISG was mandated to:

- create a permanent Steering Group, and to describe its role, mission and responsibilities; and
- to review the existing Accreditation Rules for members and observers, including making the work of the Accreditation Committee a sub-section of the Steering Group.

A sub-group of the Interim Steering Group, comprising of the Cyprus Commissioner for Personal Data Protection, the European Data Protection Supervisor, the Gibraltar Regulatory Authority, the Swiss Federal Data Protection and Information Commissioner, and the UK Information Commissioner's Office was set up to review the RoP and to recommend a number of changes to modernise the Conference Rules and Procedures and to better align them with current Spring Conference practices.

In late February-early March 2023, the Interim Steering Group invited all members and observers to respond to a survey and to provide their opinions on the ISG's recommended changes. An overwhelming majority of respondents agreed with the ISG's proposals.

Below is a summary of the main changes which the ISG has proposed.

1. Accreditation Rules for Members

(*IMPORTANT NOTE:* *Existing Members and Observers do not have to reapply or in any way renew their status. The revised Rules and Procedures will not affect the status of existing Members or Observers, who will preserve their existing status in line with the previous accreditation Resolutions adopted by the Conference.)*

The revised criteria provide for greater clarity by merging the previous eligibility and admission requirements and inserting text based on previous consultations and discussions within the Conference, as follows:

- **Merging of the previous eligibility and admission criteria.** Previous accreditation criteria for members required DPAs to fulfil both the stipulated eligibility and admission criteria. The similar wording, but distinct functions of the two sets of criteria, had led to some confusion over their interpretation in the past. A comparative analysis of the accreditation criteria of other regional networks of data protection authorities indicated that none had a two-tiered accreditation approach. To simplify the accreditation process and to ensure consistency with the practices in other regional and international networks, the revised Rules and Procedures merge

[2] Resolution on the Conference Vision, Mission and Steering Group, Catvat, Croatia, 10-12 May 2022.

the requirements of the former eligibility and admission criteria and ensure that future members will be evaluated against only one set of criteria.

- **New members must be in Europe.** There has always been an expectation that to be eligible to join as a Member, a candidate authority must be an independent European DPA with sufficient enforcement and regulatory powers. However, there have been discussions in the past concerning the eligibility of DPAs which are not geographically located in Europe. The membership confirmed, through consultations in 2020 and in 2023, that they wished the Spring Conference to maintain its distinct European character and geographical scope. The Rules now clarify this point.
- **Explicit list of 'European' Data Protection laws**. Discussions at previous Conferences have centred on whether some authorities operated under a legal framework 'consistent with' Convention 108, the EU GDPR and the EU Law Enforcement Directive. The revised Accreditation Rules make it explicitly clear that new members must have competence under at least one of the listed laws.

2. Accreditation Rules for Observers

To ensure that the rest of the accreditation criteria appropriately align and reflect the changes to the criteria for membership, some minor revisions have been made to the Rules for Observers:

- **Public entities or DPAs in Europe that fulfil some but not all of the membership criteria** will be eligible to join as observers. To ensure consistency with the revised Rules for Members, the new formulation further makes it clear that any DPAs or entities that wish to join as Observers must be situated in Europe. The 2017 version of the Rules referred to 'entities'; the word 'public' has been added to clarify their public nature.
- **Non-European DPAs,** which belong to a State Party to Convention 108/108+ may participate as one-time observers or for a period of time as otherwise agreed by the Conference, upon the recommendation of the Steering Group.
- **International organisations** will not be eligible to join as members, but only as observers. Previous references to international 'bodies' has been switched to 'organisations' to make it explicitly clear that international bodies, for instance associations of data protection officers, will not be eligible to join, whilst allowing for instance, UN organs, to become observers.
- **Duration of observer status**. The Rules have been updated to reflect current Conference practice to admit observers on a permanent basis as a general rule, rather than on a one-time or occasional basis. Observers may still be admitted for a fixed period, if the Accreditation Committee and Steering Group recommend this to the Conference.

3. Other changes to the Accreditation Rules – process

Changes have been made to reflect the new role of the Steering Group and its Accreditation sub-Committee, as follows:

- **Role of the Steering Group in the accreditation process.** The Accreditation Committee will act as a sub-committee of the Steering Group, which will be principally involved in the accreditation process by advising the Accreditation Committee on particularly complex cases. The Steering Group will also be responsible for making its 'recommendations' to the Conference, based on the accreditation reports of the Accreditation Committee.
- **Deadlines for accreditation.** To provide the Accreditation Committee and the Steering Group sufficient time to deal with more complex situations, the deadline for accreditation for both members and observers has been prolonged from two months to three months.

4. Other changes to the Rules and Procedures

- **Incorporation of the Vision and Mission of the Conference, as well as the role of the Steering Group**, in line with the Cavtat Resolution agreed in 2022. No substantive changes have been made to these sections, which have been directly taken from the Cavtat Resolution.
- **Introduction of an Open Session**. The Conference has also seen the introduction of an 'Open Day' in the Budapest Conference in 2023. Although traditionally the Spring Conference has not held Open Sessions (unlike other annual conferences like the Global Privacy Assembly), Spring Conference hosts have enjoyed some flexibility with regard to the format, duration of and invited guests at the event. As the Conference is moving towards modernising itself and adopting a stronger and distinct collective European voice, these revised Rules and Procedures provide the option to future hosts to hold an 'Open Session', in addition to the existing 'Closed Session' (or Plenary).
- **Participation of Observers in working groups**. The revised Rules of Procedure will now allow the participation of Observers in working groups (sub-groups), provided existing working group members agree.
- **Rules on invited guests**. The revised Rules and Procedures explain that all future guests invited to the Conference will be considered "invited guests", rather than one-time or occasional observers.