

Centre for Information Policy Leadership (CIPL) Roundtable  
**The Legitimate Interest Legal Basis under the GDPR – Strengths and Opportunities**

—Chatham House Rule—

Thursday, 21 January 2021

9:00 AM – 10:30 AM EST | 2:00 PM – 3:30 PM GMT | 3:00 PM – 4:30 PM CET

## AGENDA

Legitimate interest is a longstanding legal basis for data processing under EU data protection law. The GDPR risk-based approach and reliance on organisational accountability makes the legitimate interest a strong legal basis that better protects individuals because of its balancing test. For this reason it should not be considered as a last resort legal basis and narrowed down to exceptional cases, but rather be positioned as a building block of responsible data use not only for countless organisations' routine activities, but also as an enabler of innovative data uses. In the context of the update of the EDPB's legitimate interest guidelines, this roundtable will explore concrete use cases and the best practices companies are implementing as part of their reliance on the legitimate interest ground.

**3:00 PM Welcome and roundtable goals**

- ❖ **Bojana Bellamy**, President, CIPL

**3:10 PM Updates on the EDPB work on Legitimate Interest**

- ❖ **Olivier Matter**, Team Leader for International Cooperation, EDPS

**3:15 PM Deep-dive in case studies on the legitimate interest legal basis**

- ❖ Moderator: **Nathalie Laneret**, Director of Privacy, CIPL

*Provocateurs:*

- ❖ **Stefano Fratta**, Product Privacy Director, Facebook
- ❖ **William Malcolm**, Privacy Legal Director, Google
- ❖ **Jasmien César**, Senior Counsel Privacy & Data Protection, Mastercard
- ❖ **Laura Gardner**, Director of Global Privacy Policy, Microsoft
- ❖ **Monika Gorlikowska**, Chief Privacy Officer, Prosus
- ❖ **Mike Lamb**, Chief Privacy Officer, RELX Group
- ❖ **Paul Breitbarth**, Director, EU Policy & Strategy, TrustArc
- ❖ **Simon Hania**, Senior Director Data Protection Office/DPO, Uber
- ❖ **Barry Murphy**, Senior Privacy Counsel, Vodafone

*3 to 5 minutes for each provocateur followed by Q&A and discussion among roundtable participants*

*Topics for discussion:*

- *How the legitimate legal basis relates to organisational accountability and risk assessment*
- *Performance of the legitimate interest balancing test*
- *Taking into account the reasonable expectations of the data subject*
- *What interests are balanced (third party, societal interest, commercial interest, group of individuals)*
- *Possible mitigating measures*
- *Proactive accountability practices (enhanced transparency, publication of the legitimate interest balancing test, tools to facilitate exercise of right to object)*
- *Relevance of the legitimate legal basis for countless organisations' routine activities*
- *Relevance of the legitimate legal basis as an enabler of innovative and beneficial data uses, especially in the context of AI or data sharing.*
- *Relevance of the legitimate legal basis for data processing activities necessary to address unforeseen circumstances (COVID-19 crisis).*
- *Legitimate interest in relation to other article 6 GDPR legal bases*

**4:30 PM**

**End of roundtable**