

How the “Legitimate Interests” Ground for Processing Enables Responsible Data Use and Innovation

Summary of Recommendations for Regulators and Policy Makers on the Legitimate Interest legal basis (LI)

1. Acknowledge that there is **no hierarchy** among different legal bases
2. Emphasize that organizations must rely on the **most appropriate legal basis**
3. Do not adopt an **overly restrictive interpretation** of the LI
4. Acknowledge that the LI promotes **risk-based organizational accountability**
5. Confirm that the LI enables a **robust level of protection for individuals**
6. Do not **automatically exclude** certain types processing activities from the LI
7. Confirm that individual **right to object may be unsuitable** in certain situations
8. Recognize that the LI is relevant for **routine and innovative data processing activities**
9. Refrain from asking organizations to **publish their LI assessments**
10. Acknowledge that **mitigating measures impact the balancing of interests** of the controller, third parties, society and individuals



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categories of
data processing
activities

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concrete
case studies