Re: E.U. General Data Regulations (GDPR) Call for Views.

The Archives and Records Council Wales (ARCW) is the representative body for institutions and organisations all over Wales which care for archives.

ARCW fully supports improvement to the rights of data-subjects to both the access of personal information and the ways in which that personal information is held and processed. It is also important to take into account any significant burden to the services that provide access to and preserve our historic records.

Archive collections can be very complex in their makeup and in the way that some of them have been deposited or loaned, and we would seek to ensure that such collections maintain their integrity, and that archive services can continue with the excellent work in providing access to and preserving the records, in accordance with the law and without significant burden.

ARCW notes that the Archives and Records Association (ARA) have responded to the call for derogations and ARCW would endorse the points that have been brought forward in their response as the key recommendations permitted by Article 89(3) for maintain the integrity of archives under GDPR.

We would like to echo the particular attention given by ARA to Article 15, data subject right to access. ARCW has concerns regarding the supply of information under a request without being able to identify a starting point from the data subject in relation to their request for personal information that might be held in the archives. Without a starting reference point it is particularly difficult to search indexes, catalogues, paper based records or data bases correctly and comprehensively and as such we would seek a derogation similar to that provided in the 1998 Act at s.7(3).

ARCW also would seek exemption with regard to the access to records not available for public access (privately owned/closed) as set out in the 1998 Act s.33(4) and also that the exemption in s 9A(3)-(4) 1998 Act which allows for cost limits to be applied to requests be continued.

Also, ARCW considers the new requirement that if a request is submitted by electronic means that the copies provided also need to be electronic, to be unnecessarily burdensome on services that might not have the resources to digitise data on demand. Therefore we would seek to have archive services exempted from this particular aspect of the new regulations.

Kind Regards