

COUNTRY: CYPRUS

Theme/ question:	Under the Directive + National Law	Under the GDPR + National law
Legislation	Law on the Processing of Personal Data (Protection of the Individual) of 23 November 2001, Law No. 138(I)/2001	Protection of individuals with regard to the processing of personal data and on the free movement of such data Law of 2018
Legal grounds applicable to scientific research purposes	Data concerning health could be processed based on the consent of data subjects or for scientific research (under conditions listed section 14(1) Patient's rights law, and Section 6(1) of the Law on processing of personal data	Data concerning health may be processed based on the consents of data subjects or for scientific research purposes (Section 29 - New Act)
Safeguards required - Conditions framing the processing of health data for scientific research purposes	<ul style="list-style-type: none"> - Notification to and prior approval of the Data Protection Authority - Data had to be processed by a health professional or someone subject to same confidentiality and ethics obligation, for research purposes the necessary measures for protection of data subjects must be taken. - Ethics review. 	<ul style="list-style-type: none"> - The general provisions of the GDPR apply. - Combination of public data sets requires authorisation of the Data Protection Authority. - Data Protection Authority may require an additional DPIA for specific processing operation.
Conditions for further processing of health data	Further processing of sensitive data was possible (without consent) if performed for scientific research purposes, with measures to protect data subjects' rights. Data subjects were informed of identity the recipient of the data.	The conditions are the same as for the initial processing.
What are the rights of the data subject?	Data subjects had a right to be informed, a right to secrecy and confidentiality, right of access, rectification, erasure, object, right to temporary judicial protection.	The GDPR provides the following rights: right to access by the data subject (Article 15); right to rectification (Article 16); right to erasure (Article 17); right to restriction of processing (Article 18); right to data portability (Article 20); as well as a right to object (Article 21).
Possible derogations from the rights of the data subject	Derogations from the obligation to inform were admitted if it was impossible or implied a disproportionate effort, or in case of a license form the Data Protection Authority.	Derogations to data subjects' rights are possible if a DPIA is carried out, the Data Protection Authority consulted, and data subjects duly informed. This is not specific to scientific research processing.