

COUNTRY: SWEDEN

Theme/ question:	Under the Directive + National Law	Under the GDPR + National law
<b>Legislation</b>	Personal Data Act [ <i>Personuppgiftslag (1998:204)</i> ] And other specific legislation	Act containing supplementary provisions to the EU General Data Protection Regulation ( <i>Lag (2018:218)</i> )
<b>Legal grounds applicable to scientific research purposes</b>	Health data could be processed on the basis of consent and for scientific research purposes (section 19).	Data concerning health may be processed on the basis of consent and for scientific research purposes (Chapter Section 3).
<b>Safeguards required - Conditions framing the processing of health data for scientific research purposes</b>	<ul style="list-style-type: none"> <li>- Notification of processing to the Data Protection Authority (no need if consent)</li> <li>- Supervised by competent researcher, be of sufficient scientific value, processing necessary.</li> <li>- General security provision : sensitive data required higher security measures.</li> <li>- General rules on confidentiality of professional secrecy.</li> <li>- Ethics committee review.</li> </ul>	<ul style="list-style-type: none"> <li>- GDPR requires the implementation of specific measures and safeguards.</li> <li>- Ethics committee approval.</li> </ul>
<b>Conditions for further processing of health data</b>	Presumption of compatibility. When data in the form of sample, data must have been coded or anonymised, data subjects must not have been directly identifiable.	Still unclear
<b>What are the rights of the data subject?</b>	Data subjects had a right to be informed and access data processed concerning them.	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).
<b>Possible exemption to the rights of the data subject</b>	The obligation to inform the data subjects could be derogated from, or if it would not be possible or would involve disproportionate efforts.	The Research Data Inquiry Committee also proposes that individuals should be able to contest their personal data being processed for research purposes. If this option proves to be impossible or involves disproportionate effort, or if the purposes of the research cannot otherwise be attained, the data may nevertheless be processed.