

## 4 Information Duty

*According to Art. 13 GDPR, a person must be informed comprehensively about the data collected. Must this be done immediately or is it permissible to wait for a request and provide information within a reasonable period of time (e.g. 4 weeks)?*

The duty to inform derives from the principle of transparency in Article 5 (1) (a) GDPR. It is specified in Article 12 et. Seq. GDPR. Two constellations can be distinguished. Either data is collected directly from the data subject or indirectly:

According the wording of Art. 13 GDPR the controller shall provide the data subject **at the time when** personal data are obtained where personal data relating to a data subject are collected **from the data subject**.

According to Art. 14 GDPR the controller shall provide information where personal data **have not been obtained from the data subject** within a **reasonable period** after obtaining the personal data, but at **the latest within one month**, having regard to the specific circumstances in which the personal data are processed (Article 14 para. 2 lit. a) GDPR, if the personal data are to be used for communication with the data subject, at the latest at the time of the first communication to that data subject (Article 14 para. 2 lit. b) GDPR) or if a disclosure to another recipient is envisaged, at the latest when the personal data are first disclosed (Article 14 para. 2 lit. c) GDPR.