

13/10/2023

## Review of the review procedure - Options

**0. Keep current review procedure; and do nothing.**

**1. Keep current review procedure and call on EU legislator to amend the EUDPR to establish a EDPS complaints review procedure**

**2. Tweak the existing procedure by adding an internal suspensory effect to a review**

- Add Article 17(5): An EDPS decision on a complaint shall not apply (alternative: take effect) before the expiry of the time limit referred to in Article 18(1).
- Add Article 18(2a): A request for review shall suspend the application (alternative: effect) of the EDPS decision on a complaint. When examining the request for review, the EDPS shall decide whether to maintain that decision or to issue a new decision. Where the EDPS issues a new decision, it shall repeal and replace the decision which was under review, and Article 17(5) shall not apply.

**3. Keep current review procedure but add obligation to prior to issuing the decision, to send both the EUI (and the complainant?) a mini-preliminary assessment (indicating possible violations, and possible corrective measures);**

**4. Abolish the review procedure, and introduce obligation to send a draft decision/preliminary assessment to both EUI and complainant**