

## Citizens' summary

# Radio frequency ID chips – EU privacy and data protection recommendations

### WHAT'S THE ISSUE?

Many Europeans are concerned their privacy could be breached by the growing use of [radio frequency identification \(RFID\)](#) chips. These chips are becoming more widespread, e.g. in:

- contactless smart-cards – used to pay fares on public transport, for instance
- new passports in some countries
- consumer products – to help retailers with restocking.

Some people are uneasy about how the chips could be used, either to **track their movements** or **collect data on what kind of products they buy**.

Privacy rights are already protected under the:

- [EU charter of fundamental rights](#) and
- [EU data protection directive \(95/46\)](#).

The new recommendations say how these general rules should be **applied to radio ID chips**.

### WHO WILL BENEFIT FROM THE RECOMMENDATIONS?

- the **public** – through better information on how RFID systems work, and more effective protection of their rights
- **companies that develop or use RFID chips** – a clearer line on how the chips can be used will help them know whether the technology is worth investing in, and how it should be developed

### WHY IS EU ACTION NEEDED?

- The issues dealt with by the recommendations **go beyond national borders**.
- EU laws on privacy and data protection already exist - guidelines on how to apply them also have to come from the EU.

### WHAT DO THE RECOMMENDATIONS SAY?

**Any organisation** using RFID systems should:

- **assess** the possible **impact** on privacy and data protection
- take action to **minimise** any **risk** of infringing people's rights

- inform anyone who may be affected that the systems are in use – through an **established logo**
- **inform** people who is operating the system, what its purpose is and where they can get additional information.

**National authorities** should:

- **raise awareness** of the technology among the public and small businesses
- stimulate **research and development** for secure, privacy-friendly radio ID systems.

**Retailers** should:

- **use an established logo** to indicate products containing an RFID tag
- **routinely deactivate or remove** the tag if there is any risk to the customer's privacy or personal data – and **offer** to deactivate or remove it even if there is no risk.

#### **WHEN WILL ANY CHANGES COME INTO EFFECT?**

Commission recommendations are not legally binding, but action is expected over the **next few months** – for both new and existing radio ID systems.

The Commission will report on how the recommendation has been implemented in 2-3 years' time and, if necessary, change it or propose further measures.