

**Amendment 1**  
**Proposal for a regulation**  
**Recital 26**

*Text proposed by the Commission*

Personal data related to health should include in particular all data pertaining to the health status of a data subject; ***information about the registration of the individual for the provision of health services; information about payments or eligibility for healthcare with respect to the individual; a number, symbol, or particular assigned to an individual to uniquely identify the individual for health purposes;*** any information about the individual collected in the course of the provision of health services to the individual; information derived from the testing or examination of a body part or bodily substance, including biological samples; ***identification of a person as provider of healthcare to the individual;*** or any information on e.g. a disease, disability, disease risk, medical history, clinical treatment, or the actual physiological or biomedical state of the data subject independent of its course, ***such as e.g. from a physician or other health professional, a hospital, a medical device, or an in vitro diagnostic test.***

**Amendment 2**  
**Proposal for a regulation**  
**Article 4 – paragraph 1- point 12**

*Text proposed by the Commission*

For the purposes of this Regulation:

(12) “data concerning health” means any information which relates to the physical or mental health of an individual, ***or to the provision of health services to the individual;***

*Amendment*

Personal data related to health should include in particular all data pertaining to the health status of a data subject; any information about the individual collected in the course of the provision of health services to the individual; information derived from the testing or examination of a body part or bodily substance, including biological samples; or any information on e.g. a disease, disability, disease risk, medical history, clinical treatment, or the actual physiological or biomedical state of data subject independent of its course.

*Amendment*

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(12) “data concerning health” means any information which relates to the physical or mental health of an individual;

**Amendment 3**  
**Proposal for a regulation**  
**Article 6 – paragraph 1**

*Text proposed by the Commission*

1. Processing of personal data shall be lawful only if and to the extent that at least one of the following applies:

*Amendment*

1. Processing of personal data shall be lawful only if and to the extent that at least one of the following applies:  
**(g) *processing is necessary for the purposes of preventing and/or detecting fraud.***

**Amendment 4**  
**Proposal for a regulation**  
**Article 7 – paragraph 3**

*Text proposed by the Commission*

3. The data subject shall have the right to withdraw his or her consent at any time. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.

*Amendment*

3. The data subject shall have the right to withdraw his or her consent at any time ***except when the processing of personal data is necessary:***
  - (a) for the execution of the contract,***  
***or***
  - (b) for compliance with legal obligations or***
  - (c) for preventing and/or detecting fraud***

The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.

**Amendment 5**  
**Proposal for a regulation**  
**Article 7 – paragraph 4**

*Text proposed by the Commission*

- 4. Consent shall not provide a legal basis for processing, where there is a significant imbalance between the position of the data subject and controller.***

*Amendment*

*deleted*

**Amendment 6**  
**Proposal for a regulation**  
**Article 9 – paragraph 2**

*Text proposed by the Commission*

1. The processing of personal data, revealing care or ethnic origin, political opinions, religion or belief, trade-union membership, and the processing of genetic data or data concerning health or sex life or criminal convictions or related security measures shall be prohibited.
2. Paragraph 1 shall not apply where:  
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*Amendment*

1. The processing of personal data, revealing care or ethnic origin, political opinions, religion or belief, trade-union membership, and the processing of genetic data or data concerning health or sex life or criminal convictions or related security measures shall be prohibited.
2. Paragraph 1 shall not apply where:  
***(k) Processing is necessary for the purposes of preventing and/or detecting fraud.***