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Brussels, 5 November 2024  
Case No: 88929  
Document No: 1494973

To: Ministry of Labour and Social Inclusion  
Postboks 8019 Dep N-0030  
Oslo Norway

CC: Ministry of Foreign Affairs

**Follow-up letter to the package meeting in Norway on 24-25 October 2024**

Dear Sir or Madam,

On behalf of the Authority, I would like to thank the Norwegian Government for the very useful and constructive meetings and for the hospitality offered to us during the recent package meeting.

The enclosed follow-up letters reflect the Authority's understanding of the results of the discussions that took place during the package meeting and as such, save for correcting minor errors - e.g. dates, we do not anticipate any further changes to the document.

If, however, you find that the Norwegian Government's timetables for adopting further measures are not stated accurately, may I ask you to inform us at your earliest convenience.

May I also kindly ask the Norwegian Government to submit any requested information so that it reaches the Authority by the date indicated in the letter.

Yours sincerely,

Maria Moustakali  
Deputy Director  
Internal Market Affairs Directorate

*This document has been electronically authenticated by Maria Moustakali.*

**Package Meeting in Norway  
24-25 October 2024**

Follow-up letter

**Data Protection  
(Annex XI)**

**Responsible case handlers:**

1. *Own initiative case concerning NAV's processing of IP addresses (Case No 88929)*

The meeting was attended by:

- Camilla Landsverk, Anna Jakobsen, and Jens S. Wolther from AID;
- Siv Skorstad, Trond Eirik Schea, Katrine W. Slokvik, and Hanne S. Thowsen from NAV;
- Anders Bing Sanderup from Helfo; and
- Ciarán Burke, Erlend Leonhardsen and Ewa Gromnicka from the EFTA Surveillance Authority ('the Authority').

The representatives of the Authority thanked the representatives of the Norwegian Government for attending the meeting. The representatives of the Authority recalled that the case had been opened in July 2022 to investigate the application of Regulation 2016/679 (EU), the General Data Protection Regulation ("GDPR"), as well as its predecessor, Directive 95/46/EC in Norway, from 2012 until the present day. The Norwegian Government was requested to clarify the position, current and past practices of the Norwegian Labour and Welfare Administration ("NAV") in relation to the processing and storing of Internet Protocol addresses ("IP addresses") of individuals sending employment status forms to the NAV.

At the 2022 Package Meeting, the Norwegian Government made it clear that the previous regime of tracking IP addresses had ceased and explained the new practice introduced for control purposes (Norway's reply to the follow-up letter of 8 February 2023 Doc No 1351284/ ref. 22/3509-15).

The case was also discussed at the 2023 Package Meeting, when the Norwegian Government presented the main points of the new regime, while the representatives of the Authority enquired about the compatibility of the new regime based on the use of the Currency Transaction Register with the relevant provisions of the GDPR.

In the Reply of the Norwegian Government to the Authority's Follow-Up Letter to the 2023 Package meeting, sent on 8 January 2024 (Doc No 1428332, ref. 22/3509), the Norwegian Government made it clear that NAV had halted all use of the Currency Transaction Register for control purposes until such time as a thorough assessment of the regime has been carried out.

The Authority had addressed a Supplementary Request for Information to Norway on 6 February 2024 (Doc No 1433725). There, the Authority asked three questions of the Norwegian Government, principally pertaining to whether an alternative means of control had been put in place in lieu of the Currency Transaction Register, measures taken to ensure GDPR compliance (including the results of any impact assessment), and details of relevant circulars and relevant instruments enacted for this purpose. The Norwegian Government replied to the Authority's letter on 25 June 2024 (Doc No 1466464; Ref 22/3509). Here, the Norwegian Government presented a brief account of the measures that had been taken, and had promised to follow up at the Package Meeting in 2024.

As such, the meeting chiefly entailed a detailed presentation by the representatives of the Norwegian Government, which made it clear that the Currency Transaction Register is not currently in use for control purposes, and that NAV is currently in the process of undertaking Data Protection Impact Assessments (DPIAs) with respect to the collection of data for control purposes, both on a mass and an individual basis. While some of these DPIAs have been completed, others have not, and NAV is not in a position to comment on the regime that will come to supplant the former one going forward. Nonetheless, NAV supplied the representatives of the Authority with detailed information concerning the necessity and proportionality components of the DPIAs. In addition, information was provided concerning the temporary regime that is currently being used to undertake control in the interim.

The representatives of the Authority impressed upon the representatives of the Norwegian Government that, in the future, it would be very appreciated if the Authority's questions are answered more promptly.

The representatives of the Norwegian Government and the representatives of the Authority thanked one another for the meeting. The representatives of the Norwegian Government requested whether the Authority might provide feedback on a 'draft' of any new control regime before it is enacted. The representatives of the Authority agreed, noting that they would welcome the opportunity to do so.

*The Norwegian Government is requested to provide the Authority, first, with a clear timeline for the steps to be taken with respect to the new control regime, at the latest, by 7 January 2025. This should include when the Authority can expect to receive a draft of the new control regime, how much time the Authority will be allotted to review this regime, and any other steps foreseen, as well as an envisaged date for the coming into force of the new regime.*