

GDPR individual rights – which rights for which legal basis?

| Legal basis | Subject access | Rectification | Erasure (1) | Restriction | Portability (3) | Objection (4) | Automated decisions |
|----------------------|----------------|---------------|-------------|-------------|-----------------|---------------|---------------------|
| Consent | √ | √ | √ | √ | √ | | |
| Contract | √ | √ | | √ | √ | | |
| Legal obligation | √ | √ | | √ | | | √ |
| Vital interests | √ | √ | | √ | | | √ |
| Public interest task | √ | √ | (2) | √ | | √ | √ |
| Legitimate interests | √ | √ | (2) | √ | | √ | √ |

Notes:

- 1) Right to erasure applies under all legal bases where personal data are no longer necessary in relation to the purpose for which they were processed or where the processing was unlawful
- 2) Erasure under these grounds requires the right to objection to be exercised first
- 3) Portability only applies where the processing is carried out by automated means
- 4) Right to objection to direct marketing applies to all legal bases