DATATILSYNET

24 May 2019

Authorisation to process biometric data using automated facial recognition at the entrances to Brøndby Stadium

The Danish Data Protection Agency hereby grants – following referral of the matter to the Data Council – Brøndbyernes I.F. Fodbold A/S authorisation to process biometric data pursuant to section 7(4) of the Data Protection Act, for the purposes of access control using automated facial recognition.

The above processing involves the processing of personal data covered by Article 9(1) of the General Data Protection Regulation([1]). Pursuant to Article 9(2)(g) of the Regulation, the prohibition on processing special categories of personal data does not apply where the processing is necessary for reasons of substantial public interest. Pursuant to Section 7(4) of the Data Protection Act[2] , the Danish Data Protection Agency must grant authorisation for such processing where it is not carried out on behalf of a public authority.
The Danish Data Protection Agency hereby grants – following referral of the matter to the Data Council – Brøndbyernes I.F. Fodbold A/S

Authorisation to process biometric data pursuant to Section 7(4) of the Data Protection Act: access control using automated facial recognition

Authorisation to process biometric data for the purpose of uniquely identifying a natural person, using automated facial recognition, is granted on the following terms:

1. This authorisation applies to the staging of international football matches, football matches – including friendly matches involving teams from the Superliga, the 1st and 2nd divisions – and UEFA-organised football matches at Brøndby Stadium.
2. The imposition of a ban must be based on objective and proportionate grounds in relation to a breach of the rules and regulations of Brøndby IF and the Superliga.
3. Personal data processed as part of the facial recognition system which does not result in a match with information from Brøndby IF's internal ban list must not be stored.
4. Personal data processed as part of the facial recognition system that results in a match with information from Brøndby IF's internal ban list must be deleted immediately after any match at Brøndby Stadium
5. Brøndby IF must comply with the duty to provide information when collecting personal data. Brøndby IF must also, by means of signage or in some other clear manner, provide information that access control is being carried out, including the processing of biometric data using an automated facial recognition system.
6. Personal data processed as part of the facial recognition system must be transferred to and stored in encrypted form on the server using up-to-date and widely recognised encryption algorithms.
7. The surveillance cameras must be installed on a separate VLAN and must not be exposed to the internet.
8. Brøndby IF must control access to the facial recognition system, including
   - authorising staff to operate the facial recognition software and logging manual

searches in the system,
- the use of two-factor authentication in the log-in process.

9. Any changes to the circumstances covered by the application must be notified to the Danish Data Protection Agency.

The above conditions apply until further notice. The Danish Data Protection Agency reserves the right to review these conditions should the need arise.
The above conditions are supplementary and clarifying in relation to the rules set out in the General Data Protection Regulation and the Data Protection Act. It should be emphasised that the data protection rules therefore apply to matters not regulated by the above conditions.
The Danish Data Protection Agency further reserves the right to take a position in the event of any complaint proceedings.

[1] Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC

[2] Act No. 502 of 23 May 2018 on supplementary provisions to the Regulation on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (the Data Protection Act)