

This chart offers the various legal bases for processing personal data under the GDPR and specifies the recitals and articles in the law that correlate to the bases.

Consent	Rec.32, 42, 43; Art.6(1)(a) Processing is permitted if the data subject has consented to the processing.
Contractual necessity	Rec.44; Art.6(1)(b) Processing is permitted if it is necessary for the entry into, or performance of, a contract with the data subject or in order to take steps at his or her request prior to the entry into a contract.
Compliance with legal obligations	Rec.45; Art.6(1)(c), 6(3) Processing is permitted if it is necessary for compliance with a legal obligation under EU law or the laws of a Member State.
Vital interests	Rec.46; Art.6(1)(d) Processing is permitted if it is necessary in order to protect the vital interests of the data subject or of another natural person.
Public interest	Rec.45; Art.6(1)(e) Processing is permitted if it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.
Legitimate interests	Rec.47, 48; Art.6(1)(f) Processing is permitted if it is necessary for the purposes of legitimate interests pursued by the controller (or by a third party), except where the controller's interests are overridden by the interests, fundamental rights or freedoms of the affected data subjects which require protection, particularly where the data subject is a child. This does not apply to processing carried out by public authorities in the performance of their duties.
Additional powers for Member States	Rec.40; Art.6(2) Member States may introduce additional lawful bases in relation to processing carried out for the purposes of complying with legal obligations (see Art.6(1)(c) above) or performing tasks in the public interest (see Art.6(1)(e) above).
Data relating to criminal offences and civil law enforcement	Art.10, 23(1)(j) Personal data relating to criminal convictions and offences or related security measures may only be processed: <ul style="list-style-type: none">• under the control of an official authority; or

- when permitted under EU or member state law.

Any comprehensive register of criminal convictions may be kept only under the control of official authority.

Member States may impose restrictions on the processing of personal data for the purposes of enforcing civil law claims.

Processing Sensitive Personal Data

Rec.51-56; Art.9 The processing of Sensitive Personal Data is prohibited, unless:

- Art.9(2)(a) The data subject has given explicit consent.
- Art.9(2)(b) The processing is necessary in the context of employment law, or laws relating to social security and social protection.
- Art.9(2)(c) The processing is necessary to protect vital interests of the data subject (or another person) here the data subject is incapable of giving consent.
- Art.9(2)(d) The processing is carried out in the course of the legitimate activities of a charity or not-for-profit body, with respect to its own members, former members, or persons with whom it has regular contact in connection with its purposes.
- Art.9(2)(e) The processing relates to personal data which have been manifestly made public by the data subject.
- Art.9(2)(f) The processing is necessary for the establishment, exercise or defence of legal claims, or for courts acting in their judicial capacity.
- Art.9(2)(g) The processing is necessary for reasons of substantial public interest, and occurs on the basis of a law that is, inter alia, proportionate to the aim pursued and protects the rights of data subjects.
- Art.9(2)(h), (3) The processing is required for the purpose of medical treatment undertaken by health professionals, including assessing the working capacity of employees and the management of health or social care systems and services.

- Art.9(2)(i) The processing is necessary for reasons of public interest in the area of public health(e.g., ensuring the safety of medicinal products).
- Art.9(2)(j) The processing is necessary for archiving purposes in the public interest, for historical, scientific, research or statistical purposes, subject to appropriate safeguards.
- Art.9(4) Member states may maintain or introduce further conditions, including limitations with regard to genetic data, biometric data or health data.

Processing for new purposes

Where personal data are to be processed for a new purpose, the controller must consider whether the new purpose is "compatible" with the original purpose taking into account the following factors:

- any link between the original purpose and the new purpose;
- the context in which the data have been collected, including the controller's relationship with the data subjects;
- the nature of the personal data, in particular, whether Sensitive Personal Data are affected;
- the possible consequences of the new purpose of processing for data subjects; and
- the existence of appropriate safeguards (e.g., encryption or pseudonymisation).