

GDPR Article 82: Right to Compensation and Liability

- 1.** If anyone faces material or non-material damage due to the infringement of this Regulation, they will have the right to receive compensation for the damage from the controller or processor.
- 2.** Every controller involved in the processing will be responsible for the damage caused by processing that infringes this Regulation. A processor will be liable for the damage caused by processing only if:
 - It has not complied with obligations of this Regulation specifically directed to processors
 - It has acted outside or contrary to the lawful instructions of the controller.
- 3.** A controller or processor shall be exempt from liability mentioned in paragraph 2 if it proves that it is not responsible for the event causing the damage by any means.
- 4.** If more than one controller or processor, or both a controller and a processor, are involved in the same processing and in cases when they are both responsible for any damage caused by processing according to paragraphs 2 and 3, each controller or processor shall be held responsible for the complete damage to make sure the data subject gets effective compensation.
- 5.** If a controller or processor has paid full compensation for the damage as per paragraph 4, that controller or processor will be entitled to claim back that part of the compensation from the other controllers or processors, who are also involved in the same processing, corresponding to their part of responsibility for the damage, according to the conditions mentioned in paragraph 2.
- 6.** Court proceedings for exercising the right to receive compensation will be presented in the courts qualified as the law of the Member State mentioned in Article 79(2).