

Requests for the right of access

Can I appoint someone else to act on my behalf to exercise my right of access?

Yes, any data subject may **authorise** a person of their choice (such as a legal adviser) to exercise their right of access **on their behalf** with a data controller.

To do so, they must provide the person acting on their behalf with a letter stating the **identity of the principal** (the applicant), **the purpose of the authorisation** (the exercise of the right of access) and **the identity of the authorised representative** (the applicant's representative). This authorisation must also specify whether the authorised representative may be sent the data controller's response.

The principal must also enclose a copy of their identity document with this letter. The authorised representative, for their part, must provide evidence of their authority to act on behalf of the principal.

Can I ask a data controller for access to the data they hold about my deceased spouse?

Yes, Article 20 of Law no. 1.565 of December 3, 2024 provides for a right of access to information concerning **deceased persons**. Subject to any contrary legislative or regulatory provisions, **an ascendant, descendants up to the second degree, the surviving spouse** of a deceased person, or **a cohabiting partner or partner** within the meaning of Law no. 1.481 of December 17, 2019 on civil solidarity contracts, may, provided **they can demonstrate a legitimate interest**, exercise the right of access to information concerning that person.

In addition to proving your identity, you must provide **evidence of your relationship with the deceased by any means**.