

# **Development of personal data protection in the new EU Member States**

**by**

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# **CONVENTION FOR THE PROTECTION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS AS AMENDED BY PROTOCOL NO. 11**

**Rome, 4.XI.1950**

# Article 8

1. Everyone has the right to respect for his private and family life, his home and his correspondence.
2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

# Recommendations of the Committee of Ministers 1/2

- Recommendation R(2002) 9 of the Committee of Ministers to member states on the protection of personal data collected and processed for insurance purposes
- Recommendation R(99) 5 for the protection of privacy on the Internet
- Recommendation R(97) 18 concerning the protection of personal data collected and processed for statistical purposes
- Recommendation R(97) 5 on the protection of medical data
- Recommendation R(95) 4 on the protection of personal data in the area of telecommunication services, with particular reference to telephone services
- Recommendation R(91) 10 on the communication to third parties of personal data held by public bodies

# Recommendations of the Committee of Ministers 2/2

- Recommendation R(90) 19 on the protection of personal data used for payment and other related operations
- Recommendation R(89) 2 on the protection of personal data used for employment purposes
- Recommendation R(87) 15 regulating the use of personal data in the police sector
- Recommendation R(86) 1 on the protection of personal data used for social security purposes
- Recommendation R(85) 20 on the protection of personal data used for the purposes of direct marketing
- Recommendation R(83) 10 on the protection of personal data used for scientific research and statistics
- Recommendation R(81) 1 on the regulations for automated medical data banks

# **DIRECTIVE 95/46/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**

**on the protection of individuals with  
regard to the processing of personal data  
and on the free movement of such data**

**24 October 1995**

# THE CONSTITUTION OF THE REPUBLIC OF POLAND (ART. 51)

1. No one may be obliged, except on the basis of statute, to disclose information concerning his person.
2. Public authorities shall not acquire, collect or make accessible information on citizens other than that which is necessary in a democratic state ruled by law.
3. Everyone shall have a right of access to official documents and data collections concerning him. Limitations upon such rights may be established by statute.
4. Everyone shall have the right to demand the correction or deletion of untrue or incomplete information, or information acquired by means contrary to statute.
5. Principles and procedures for collection of and access to information shall be specified by statute.

# Date of adoption of the acts in new EU Members States

- Estonia – 1996
- Poland – 1997
- Slovenia – 1999
- Latvia – 2000
- Cyprus – 2001
- Malta – 2001
- Czech Republic – 2000 (1992)
- Slovakia – 1998 (1992)

# The powers of data protection authorities

- supervising the compliance of data processing with the legal provisions on the protection of personal data
- considering complaints and issuing administrative decisions ordering the adoption of the proper legal state
- keeping the register of data filing systems and providing information on the registered data files
- issuing opinions on bills with respect to the protection of personal data
- initiating activities to improve the protection of personal data
- participating in the work of international organisations and institutions involved in personal data protection issues

# Thank you for your attention

[www.giodo.gov.pl](http://www.giodo.gov.pl)

[www.ceecprivacy.org](http://www.ceecprivacy.org)