

PERSONAL DATA PROTECTION IN THE REPUBLIC OF CROATIA

Prepared by the Personal Data Protection Agency

Zagreb, May 2006

The Legislation of Personal Data Protection

- Convention 108 and its Additional Protocol were ratified by the Croatian Parliament in April 2005
- Implementation of the EU Directive 95/46 - The Act on Personal Data Protection was passed in 2003
- Implementation of the EU Directive 2002/58 - The Act on Telecommunications was passed in 2003
- Two Regulations were passed by the Government in 2004 (in relation to records on personal data filing systems and technical protection the special categories of personal data)

About the Croatian Personal Data Protection Agency

- In General
- The Agency is legally established body by the Act for the purpose of supervising of personal data processing
- The Agency is a legal person with public tasks, it is independent body and it is responsible to the Croatian Parliament
- The Director and the Deputy Director were appointed by the Croatian Parliament's Decision in April 2004
- The Agency has 21 employees at the moment
- Business address: Pantovcak 258, Zagreb
- Web site: www.azop.hr

The structural organization of the Agency

- Department for the Administrative Supervision
- Department of the Central Register and IT
- Department of Legal and Joint Affairs

Main Tasks of the Agency

- To supervise the implementation of personal data protection
- To indicate the violations noted during personal data collecting
- To compile a list of countries and international organizations which have adequately regulated personal data protection
- To resolve the demands for the protection of personal rights which are guaranteed by the law
- To maintain the Central Register in which the records on personal data files are being collected according to the law

Agency competences of supervision of the data controllers

- To send warning to the data controllers about the irregularities in the personal data processing
- To issue a decision which would settle up the irregularities
 - to order for the irregularities to be eliminated
 - to issue temporary prohibition of the personal data processing
 - to order erasure of the data
- The Agency may propose to start a lawsuit against this law violation

Regular activities of the Agency

- ADMINISTRATIVE SUPERVISION

The Agency has performed about 200 administrative supervision of the data controllers in public and private sectors. Agency brought many administrative decisions which refer on requests regarding violations of data subject's rights.

- THE CENTRAL REGISTER

Central Register of databases containing data on data controllers is under development.

- ACTIVITIES REGARDING PERSONAL DATA PROTECTION LEGISLATION

The Agency participated in making the Draft of the Act on Ratification of the Council of Europe's Convention 108 and the Additional Protocol of the Convention

- RESPONDING SUBJECT'S REQUESTS REGARDING PERSONAL DATA PROTECTION

Responding to requests regarding harmonisation of the personal data file systems with the Act.

Making opinions on adequacy of personal data protection in other countries

Main Activities Planned During 2006

- **RAISING AWARENESS AND PROMOTING SOUND DATA PROTECTION**
Rights of data subject, improvement of the quality of the personal data, the design of efficient systems for the information to the citizens regarding the collection of personal data, the management of the data subject's consent for the processing of personal data, data security, duty of secrecy, etc...
- **THE CENTRAL REGISTER**
Collecting the records on filing systems from the data controllers.
- **COOPERATION WITH OTHER COUNTRIES**
Continuing cooperation with other countries, participating in EU meetings, visits to national supervisory bodies in other countries with purpose of exchange information and experiences.
- **A SUPPLEMENT TO THE ACT ON PERSONAL DATA PROTECTION**
is to be completed by the end of September 2006

Public Activities

- Participation of the Agency's representatives on TV and radio programs about data protection issues
- Articles on our Agency published in some of the most important daily newspapers in Croatia

Thank you for your attention