



Country or jurisdiction report

POLAND

Website: www.giodo.gov.pl

1. January 28th 2007 saw the first celebration of the Data Protection Day, established on the initiative of Council of Europe. It featured many events, in which the Inspector General actively participated. Among the most important ones was the Conference “Personal data protection – a guarantee or a threat to privacy?” organised by the Inspector General for Personal Data Protection, Mr Michał Serzycki and by the Chancellor of Kozminski Business School in Warsaw, under the patronage of the Marshall of the Sejm, honoured by the presence of numerous representatives of scientific circles specialising in personal data protection, as well as members of Parliament and representatives of government authorities. The Inspector General for Personal Data Protection announced a number of educational actions aiming at increasing the public awareness in the field of personal data protection and the right to privacy and hence at increasing the protection of personal data in Poland. On January 31st celebrations took place at the premises of the Permanent Representation of Poland to the European Union in Brussels. Inspector General also gave a number of interviews for the press and for various television channels.
2. In 2007, the Inspector General launched a wide-ranging educational campaign aiming at increasing social awareness in the field of data protection.

The educational actions comprised drawing competitions for children entitled “Privacy around me” and a competition for the best MA thesis on data protection. Furthermore, the Inspector General signed an agreement with one of Warsaw business schools concerning the creation of postgraduate studies in data protection.

The employees of the Bureau of the Inspector General for Personal Data Protection carried out a number of workshops for the employees of other institutions, including major government authorities such as the Chancellery of Sejm and Senat, the Ministry of Foreign Affairs, the Customs Office and the National Bank of Poland. They also participated actively in the events organised by other entities. In order to bring the data protection issues closer to the general public they also took part in the Customs Service Conference in Olsztyn and in the scientific Conference “10 years of the Polish Data

Protection Act” organised by the University of Torun. A number of educational meetings with the students of various Polish universities have also been carried out.

The Bureau of the Inspector General for Personal Data Protection also cooperates with the Polish deputies to the European Parliament, organising workshops in personal data protection. The framework of educational actions planned for the year 2007 also comprises the Conference “Right to Privacy in Surveillance Society” which is to take place in Warsaw on October 22nd-23rd.

3. The Inspector General for Personal Data Protection, within the framework of his statutory duties, participates in the legislative works concerning the regulations in the field of data protection. At present, works on the reform of the Telecommunications Act of July 16th 2004 are under way. Despite proposals of prolonging the 2-year term of retention of traffic data, the Inspector General strives to maintain this term in order to retain compliance with the directive 2006/24/EC on the retention of data generated or processed in connection with the provision of publicly available electronic communications services or of public communications networks and amending Directive 2002/58/EC. Moreover, the Inspector’s interventions led to the creation of legal framework for the processing of data in a new application that is being created: the National Electronic System of Monitoring the Determination of Disability, processing the data in order to enhance and improve the quality of determination of disability (Law of 15 June 2007 amending the law on social and professional rehabilitation and on the employment of the disabled persons, amending certain other Acts).

At the same time, it needs to be underlined that, in spite of numerous interventions and critical remarks of the Inspector General, the amendment to the Banking Act from April 1st 2007 introduced the possibility of storing the information on individuals for a period of 12 years from the moment of expiration of their liabilities, without the consent of the data subject. Such information may be used by banks using statistical methods in credit rating.