



## Country or jurisdiction report

### **SLOVAK REPUBLIC**

Website: <http://www.dataprotection.gov.sk>

1. The latest amendment of the Act on Personal Data Protection was considered to be an adequate response to the comments raised by the European Commission in the previous years. It became effective on May 1, 2005. Despite of this fact the Office for Personal Data Protection of the Slovak Republic asked the European Commission, Directorate-General Justice, Freedom and Security Data Protection Unit to review this amended in detail. The aim of it was to reach maximum possible harmonization of the Act on Personal Data Protection with the Directive 95/46/EC.

The discussion aimed to find appropriate solutions for an effective contribution to the personal data protection in Slovak Republic. We have received recommendations and new ideas of European Commission which will serve as a base during the next round of the Act on personal data protection amendment process at the end of this year.

2. On March 21<sup>st</sup> the Slovak Republic was visited by Schengen evaluation mission who supervised the implementation of the Schengen acquis - status of the fulfillment of obligations given by recommendations from February 2006 by preceding mission that have visited the Slovak Republic.

On behalf of Slovak Republic, experts and officials from the Ministry of Interior of the Slovak Republic, Ministry of the International Affairs of the Slovak Republic and our Office for Personal Data Protection of the Slovak Republic participated on evaluation meetings. By the Slovak Governmental Decree No 981/2006 the commissioner of the Slovak Government responsible for admission of the Slovak Republic to Schengen Area and the relevant inter-sectorial executive management group was nominated.

Three (3) main fields were evaluated :

- legislative framework for implementation of the SIS and SIS One4All in particular status, competences and functionality of the Office for Personal Data Protection (interventional, investigative/controlling and penal competencies of our Office)
- procedures for the Schengen visa issuing process

- Information campaign for the citizens about their rights and obligations in the framework of the Schengen Information System. Among other things about changes that will take place during our admission into Schengen area from citizens perspective.

Five Slovak Diplomatic Mission Offices in the third countries (in Russia, Ukraine, Belorussia, Serbia and Croatia) were visited by our Office and the audit of their information systems from the personal data protection perspective were carried out. Inspections were the best way to prove our independence and inspection competences to members of Schengen evaluation group.

The evaluation discussion and interviewing was highly professional and constructive. We have satisfied relevant requirements that were given to Slovakia within the Schengen evaluation process. According to this evaluation, it was necessary to make changes in legislation concerning the establishment of data controller and clarification of relations between data protection authority and other subjects dealing with Schengen Information System. New amendment of the Act on Police Force is now in force and Ministry of Interior of the Slovak Republic is a data controller of all police information systems including Schengen Information System.

3. The Slovak e-government development process became to be led from the highest possible governmental level by Deputy Prime Minister of the Government of the Slovak Republic for Knowledge-Based Society, European Affairs, Human Rights and Minorities. The Government's priority is to develop better and user-friendlier public services. The Office for Personal Data Protection of the Slovak Republic will play its supervisory role concerning processing of personal data in new electronic information systems, that will be created in this process.
4. Although there was no change in general legislation of personal data protection (Act on personal data protection), we have noticed some changes in Acts considered as *lex specialis*. It's not necessary to mention all small amendments, as an example the Act on Banks can be noted. The change was concerning a retention period of video surveillance recordings. In this draft, former one and half month has been extended to one year. Our Office has sent strong opposing comments to this piece of legislation but it passed through government and government decided that extension is needed. Parliament said YES also and therefore retention period of video surveillance recordings made by cameras in banks is 12 months now in Slovak Republic.