

/ NATIONAL COMMISSION JL DEPROTECÇÂODEDATA

Request

OPINION/2019/13

The Chief of Staff of the Secretary of State for Justice is asking the National Data Protection Commission (CNPd) to comment on the Draft Ordinance amending Ordinance No. of electronic processing of cases in the courts'.

The request made and the opinion issued now derive from the attributions and powers of the CNPD, as an independent administrative entity with powers of authority to control the processing of personal data, conferred by subparagraph c) of paragraph 1 of article 57 and by the paragraph 4 of article 36 of Regulation (EU) 2016/679, of 27 April 2016 (General Regulation on Data Protection - RGPD), in conjunction with the provisions of paragraph 1 of article 21, ° and no. 1 of article 22, both of Law No. 67/98, of October 26, amended by Law No. 103/2015, of August 24 (Personal Data Protection Law - LPDP).

II. appreciation

The draft ordinance under analysis is limited to postponing the application of some of the measures provided for in Ordinance no. and the entry into force of the changes provided for on April 2 by Ordinance No. 267/2018 is not absolutely urgent, the postponement of this application to September 11, thus contributing to the success and smooth implementation of all amendments referred to, in addition to allowing courts and other forensic professionals a longer period of adaptation and monitoring of the same.». To this end, paragraph 5 of article 18 of that paragraph is amended, appointing September 11, 2019 as the new date from which the content of that same item will be fully applied.

Since no substantive aspect is now changed, namely in terms of data protection, there is nothing to report on the part of this Commission.

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Process No. PAR/2019/18 1v.

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III. Conclusion

As it is a mere postponement of the application of some of the measures of Ordinance no.

Lisbon, March 21, 2019

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