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UOOU-04351/21

The inspection was launched based on information available in the media, according to which the city was supposed to use cameras equipped with artificial intelligence, including facial recognition software, to monitor the streets. The subject of the inspection was compliance with the obligations set forth by the GDPR and Act No. 110/2019 Coll., on the processing of personal data, in connection with the processing of personal data of data subjects when using the camera system. The inspection focused on the potential use of facial recognition technology.

As part of the inspection, an oral meeting and a local investigation were carried out, in the framework of which a software solution was presented, or system with advanced functions for working with camera recordings. Among the functions of the used system, the manufacturer presents functions for processing the face through automated recognition. Specifically, there are two modules, namely the face search module and the face recognition module. However, the installation of these modules was not identified in the service system during the local investigation. In the same way, functions for evaluating gait or other methods of biometric recognition through camera recordings with the aim of unambiguous automated identification of specific persons have not been identified. It can thus be concluded that the so-called facial recognition function is not used by the city. The inspection did not reveal any violation of obligations in the area of personal data security (Article 24, paragraph 1, Article 25, paragraphs 1 and 2 and Article 32 of the GDPR). Furthermore, there was no violation of the legality of personal data processing (Article 6, paragraph 1 of the GDPR), nor a violation of the obligation to provide information (Article 12, paragraph 1 and Article 13 of the GDPR).

The inspectors found minor errors in the records of processing activities (Article 30 GDPR), in which the name and contact details of the administrator and the personal data protection officer were not indicated (obligation arising from Article 30, paragraph 1, letter a) of the GDPR).

The inspected person did not object to the inspection findings.

Additional information:

Keeping records of processing activities is governed by Article 30 of the GDPR. The information that the records must contain is listed in the first paragraph (for administrators) and the second (for processors). Records are always made in writing

(including electronic form) and must be provided to the Office upon request.

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