

NATIONAL DATA PROTECTION COMMISSION

OPINION/2020/143

The Offices of the Ministers of Justice and Modernization of the State and Public Administration submitted to the National Data Protection Commission (hereinafter CNPD), for an opinion, the draft Ordinance that makes the first amendment to Ordinance No. 12 March, which defines the terms and conditions of use of the Professional Attributes Certification System (SCAP) for the certification of professional, business and public attributes through the Citizen Card and Digital Mobile Key.

The CNPD issues an opinion within the scope of its powers and competences as an independent administrative authority with powers of authority to control the processing of personal data, conferred by subparagraph c) of paragraph 1 of article 57, in conjunction with subparagraph b) of paragraph 3 of article 58, and with paragraph 4 of article 36, all of Regulation (EU) 2016/679, of 27 April 2016 - General Regulation on Data Protection (hereinafter GDPR), in conjunction with the provisions of article 3, paragraph 2 of article 4, and paragraph a) of paragraph 1 of article 6, all of Law No. 58/2019, of 8 August, which enforces the GDPR (hereinafter LE) in the domestic legal system.

This draft ordinance aims to make it possible to use the business attributes of the Professional Attributes Certification System (SCAP) for signing electronic invoices, making the first amendment to Ordinance No. 73/2018, of 12 March.

The Ordinance draft does not introduce any new features from the point of view of personal data protection, so the CNPD has nothing to report.

Lisbon, December 3, 2020

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