

DECISION  
on the cessation of processing operations  
of personal data

November 7, 2014 mun. Chisinau

Director of the National Center for Personal Data Protection of  
Of the Republic of Moldova, Vitalie PANIȘ, based on the accumulated materials, -

FIND:

On June 27, 2014, the National Inspectorate of Investigations of the General Inspectorate of the Police, submitted to the National Center for Character Data Protection Staff of the Republic of Moldova (Center), addressing cet. AD of June 2, 2014, in which the alleged act of threat / blackmail with physical quarrel on the part of one / some was invoked unknown persons, under the pretext of publishing personal data concerning the petitioner, in exchange for giving up the activity of denouncing prejudicial facts committed by road traffic participants.

Preliminary examination of the text of the petition only in the part concerning the circumstances which claim to be contrary to the principles of personal data protection (collection / processing / disclosure of personal data in the absence of consent of the data subject) - elements clearly inferior to the gravity of the facts pleaded guilty, pointed out that the address submitted to the Deputy The Parliament of the Republic of Moldova, Mr. Ion Ceban, was submitted for examination The Center, the General Prosecutor's Office, the Ministry of Internal Affairs and the Inspectorate Police General. As a result, the addresses were merged by the National Inspectorate of Investigations of the General Inspectorate of Police, in a single control material, being sent to the Center.

Respectively, on July 2, 2014, the Center initiated the examination of the address of cet. AD in order of control material.

By interpellations no. 02-06 / 983 of July 18, 2014, no. 02-06 / 1112 of 29 August 2014, no. 02-06 / 1241 of September 26, 2014 and no. 02-06 / 1324 of 16 October 2014, The center requested the Ministry of Internal Affairs to provide information on the purpose and the legal basis for accessing / processing personal data concerning cet. AD, as well as the recipients to whom information with limited accessibility has been disclosed aims at the data subject, taking into account the extract from the audit of the State Register of The population that denotes the de facto operations performed through technology Common Object Interface.

As a result, by answer no. 8/6162 of September 12, 2014 signed by the Chief Deputy of the Information Technology Service of the Ministry of Internal Affairs of Of the Republic of Moldova, Dan Chirița, it was found that the data processing operations with

personal character concerning the cet. AD were performed by its employees subdivisions using Common Object Interface technology, through Register of forensic and criminological information, from the State Register of population.

In essence, under the pretext of identifying the domicile address of the cet. AD, who had as a witness to the denunciation of alleged contraventions, authorized users of the Registry of Forensic and Criminological Information have used this resource state information contrary to the destination and the provisions of point 8 subpoint. 1) of Regulation on the organization and functioning of the Automated Information System "Register of forensic and criminological information", approved by Government Decision no. 328 of May 24, 2012, according to which the Ministry of Internal Affairs, according to competence, organizes and keeps records:

- notifications about crimes and contraventions;
- crimes, criminal cases and persons who have committed crimes; contraventions, the persons who committed them and the sanctions that were applied these people;
- the persons announced in search, missing without a trace, the corpses and the sick unidentified;
- persons recognized as injured parties in criminal cases;
- stolen, detected, seized objects (marked and antique objects, documents, weapons, means of transport, etc.); other forensic and criminological information, in accordance with the legislation in force;
- the subjects of the legal relations in the field of creation and functioning of the Register.

Thus, the witnesses who denounced certain contraventions are not part of subjects whose records are to be kept in the said information system, in accordance the provisions set out above.

Moreover, the use of this state information resource in the conditions under which the identifiers of the data subject / witness who reported more contraventions could be extracted from the user profile of the section “Witness ocular ”of the site [www.pr.gov.md](http://www.pr.gov.md) and / or through the SIA technology“ ACCESS-WEB ”.

Taking into account the discrepancies in procedure and form set out above, in accordance with the provisions of art. 20 para. (1) lit. a), e), art. 27 para. (3) of the Law on protection of personal data, Chapter II point 3 letter a), b), d) and point 6 letter a) al Regulation of the National Center for Personal Data Protection, approved by Law no. 182-XVI of July 10, 2008, -

HAVE:

1. The Ministry of Internal Affairs of the Republic of Moldova shall cease immediately personal data processing operations through technology Common Object Interface, regarding personal data subjects that are not find in the provisions of point 8 subpoint. 1) of the Regulation on the organization and

operation of the Automated Information System “Forensic Information Register and criminology ”, approved by Government Decision no. 328 of May 24, 2012 (de example: witnesses, third parties, etc.), performed by authorized users of Register of forensic and criminological information.

2. Information of the National Center for Personal Data Protection about the actions taken in order to execute this decision, within 10 days from the date of receipt of this Decision.

3. The decision with the right to appeal in order of administrative contentious within 30 of days.