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## **DECISION**

the termination OPERATIONS for processing the data of character personnel

"29 " AprilZ015

mun. Chigindu

(consultation) a

NATIONAL director of the Center for PROTECTION Data with Personal of Republic of Moldova, Vitalie PANI \$. Requiring from the materials accumulated in the frame control no. 02-fllZ1 / 15, -

## FIND:

On 25 February 2015 the Center NATIONAL for DATA PROTECTION with Character Staff of the Republic of Moldova (the Center), on grounds of art '19 para' (1), art ' p) of the Act DATA PROTECTION with character personal 'to 20 para. (1) lii. a), D, started verifying the applicability of the legislative framework in the field of data protection with the personal data stored in resources informalionale the state managed iS 'CzuS'Registru', within the control rtr.02-II | 2I / 15 initiated in this respect '

the species it, control s<sub>a</sub> focused on determining the level of implementation of the principles the PROTECTION of personal data in the provision of services of access to informality stocatd in Register State of populaliei c6tre entitalile public qi private '

Thus, during the control, the presentation of IS "CRIS" Register " was requested INFORMATION relevant, such as:

1. List entitaliloi public qi private beneficiary of sewiciilor informalionale provided on a conhactual basis by iS 'CRIS "Registru", which have acc.es to informalia stoca6 in the state negisirut of the population, with the express indication of: the name of the entity, the number qi contract num6rului of utilizalori a.utofiz ^ ti on each entity in part.

2. The statistics on OPERATIONS the processing of data character personal ' stored in Regishul the state of populaliei, performed in between 01 January 2014 - 31 December Z0i +, by the authorized users, on each entity in the file, in the format:

a) the total number of access operations for the purpose of 'review

stored in the State Register of Population, on each entity in pafte '

informaJiilor that vizeazd subieclii of data with personal data; b) numbrul total of OPERATIONS for accessing unusual for extraction (printing) to

RESPECTIVE INFORMATION; c) the number of Operations of access the purpose of viewing (consultation) of

the data with personal on each entity in in the lormals that target the subjects pafie; of information 1) numdrul OPERATIONS for accessing unusual extraction (print)

AlgltUl document contains {our data personal camcler 'processed In the sistemului of Evid € N16 No' 0000001-011 ' registered in "\* u"i."iri! 9h of ill'M," zo"14 negan int interprete tibilitata tith estimate at Iy: " L] lg: \* ":: i \*' ' Registrur de evidenra ar ope, uto "ro, o " out" . " can be electrified only in the @ndiliile Provided by the Law (

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3. The number of entities with which iS "CRIS "Registru" has perfected Vreperfect the contacts for the provision of the mentioned services, according to the new model coordinated with The center and the number of entities that have access to the data stored in the informal resource indicated above in contract bases according to the previous model.

Reieqind of informality acumulatd in the control, it was found an Appointment great for entities of as public qi of as private recipient Of services Information provided by iS "CZ-USA" Register " in the SCI" Acces-web ", which prelucreazil data of character personnel, stored in resource informalionali menlionat'6, contrary prevederil Or Article 23 qi article 34 par. (4) of the Act preteclia data with Personal GI Regulation Registry records! 6 of operators data personal character, approved by Government Decision no. 296 of May 15, 2012, not being recorded in quality of operatori2 in the Register of evidenli the operators of data with personal.

in accordance with the provisions of art. 4 para. (1) lit. a) of the Law on protection personal data, data character to him which are subject prelucririi have and be processed in correctly qi according to the provisions of law '

According to art. 23 para. (1) of the aforementioned law, the operators are obligatory and notified The center staff or through people imputemicite of cdtre them ahead of the process data character personally designed sd serveased a purpose

Also, cupitol., L4 (entitled "Beneficiary's Obligations") of the contracts prestdri services informalionale by the SIC "Acces-web", concluded according model act..alizar, coordinated with Center, between iS "CRIS." Register "qi entity6, tile beneficiaries of these services, in particular, the provisions of point 4.8 let. n) qi pct '4'9 lit' e) din But statueazd express oblicatia beneficiary of the is iffeqistra in Registful of qi, respectively, rea) izarca cerin @) g ilor de ident6 a onal ucrarea of character data

ivind unlawful of measures the data with personal '

Subsequently, point 7.2 9i Point. 7.3 of the chapter 7 (entitled "Rdspunderea p64ilot") from exhaustive the contracts mentioned above, 4 of the contract i- The Provider

.5 ... "in case of failure ucyqdglll9! be into change in mod rlieze services delivery lor re "Into the incdl vafiin mentioned ersonal inform@

presented by iS "Cnts" register ", it was found ? ptul populaliei qi prelucreazd data of character personnel that are Conlin in this resource

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It can be performed only In cotdillile prevdzute the Leg ( , onu r: am Ot; utr"zot t privited prolectia dalelor cu camcler Personal '"jl :...: 11 ^ T:" '"\* Page 2 of I

informalionali principall the state, including some having concluded contracts model actralizal, which obliges the beneficiaries to comply with the activity related to the processing data of character personal to the law enunlate over 'do not have notified

As the operators in the Register of evidenld the operators data of character personnel. the basis of the set, the circumstances of which found the point qi descriese in this decision, in conjunction with the legal provisions in the field of data protection with character personally calificb as being ilegald processing data with caxacter staff stored in the State Register of Population, by cAtle persons of public law qi of law private - personal data operators, who are not registered in the Register of evidentd the operators data of character personnel.

systems evidenJl data with personal 5i managed not were registered in

9i para. (2) letter d) in grounds of aft. 19 para (1), ert.20 para. (1) lit. a) 'e) the Law on PROTECTION data of character personnel, Chapter II, pt. 2 qi pt. 3 lit 'd) of Regulation Center Na TIONAL for PROTECTION Data with personal

approved by Law no. 182-XVI of July 10, 2008, the director of the National Center for Protection of Personal Data of the Republic of Moldova ' -

## HAVE:

1. Ministry of Technology INFORMATION qi COMMUNICATIONS of the Republic Moldova, the common iS "Center Resources Informalionale of State " Register " will in base contracts immediately cease the processing of personal data performed provision of senriciilor informalionale by the SIC "Acces-web" CALRE all the beneficiary entities, which process personal data contrary to the provisions of art. 23 qi eu: t.34 alin. (4) of the Law on the protection of personal data '

2. This decision shall enter into force on the date of issue, shall be published on the website official of the National Center for Personal Data Protection of the Republic Moldova. 3. Decision the right of attack in order to contentious administration officer h within the 30

for days.

Vitalie PAIrII \$ Director

t! "W