

LAW no. 682 of 28th November 2001 on the ratification of the Convention on the protection of individuals with regard to automatic processing of personal data, adopted in Strasbourg on the 28th January 1981

The Romanian Parliament adopts the following law.

Article 1

The Convention on the protection of individuals with regard to automatic processing of personal data, adopted in Strasbourg on the 28th January 1981 and signed by Romania on the 18th March 1997, is hereby ratified.

Article 2

On the occasion of submitting the instrument of ratification of the Convention, the following declarations will be brought to the attention of the General Secretariat of the Council of Europe:

1. At article 3 point 2 letter a):

"This convention does not apply to personal data processing which is part of a filing system when:

- a) they are carried out within the activities in the field of national defence and national security, within the limitations and restrictions imposed by law;
- b) the processing refers data obtained from documents available to the public according to the law;
- c) they are carried out by individuals, exclusively for their personal use, if that data are not meant to be disclosed."

2. At article 3 point 2 letter b):

"This convention will also be applicable to the processing of personal data carried out within the legitimate activities of a foundation, association or any other non-lucrative organisation, with a political, philosophic, religious or trade union character, on the condition that the data subject is a member of that organisation or regularly maintains contact with that organisation in relation to the specific activities of that organisation and that the personal data are not disclosed to third parties without the data subject's consent."

3. La article 3 point 2 letter c):

"This convention will also apply to personal data processing carried out through means other than automated ones, which are part of a filing system or are destined to be included in such a system.

The national competent authority is the National Supervisory Authority for Personal Data Processing."

This law has been adopted by the Chamber of Deputies in its sitting of 18th September 2001, with the observance of article 74 paragraph (2) of the Romanian Constitution.

PRESIDENT OF THE CHAMBER OF DEPUTIES,

VALER DORNEANU

This law has been adopted by the Senate in its sitting of 5th November 2001, with the observance of article 74 paragraph (2) of the Romanian Constitution

f. PRESIDENT OF THE SENATE,

PAUL PĂCURARU

ANNEX:

Convention on the protection of individuals with regard to automated processing of personal data

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