



REGULATION of the 2nd of November 2005 on the organisation and functioning of the National Supervisory Authority for Personal Data Processing, with further amendments and completions, including the ones from the Decision no. 8/2019 of Standing Bureau of the Senate

CHAPTER I: General provisions

Article 1

The National Supervisory Authority for Personal Data Processing is a public authority with legal personality, autonomous and independent in relation to other authority of the public administration, as well as to any natural or legal person from the private sector and aims at protecting the fundamental rights and liberties of natural persons, in particular the right to intimate, family and private life with regard to the processing of personal data and the free movement of such data.

Article 2

The National Supervisory Authority for Personal Data Processing, hereinafter the Authority, is organised, functions and carries out its competences in accordance with the provisions of Law no. 102/2005 on the set up, organisation and functioning of the National Supervisory Authority for Personal Data Processing, republished, hereinafter Law no. 102/2005, in accordance with the provisions of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC, hereinafter the General Data Protection Regulation, in accordance with the provisions of Law no. 190/2018 on implementing measures to Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation), hereinafter Law no. 190/2018, in accordance with the provisions of Law no. 363/2018 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, educative and safety measures, and on the free movement of such data, hereinafter Law no. 363/2018, in accordance with the provisions of the other legal acts applicable in the field of the processing of personal data, as well as in accordance with the provisions of this regulation.

Article 3

The Regulation on the organisation and functioning of the Authority, hereafter named regulation, establishes the organisational chart and the tasks of the department and of the positions herein, rules regarding the recording and distribution of mail received and of other documents drafted within the Authority, as well as the rules applicable to its staff.

Article. 4

The provisions of this regulation shall be interpreted and enforced in compliance with the provisions of Law no. 102/2005, of the General Data Protection Regulation, of other legal acts applicable in the field of processing of personal data, of the legal regulations applicable to the management positions and specialised execution positions specific to the departments of the

Parliament, positions of public dignity, as well as those applicable to the contractual staff, as the case may be.

CHAPTER II: Organisational chart and the management of the Authority

Article 5

(1) The Authority performs the tasks provided by the General Data Protection Regulation, by Law no. 102/2005, by Law no. 190/2018, by Law no. 363/2018 and by other legal acts applicable in the field of processing the personal data.

(2) The regulation, together with the organisational chart are drafted by the Authority and are approved by the Standing Bureau of the Senate.

(3) The maximum number of positions, except the dignitaries, is 85.

(4) The state of functions and the structure of the positions by departments are approved by the president of the Authority, according to the law.

(5) Within the organisational chart approved in accordance with paragraph (2), by decision of the president of the Authority, may function compartments, temporary committees, as well as other functional structures necessary to fulfil the legal tasks.

Article 6

(1) The Authority is headed by a president who, within the exercise of its tasks, is assisted by a vice-president.

(2) The president exercises the tasks provided by Law no. 102/2005, as well as the following tasks:

a) presents the annual report of activity of the Authority during the plenary of the Senate of Romania;

b) signs the report, the notifications to criminal investigation authorities and to courts, the authorisations, the decisions, the opinions, the recommendations, as well as any other documents necessary for the well-functioning of the activity of the Authority;

c) approves the performance of the investigations and empowers the persons with control competences, in accordance with the applicable procedure;

d) approves the payroll and the job description for the staff of the Authority;

e) approves the organisation of the exams for filling the positions within the Authority, as well as the general and specific conditions for filling these positions;

f) assigns and hires the staff within the structure of the Authority and amends the legal relations of service or, as the case may be, the labour, with their agreement;

g) exercises the disciplinary authority on the staff of the Authority, according to the law;

h) sings the correspondence with the management of similar foreign authorities, as well as other international institutions or organisations;

i) approves the travels aboard of the staff;

j) approves the individual components of the Authority's delegations that attend the reunions of the European and international bodies where the Authority is a member;

k) approves, offer guidelines and coordinates the professional training program of the specialised staff, including the conducting of exchange of experience with similar foreign authorities;

l) approves the annual vacation planning and performance;

m) approves the performance and payment of extra working hours;

n) approves the timetable for the public relations;

o) exercises control over the departments within the Authority;

p) may delegate, under the law, a part of its tasks to other members within the Authority;

p¹) designates the data protection officer for the Authority and establishes its tasks, by decision;

q) exercise any other tasks determined by the law.

Article 7

- (1) Along side the president it functions the Advisory Council of the Authority, as an advisory structure.
- (2) The Advisory Council's components and functioning are approved by a decision of the president.

Article 7¹

- (1) Within the Authority, it is organised and functions the president's office whose staff is hired according to the law.
- (2) Within the president's office, a counsellor and an expert can perform their activity, under the coordination of the cabinet director, according to the decision of the president of the Authority.

Article 8

- (1) In order to exercise the tasks regarding the internal activity of the Authority, the president issued decisions.

Article 9

The vice-president of the Authority fulfils the following tasks:

- a) coordinates the activity of drafting the annual report of the Authority;
- b) signs the draft budget of the Authority and its rectification proposals;
- c) coordinates the activity of professional training of the Authority's staff and makes proposals for its improvement which are presented to the president of the Authority;
- d) exercise the tasks established by decision of president of the Authority;
- e) fulfils the tasks of the president of the Authority in case of temporary impossibility of exercising the position, according to the law;
- f) fulfils any other tasks established by the president of the Authority, according to the law.

Article 10

The heads of the departments within the Authority have the following tasks:

- a) coordinate and are responsible for the activity of the departments they manage and ensure the smooth functioning of their activity;
- b) present periodical reports or following the request of the high management of the Authority with regard to the activity performed;
- c) participate in drafting the annual report and of other documents with a special degree of complexity or importance;
- d) distributes the documents to the staff under their management and follow the way of solving them;
- e) sign the performed documents and correspondence within the department they manage;
- f) inform the staff of the departments with regard to the decisions taken by the high management;
- g) make proposal on the improvement of the activity of the departments they manage and submit the proposals of the staff under their management for approval by the high management;
- h) evaluate the staff under their management;
- i) propose the structure of the expenses necessary for the good organisation and functioning of the departments they manage, in order to be included in the budget proposal of the Authority;
- j) propose measures with reference to archiving the documents of the departments they manage and are responsible for keeping the archived documents until they are submitted to the archive of the Authority;
- k) exercise other tasks established in the job description or established by the president of the Authority.

Article 11

- (1) The audit activity is organised and is subordinated to the president of the Authority, according to the law.
- (2) The internal public audit fulfils the following tasks:
- a) elaborates specific methodological norms, by obtaining their approval by the Central Unit of Harmonisation for Internal Public Audit;
 - b) elaborates the draft annual plan for internal public audit;
 - c) performs activities of internal public audit to assess whether the financial and control management systems of the Authority are transparent and comply with the rules of legality, regularity, economics, efficiency and effectiveness;
 - d) informs the Central Unit of Harmonisation for Internal Public Audit of the recommendations which were not approved by the president of the Authority, as well as of their consequences;
 - e) reports periodically the findings, conclusions and recommendations resulting from the audit activity to the president of the Authority;
 - f) elaborates the annual report of the internal public audit activity approved by the president of the Authority;
 - g) reports immediately to the president of the Authority the identification of irregularities or possible damages;
 - h) exercises any other tasks established by law, regulation or internal rules.

CHAPTER III: Tasks of the departments of the Authority

Article 13¹

- (1) The Control Department fulfils the following tasks:
- a) elaborates and proposes for approval the procedure for carrying out the investigations;
 - b) elaborates and proposes for approval the standardised forms for the notification of personal data breach, in accordance with the General Data Protection Regulation and with Regulation (EU) no. 611/2013;
 - c) elaborates and proposes for approval the standard form for declaring the data protection officers and keeps their records;
 - d) proposes and substantiates the necessity of adopting normative decisions and instructions if this results from the specific activity carried out, as well as from other decisions regarding the activity of the department;
 - e) establishes the format of the registers provided for in Article 19 paragraph (1) letters c) and e);
 - f) receives and ensures the settlement of the intimations, of the requests regarding the investigations performed and of the documents distributed;
 - g) keeps records of the correspondence distributed and of the one drawn up within the department;
 - h) receives and keeps records of the intimations, of the notifications of personal data breach, assesses them and proposes, as the case may be, to take corrective measures in accordance with the law;
 - i) elaborates the draft of the annual thematic plan of ex officio investigations and submits it for approval to the president of the Authority;
 - j) proposes and conducts investigations, in accordance with the law and the approve procedure, and draws up the documents necessary for their performance;
 - k) submits for approval of the president of the Authority the proposal for obtaining the judicial authorisation, in the cases provided by law, according to the approved procedure;
 - l) may participate in performing investigations for handling complaints, according to the orders of the president of the Authority;
 - m) imposes the administrative sanctions and the other corrective measures or, as the case may be, proposes the measures that are required as a result of the performance of the investigations and elaborates the draft recommendations and decisions implementing the corrective measures provided by law, in accordance with the approved procedure;

- n) participates in joint operations carried out on the territory of Romania or of other Member States, according to the applicable legal regulations;
 - o) transmits for execution the decisions of the president of the Authority and the minutes of finding/sanctioning and seeks the observance by the controllers of the orders of the Authority;
 - p) draws up and transmits the documents for the execution of fines imposed following the performance of investigations, according to the law;
 - q) keeps records of the documents managed and of the corrective measures imposed by the department;
 - r) assesses the intimations of the accredited monitoring bodies with regard to the reasons of granting or withdrawing the certification requested by controllers or processors and, as the case may be, makes proposals concerning the taking of the measures provided by the applicable legal regulations;
 - s) proposes motivated, as the case may be, the revocation of the accreditation of a monitoring body of the compliance with the codes of conduct, according to the applicable legal provisions and maintains the related documentation;
 - ş) notify other competent authorities, as the case may be;
 - t) makes proposals for improving the activity of the department, as well as of the information on its specific activity in the corresponding sections of the website of the Authority;
 - ţ) participates in drafting the annual report of the Authority;
 - u) cooperates with the other departments within the Authority;
 - v) participates in the interinstitutional reunions and other events, according to the orders of the president of the Authority;
 - w) fulfils any other tasks established by the president of the Authority, according to the law.
- (2) Within the activity of managing the IT infrastructure of the Authority and of electronic communications, the Control Department fulfils the following tasks:
- a) ensures the creation and administration of the database of the Authority in electronic format;
 - b) manages the electronic document management application;
 - c) manages the electronic online registration application of the notifications of personal data breaches, of complaints and of data protection officers;
 - d) ensures the organisation and functioning of the computer system necessary for carrying out the activity of the Authority;
 - e) administrates and manages, under the conditions of security and protection, the data communication infrastructure of the Authority;
 - f) supports the establishment of the material basis specific to the computer system of the Authority;
 - g) offers specialised technical support to the other departments in solving the documents and participates in investigations with IT specificity;
 - h) manages the website of the Authority from a technical point of view and make proposal for its improvement.

Article 13²

The Complaints Department fulfils the following tasks:

- a) elaborates and proposes for approval the procedure for solving complaints;
- b) receives and ensures the settlement of documents distributed;
- c) receives, assesses and solves the complaints addressed to the Authority and the requests regarding these complaints, according to the law and the approved procedure;
- d) proposes and conducts investigations, in accordance with the law and the approve procedure, following the assessment of the complaints and draws up the documents necessary for their performance;
- e) submits for approval of the president of the Authority the proposal for obtaining the judicial authorisation, in the cases provided by law, according to the approved procedure;

- f) may participate in performing ex officio investigations, according to the orders of the president of the Authority;
- g) imposes the administrative sanctions and the other corrective measures or, as the case may be, proposes the measures that are required as a result of the performance of the investigations and elaborates the draft recommendations and decisions implementing the corrective measures provided by law, in accordance with the approved procedure;
- h) proposes and substantiates the necessity of adopting normative decisions and instructions if this results from the specific activity carried out, as well as from other decisions regarding the activity of the department;
- i) proposes motivated, as the case may be, the revocation of the accreditation of a monitoring body of the compliance with the codes of conduct, according to the applicable legal provisions and maintains the related documentation;
- j) participates in joint operations carried out on the territory of Romania or of other Member States, according to the applicable legal regulations;
- k) transmits for execution the decisions of the president of the Authority and the minutes of finding/sanctioning and seeks the observance by the controllers of the orders of the Authority;
- l) draws up and transmits the documents for the execution of fines imposed following the performance of investigations for solving complaints, according to the law;
- m) notify other competent authorities, as the case may be, within the procedure for solving complaints;
- n) keeps records of the documents managed and of the corrective measures imposed by the department;
- o) makes proposals for improving the activity of the department,
- p) makes proposal for updating and improving the information on its specific activity in the corresponding sections of the website of the Authority;
- q) participates in drafting the annual report of the Authority;
- r) cooperates with the other departments within the Authority;
- s) participates in the interinstitutional reunions and other events, according to the orders of the president of the Authority;
- ş) keeps records of the correspondence distributed and of the one drawn up within the department;
- t) fulfils any other tasks established by the president of the Authority, according to the law.

Article 15

Foreign Affairs Department fulfils the following tasks:

- a) receives and ensures the settlement of documents distributed;
- b) organises the activity of foreign affairs and ensures the cooperation of the Authority with similar authorities from abroad, according to the approved working procedures;
- c) formulates the replies to the letters received from abroad, others than the complaints or intimations, as well as to the letters concerning the foreign affairs;
- d) formulates the replies to the letters received from the mass-media from abroad;
- e) manages the assessment of the documents and proposals of normative acts with regard tot eh processing of personal data initiated at European level, in cooperation with the other departments, and submits the point of view of the Authority, as the case may be;
- f) manages the activity of receiving the requests submitted through the Internal Market Information System (IMI) and submits, through IMI, the replies drawn by the department or by other specialised departments;
- g) manages and handles the personal data transfers to third countries or international organisations, according to the law, and keeps records of this;

- h) formulates the answers to aspects regarding the transfers of personal data to third countries or international organisations;
- i) manages the participations to working groups and subgroups organised at EU level and by the Council of Europe, according to the orders of the president of the Authority;
- j) analysis the documents received from the European Data Protection Board, makes the adequate proposals and submits the electronic point of view of the Authority, including within the written procedure vote;
- k) participates to interinstitutional reunions and other events, according to the orders of the president of the Authority;
- l) transmits the documents issued or adopted by the European Data Protection Board and by other international bodies to the other departments and proposes their publication on the Internet page of the Authority;
- m) draws up the documents necessary for travelling abroad for business purposes of the Authority's delegations and organises the visits of the foreign delegations, including the one at the premises of the Authority, according to the law;
- n) draws up the draft decisions concerning the activity of the department;
- o) manages the information in the English section of the Internet page of the Authority and makes proposals for updating and improving the information concerning the specific activity of the department from the related sections of the Internet page of the Authority;
- p) participates in drafting the annual report of the Authority;
- q) cooperates with the other departments within the Authority;
- r) makes proposals for improving the activity of the department;
- s) keeps records of the correspondence distributed and of the one drawn up within the department;
- ş) fulfils any other tasks established by the president of the Authority, according to the law.

Article 16

(1) The Legal and Communication Department fulfils the following tasks:

- a) assesses and proposes the issuance of points of view and/or opinions on the proposals of normative acts with regard to the processing of personal data received;
- b) assesses and proposes the initiation of certain proposals of normative acts or the amendments of the normative acts in force in the fields connected to the processing of personal data, as the case may be, in cooperation with the others specialised departments;
- c) represents the interests of the Authority in front of the courts, of the public authorities and institutions, according to the orders of the president of the Authority;
- d) draws up the drafts of the instructions and decisions with a normative character of the president of the Authority, including based on the proposals of the departments;
- e) draws up the draft of the decisions of the president of the Authority, except the ones which are under the competence of other departments within the Authority;
- f) analysis, signs and submits for approval the draft codes of conducts received, according to the applicable legal regulations;
- g) proposes the accreditation criteria of the certification bodies, respectively the certification criteria, according to the applicable legal provisions, in cooperation with the other departments of the Authority;
- h) manages the accreditation of the monitoring bodies of the codes of conducts, according to the applicable legal provisions, in cooperation with the other departments within the Authority;
- i) receives and ensures the settlement of documents distributed;
- j) draws up the replies to the requests received from public and private legal persons and from other bodies; ensures the prior consultation with regard to the data protection impact assessment;
- k) proposes the handling of prior complaints, formulated according to the law on challenging administrative acts;

- l) verifies and gives the legality opinion on the decisions of the president of the Authority, on the acts and contracts submitted for approval by the president of the Authority;
 - m) ensures the solving of requests received from mass-media, except the ones from abroad, and draws up the press releases which are submitted for approval by the president of the Authority;
 - n) promotes awareness-raising actions for controllers and processors, actions for informing the general public, organises conferences and other events, as ordered by the president of the Authority;
 - o) participates to interinstitutional reunions and other events, according to the orders of the president of the Authority;;
 - p) manages and participates in drafting the annual report of the Authority, proposes the drawn up of documents for the public information, in cooperation with the other specialised departments;
 - q) proposes the issuance of the accreditation for the representatives of mass-media, according to the law;
 - r) proposes the organisation of the activity of public relations;
 - s) ensures the solving of petitions submitted according to the regulations on the access to information of public interest, as well as the activity of solving the complaints addressed to the Authority;
 - ş) makes proposal for improving the activity of the department;
 - t) makes proposals for updating and improving the information concerning the specific activity of the department from the related sections of the Internet page of the Authority;
 - ţ) cooperates with the other departments within the Authority;
 - u) proposes the format of the register provided in Article 9 paragraph (1) letters b), f) and g); participates in drafting the annual report of the Authority;
 - v) keeps records of the documents managed within the department, of the correspondence distributed and of the one drawn up within the department;
 - w) fulfils any other tasks established by the president of the Authority, according to the law.
- (2) The Legal and Communication Department is under the direct subordination of the president of the Authority.

Article 17

The Economic Department fulfils, in principal, the following tasks:

- a) ensures the coordination of the economic-financial activity, of acquisition, human resources, administrative activity and other specific activity established by special laws;
- b) draws up and fundaments the annual budget proposal of the Authority, based on the proposals from the specialised departments, and oversees it's inclusion in the State draft budget, according to the law;
- c) organizes the management of the budget and of the patrimony and takes the necessary measures in order to ensure its integrity;
- d) manages the car park of the Authority and organises the transport activity for the management and the departments of the Authority;
- e) ensures the organisation and control of the accounting activity, according to the law;
- f) organizes the preliminary financial control activity regarding the use of the approved financial resources;
- g) elaborates the pay rolls regarding the rights of the staff to wedges, as well as the payment of such rights;

- h) draws up the annual program of public acquisitions, based on the annual necessity referrals of all the departments within the Authority; organises, performs and manages the procedures on public acquisitions, according to the law;
- i) draws up the contract proposals for ensuring the utilities and the public acquisitions contracts and ensures their performance, according to the law;
- j) organises the activity of equipping and carrying out the public acquisitions procedures, in order to operate, develop and maintain the information systems from the Authority's patrimony, according to the law;
- k) organizes the activity of equipping, maintaining the premises of the institution and its assets and establishes the measures for their efficient use;
- l) draws up the accounting and financial statements, according to the law, as well as the situations regarding the degradation, the decommissioning, the disposal, the capitalisation of some existing assets under administration or use;
- m) performed the general inventory of the Authority's patrimony, according to the law;
- n) organises the activity of protection and safety of work, of prevention and extinguishing of fires, the activity of guarding the premises and goods of the Authority and manages the archive of the Authority, according to the law;
- o) applies the legislation in the field of personnel activity and the legal provisions regarding the remuneration system, elaborates the state of functions and submits it for approval to the president of the Authority;
- p) is responsible for organising and conducting exams and competitions for hiring and promoting staff;
- q) draws up the necessary documents for hiring, promoting, sanctioning, granting wage rights, modifying or terminating the legal employment relationships, according to the law;
- r) keeps records and completes the professional files of the Authority's personnel, according to the law, as well as manages the filing and transmission of declarations of wealth and interests, according to the law;
- s) keeps the record of evidence of the Authority's staff, draws up the documents for the evidence and movement of the personnel, issues and endorses the service badges for the Authority's staff and issues, upon request, the certificates required by the staff;
- ș) coordinates the evaluation activity of the staff; schedules and organises the professional training of the Authority's staff;
- t) keeps records of the holiday leave or other types of leaves of the Authority's staff;
- ț) receives and ensures the settlement of the documents distributed, draws up the draft decision regarding the activity of the department;
- u) makes proposals for updating and improving the information concerning the specific activity of the department from the related sections of the Internet page of the Authority and participates in drafting the annual report of the Authority;
- v) makes proposal for improving the activity of the department and keeps records of the documents managed within the department, of the correspondence distributed and of the one drawn up within the department;
- w) cooperates with the other departments within the Authority;
- x) fulfils any other tasks established by the president of the Authority, according to the law.

CHAPTER IV: Rules on the records of the Authority's correspondence. The registers of the Authority

SECTION 1: Correspondence and registers of the Authority

Article 18

(1) The correspondence is recorded in the registers established for this purposes within the Authority.

(2) The Authority, in order to fulfil its tasks, draws up, mainly, the following categories of documents:

- a) decisions, authorisations, opinions, instructions and recommendations of the president of the Authority;
- b) letters to controllers, as well as to public authorities and institutions, others than controllers;
- c) letters to data subjects;
- d) annual reports;
- e) explanations, grounding notes and reports submitted for approval;
- f) requests and suits to courts or other judicial authorities, as well as notifications to criminal investigation authorities;
- g) notes and minutes.

(3) The letters to other authorities, to data subjects and controllers are drawn up in the exercise of their powers under the Authority or its management, according to the law and this Regulation, ex officio or at the request of controllers, data subjects, other public authorities or institutions or as a result of exercising the right to petition.

Article 19

(1) The registers of the Authority are the following:

- a) the general register for entries and sent correspondence, which keeps a chronological list of acts of information, complaints, requests, notifications and all other documents regarding the activity of the Authority, including the financial and administrative ones;
- b) the register on requests and answers regarding the access to information of public interest;
- c) the register of data protection officers;
- d) the register of personal data transfers to third countries or international organisations;
- e) the register of data breach notifications;
- f) the register of codes of conduct;
- g) the register of decisions, instructions, authorisations and recommendations issued by the president of the Authority;
- h) the special register of secret and confidential correspondence, according to the applicable legal regulations;
- i) the archive register.

(2) The registers may also be recorded in electronic format.

(4) In view of an efficient performance of the activity of the Authority, the president may approve other registers to be kept, in accordance with its legal tasks, according to the legislation in force.

SECTION 2: Recording, distributing and solving the correspondence

Article 20

(1) The whole correspondence addressed or drawn up by the Authority is recorded in the general register for entries and sent correspondence, except the correspondence which is established, according to the law, by the decision of the president to be secret or confidential and which is recorded in the special register of secret and confidential correspondence.

(2) The correspondence addressed to the Authority shall be in writing, in accordance with legal provisions, and may be sent by mail, including the electronic mail, fax or may be submitted personally or by representative.

(3) The correspondence from controllers as a result of the obligation mentioned in Article 22 paragraph (1) of Law no. 677/2001 is recorded in the general register for entries and sent correspondence, and, if necessary, in the registers mentioned in article 18 letters c), d) or e) of this Regulation.

Article 21

(1) The correspondence recorded in the general register for entries and sent correspondence, shall be distributed for settlement to the departments within the Authority, based on the resolution of the president or of the person designated by it.

(2) The distributed correspondence shall be registered within each department and shall be transmitted to its staff by resolution of the head of the department.

(3) The staff within the department has the obligation to keep evidence of the papers distributed by the head of the department and of the papers drawn up.

Article 22

The working procedures are established within each department, are signed by the head of the department and are submitted for approval to the president of the Authority.

Article 23

The head of the departments sign or, as the case may be, approve the documents leaving the organisational structure under their management and keep records of such documents.

CHAPTER V: The staff of the Authority

Article 24

The staff of the Authority, hired from the Ombudsman, benefits of the provisions of Article 19 paragraph (2) of Law no. 102/2005.

Article 25

(1) The staff from the Ombudsman shall be hired, within no longer than 45 days after this Regulation comes into force, on the positions determined by the president of the Authority, on request approved by the president and by examination.

(2) The staff from the Ombudsman, employed under the conditions provided in paragraph (1), shall keep their specific salary increases, previously acquired, respectively the increase of confidentiality and stability, under the conditions of continuity.

(3) The examination procedure mentioned in paragraph (1) is established by the decision of the president.

Article 26

The conditions for occupying the management positions, other than that of vice-president, as well as the execution positions, shall be determined by the president of the Authority.

Article 27

In order to accomplish special assignments, the assistance of specialists may be requested, by employing such staff members on a determined period of time.

Article 28

(1) The salaries of the staff shall be established in accordance with the level of salaries provided by law for similar positions in the Parliament's structure.

(2) The staff of the Authority benefits from the increases applicable to the staff from the structure of the Parliament, established according to the law.

Article 29

The staff of the Authority has the right to holiday leaves, as well as all other types of leave, established according to the similar positions in the structure of the Parliament.

Article 30

The evaluation of the staff's professional activity is carried out in accordance with the legal provisions, applicable to the similar positions in the structure of the Parliament.

Article 31

While exercising its tasks, the staff has the following obligations:

- a) to act with professionalism, loyalty, fairness and promptitude;
- b) to continue its professional training regularly;
- c) to act politely and promptly to individuals addressing the Authority;
- d) to ensure the application of the principle of equality of treatment, without privileges and without discrimination, during the process of drawing up and issuing decisions, as well as of solving complaints, requests or intimations;
- e) to exercise the tasks granted to the function only for the purpose provided by law;
- f) not to be influence in its activity by personal or political interests;
- g) to ensure the access of individuals to documents, in accordance with legal provisions;
- h) to wear a badge.

Article 32

The the disciplinary responsibility of the staff is engaged in accordance with legal provisions in force, applicable to every category of the staff of the Authority.

CHAPTER VI: Final and transitory provisions

Article 37

For the proper fulfillment of the legal tasks, the National Supervisory Authority for the Processing of Personal Data has:

- a) two vehicles for the management of the National Supervisory Authority for the Processing of Personal Data: president and vice-president;
- b) two vehicles for the common car park;
- c) 6 vehicles for the specific activities, respectively for ensuring the competences and tasks of monitoring and control of the National Supervisory Authority for the Processing of Personal Data, in accordance with the tasks set out to the Member State by the General Data Protection Regulation, by derogation from the provisions of Article 5 paragraph (3) of the Government Ordinance no. 80/2001 on the establishment of some spending norms for public administration authorities and public institutions, approved with modifications by Law no. 247/2002, as subsequently amended and supplemented;
- d) a monthly fuel consumption of 500 l/vehicle; it is not considered to be an excess from the fuel consumption norm for the vehicle the consumption that, on an yearly basis, falls within the limit of the fuel norm in relation to the number of vehicles approved.

Article 39

(1)The premises of the Authority is in Bucharest.

(2) The Government shall make available to the Authority, according to the law, the premises necessary for an effective and appropriate exercise of its tasks.

(3) To the extent that the premises mentioned in paragraph (1) shall not be provided, the National Supervisory Authority for Personal Data Processing may proceed, according to the law, to the rental or purchase of a premises from the free real estate market, within the limits of the funds approved for this purpose.

Article 40

(1) The Annex is part of this regulation.

Article 41

This regulation shall enter into force after its approval by the Standing Bureau of the Senate and its publication in the Official Journal of Romania, Part I.

ANNEX: THE ORGANISATIONAL STRUCTURE of the National Supervisory Authority for Personal Data Processing