

# THE NATIONAL SUPERVISORY AUTHORITY FOR PERSONAL DATA PROCESSING

## DECISION

on the situations in which the notification for personal data processing is not required

In accordance with the provisions of Article 3 paragraphs (5) and (6) of Law no. 102/2005 on the setting up, organization and functioning of the National Supervisory Authority for Personal Data Processing and those of Article 6 paragraph (2) letter b) of the Regulation on the organization and functioning of the National Supervisory Authority for Personal Data Processing, approved by Decision 16/2005 of the Standing Bureau of the Senate,

in the enforcement of the provisions of Article 22 paragraph (9) of Law no. 677/2001 on the protection of individuals with regard to the processing of personal data and the free movement of such data, modified and amended, according to which the supervisory authority can establish situations in which the notification for personal data processing is not required,

in view of the fact that certain personal data processing are carried out frequently based on certain legal provisions or are in the interest of the data subject and are not likely, at least apparently, to infringe the rights of data subjects,

in view of memo no. 964 from the 22<sup>nd</sup> of February 2006 of the Department of personal data processors' and personal data processing records and the Bureau of authorizations within the National Supervisory Authority for Personal Data Processing, on the proposal for issuing a decision in order to establish the standard notification forms, as well as a decision on situations in which the notification for personal data processing is not required,

the President of the National Supervisory Authority for Personal Data Processing issues the following

## DECISION:

**Article 1** - (1) The notification for personal data processing is not required in the following situations:

a) when the processing of personal data regarding petitioners is carried out by public authorities and national or local public institutions, local services of ministries and those of other national bodies, national companies, private local companies and autonomous state companies, in the exert of their legal obligations,

b) when the processing of personal data regarding their own staff and external co-workers is carried out by public and private law entities in order to fulfill their legal obligations,

c) when the processing of personal data regarding the owners or tenants of a building used by two or more parties is carried out by the owners' or tenants' association, in the exercise of their legal rights and obligations, exclusively for maintenance purposes for that building.

**Article 2** – This Decision enters into force on the date it is published in the Official Journal of Romania, Part I.

**Article 3** – On the day this Decision enters into force the People's Advocate Order No. 54 of the 18<sup>th</sup> of April 2002 on establishing situations in which the notification, covered by Law No. 677/2001 on the protection of individuals with regard to the processing of personal data and the free movement of such data, for personal data processing is not required, published in the Official Journal of Romania No. 383 of the 5<sup>th</sup> of June 2002, shall no longer be enforced.

**PRESIDENT**

Of The National Supervisory Authority For Personal Data Processing,

Georgeta BASARABESCU

Bucharest, 18<sup>th</sup> July 2006

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