

2nd Study commission
**HOW DATA PROTECTION RULES
ARE IMPACTING ON CIVIL LITIGATION**
Answers –CROATIA- Association of Croatian Judges (ACJ)

1. Do you store digital data in your jurisdiction?

Yes, the data are stored in electronic registers of the judiciary. Specifically, data related to all proceedings are stored in the “E-spis” (E-File) information system. “E-spis” is an information system for managing computerized registers for courts of all instances.

The IT solutions through which individual courts in Slovenia fill registers and court files in electronic form are uniform and are provided by the Ministry of Justice.

2. How is it stored and for how long?

In accordance with the Law on Courts and Book of Rules , the registers are kept permanently. Court files (data from court files) are kept in accordance with the rules of storage of documentary and archival material.

3. Who has access to the digital data in your jurisdiction?

-Judges and court staff in accordance with their assigned roles and entitlements (they are granted access rights to the information they need in their work)

-parties and other participants in proceedings on the basis of procedural legislation have limited access through different system so called E-predmet (E-case) **where personal data of the parties are protected**

-competent authorities upon request (they have to have a legal basis) and all others who have legal interest to have access. Decision is on the judge in the particular case to leave permission for access.

-individuals can access their personal data

4. Are there digital data protection rules in place in your jurisdiction?

The field of information security and ensuring a high level of security of networks and information systems is regulated by the Information Security Act.

In the field of personal data protection, courts are obliged to comply with Regulation (EU) 2016/679 (General Data Protection Regulation) and the Personal Data Protection Act.

The Personal Data Protection Act for example regulates issues of security (insurance) of personal data, traceability, storage of audit trails, connection of personal data collections, etc.

For example all steps and all access to data are restarted in the system.

Certain special rules regarding the protection of personal data are also contained in sectoral legislation.

5. Who covers the costs relating to storage and protection of the digital data in your jurisdiction?

The State through Ministry of Justice.

Duro Sessa
Honorary President of ACJ

