

INTERNATIONAL ASSOCIATION OF JUDGES
2 nd STUDY COMMISSION

Answers from Norway

1. In your jurisdiction is a court considered to be a data controller for data protection law purpose in all, or any, of the following situations:

a. When performing its juridical functions?

The court store data while performing its juridical functions enclosed to the cases, or the court decisions. During these functions, the court is a data controller for the data protection law (GDPR). But the court is not a data controller on behalf of the authorities on a general basis. "Datatilsynet"/ "Data Protection Authority" is a controller for data protection law on a general basis in Norway.

b. For purposes connected with the administration of justice, including the publication of a judgement or court decision, or a list or schedule of proceedings or of hearing in proceedings?

Yes, the court will be at data controller in these situations (GDPR).

c. For purposes connected with the efficient management and operation of the courts and for statistical purposes?

No, the court is not a data controller for the data protection law in these purposes.

2. In your jurisdiction does a data subject (e.g. a party to litigation, a witness, or a party whose interests may be affected by the litigation) have a right to information regarding the processing of their personal data by or on behalf of the courts?

Yes, they have a right to such information. I am not aware of anyone that has asked for this type of information in our local court yet.

3. In your jurisdiction does a data subject whose personal data is published in a court document such as a judgment, have the right to seek rectification of allegedly inaccurate or inappropriately disclosed personal data?

No, they do not have such right.

4. In your jurisdiction is personal data contained in a judgment or decision of a court, or in a list or schedule of proceedings or hearings, generally made accessible to the public? If so, are there exceptions and what are they? If not, is there a redaction requirement, or alternative requirement, to be implemented before a judgment / list /schedule can be published so as to safeguard the rights of data subjects?

Yes, a judgement or decision of a court is generally made accessible to public. If the decisions are published they will normally be anonymized. There are exceptions, for example to protect sensitive state information or sensitive governmental information, or to protect personal data or personal information. This data will not be published. The judge will make this decision in the judgement.

5. How are complaints addressed in your jurisdiction concerning alleged breaches by the courts of the rights of data subjects? Does your jurisdiction have a person or body with special responsibility for the supervision of data processing operations of courts when acting in their judicial capacity?

Yes, we do have a body with special responsibility for these questions. The local court will also have a responsibility (GDPR).

6. In your experience have data protection rules impacted adversely on your judicial independence? If so, how have they done so?

No, it has not.