

2nd Study commission
HOW DATA PROTECTION RULES
ARE IMPACTING ON CIVIL LITIGATION
Answers - Slovenia

1. Do you store digital data in your jurisdiction?

Yes, the data are stored in electronic registers of the judiciary.

Specifically, data related to civil proceedings are stored in the »PUND« information system. »PUND« is an information system for managing computerized registers for courts of all instances.

The IT solutions through which individual courts in Slovenia keep registers and court files in electronic form are uniform and are provided by the Center for Informatics that works within the Supreme Court.

2. How is it stored and for how long?

In accordance with the second paragraph of Article 82 of the Courts Act, 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.

Article 21 of The Personal Data Protection Act otherwise stipulates that personal data are stored for as long as it is necessary to achieve the purpose for which they were collected or have been processed, unless the law governing archives and archives or another law provides otherwise for individual types of personal data.

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
- competent authorities upon request (they have to have a legal basis)
- 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.

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

With regard to classified information and business secrets, courts are obliged to comply with the provisions of the Classified Information Act and the Business Secrets Act.

Certain rules of a procedural nature on data and applications in electronic form are also contained in the civil procedure law and in laws issued on its basis.

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

Supreme Court - within the budget. Within the state budget of the Republic of Slovenia, the amount of financial resources for the computerization of courts is provided by the Supreme Court of the Republic of Slovenia.