



Personal Data Protection vs. Transparency, right to receive information and providing for security.

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Legislation in Latvia

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)

Law on personal data processing of 21 June 2018



Transparency

Data processing – means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;

Transparency - The controller shall take appropriate measures to provide any information relating to processing to the data subject in a concise, transparent, intelligible and easily accessible form, using clear and plain language, in particular for any information addressed specifically to a child. The information shall be provided in writing, or by other means, including, where appropriate, by electronic means. When requested by the data subject, the information may be provided orally, provided that the identity of the data subject is proven by other means.

Example:

https://pasvaldiba.riga.lv/LV/Channels/Riga_Municipality/rigas-pilsetas-pasvaldibas-personas-datu-aizsardzibas-politika/default.htm

<https://pip.riga.lv/datu-apstrade/>

<https://www.eriga.lv/Default.aspx>

<http://rpp.riga.lv/index.php/lv/par-mums/datu-apstrades-politika>



Transparency

The screenshot shows a web browser window with the following elements:

- Browser Tabs:** "Datu apstrāde | Rigas dome", "Rigas pašvaldības paka", "Rigas pašvaldības portāls", "Datu apstrādes politika".
- Address Bar:** <https://www.eriga.lv/Authorized/Service.aspx>
- Page Header:** "RĪGAS PAŠVALDĪBAS PAKALPOJUMU PORTĀLS". Navigation menu includes "E-pakalpojumi", "Pakalpojumu apraksti", "Tālrunu katalogs", "Informācija", "Personas datu apstrāde". User: "Lietotājs: Kristīne Kinča".
- Left Sidebar:** "kategorijas" with links for "Tiesību aizsardzība, pasākumu dokumenti, pakalpojumu izpildes ziņojumi", "Dzīves vieta, nekustamie īpašumi, deklarācijas", "Finanšes, nodokļi, pakalpojumi", "Gimene un bērni, veselības pakalpojumi", "Izglītība un zinātne".
- Modal Dialog Box:** "Datu izmantošanas noteikumi"
 - Title:** "Datu izmantošanas noteikumi"
 - Text:**

Pārzinis personas datu apstrādei ir Rīgas pilsētas pašvaldība (Rīgas domes Informācijas tehnoloģiju centrs), adrese: Brīvības iela 49/53, Rīga, LV-1010, tālrunis: 67027022, elektroniskā pasta adrese: tc@riga.lv.

Personas datu aizsardzības speciālists Rīgas domes Datu aizsardzības un informācijas tehnoloģiju un drošības centrs, adrese: Krišjāņa Valdemāra iela 5, Rīga, LV-1010, elektroniskā pasta adrese: dac@riga.lv.

Personas datu (e-pasta nosaukums, tālruna numurs) apstrādes mērķis ir atgādinājuma par valsts karoga izkāšāšanu saņemšana.

Tiesiskais pamats personas datu apstrādei Jūsu piekrišana.

Personas datu saņēmēji - Rīgas domes Informācijas tehnoloģiju centrs (tehniskā atbalsta nodrošināšana), kā arī nepieciešamības gadījumā apstrādātāji, ar kuriem ir Rīgas pilsētas pašvaldībai ir noslēgti līgumi par tehniskā atbalsta nodrošināšanu, personas.

Personas datus glabā līdz brīdim, kamēr Jūs neatsaucat savu piekrišanu.

Informējam, ka Jums kā datu subjektam ir tiesības:

 - pieprasīt pārzinām piekrišanu Jūsu kā datu subjekta apstrādātajiem personas datiem, lūgt neprecīzo personas datu labošanu vai dzēšanu, iesniegdot pamatojumu lūgumam, likumā noteiktajos gadījumos lūgt personas datu apstrādes ierobežošanu;
 - iesniegt sūdzību par neilikumīgu Jūsu personas datu apstrādi Datu valsts inspekcijā.
 - Buttons:** "Iepazīnos", "Atcelt"
- Taskbar:** Windows taskbar with icons for Word, Chrome, Excel, File Explorer, Outlook, Edge, and PowerPoint. System tray shows "LAV" and date/time "12:48 05.12.2018".



Right to receive information

Article 15 of GDPR - Right of access by the data subject

The data subject shall have the right to obtain from the controller confirmation as to whether or not personal data concerning him or her are being processed, and, where that is the case, access to the personal data and the following information:

- (a) the purposes of the processing;
- (b) the categories of personal data concerned;
- (c) the recipients or categories of recipient to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations;
- (d) where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
- (e) the existence of the right to request from the controller rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing;
- (f) the right to lodge a complaint with a supervisory authority;
- (g) where the personal data are not collected from the data subject, any available information as to their source;
- (h) the existence of automated decision-making, including profiling, referred to in Article 22(1) and (4) and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.

https://pasvaldiba.riga.lv/LV/Channels/Riga_Municipality/rigas-pilsetas-pasvaldibas-personas-datu-aizsardzibas-politika/default.htm



Right to receive information

Exeptions:

- the request is manifestly unfounded or excessive, in particular because of its repeated nature
- the controller has reasonable doubts about their identity;
- In some cases, municipalities are exempted from the obligation to provide the information:
 - information already is at the disposal of the data subject;
 - when it turns out that the provision of such information is not feasible or does not require a disproportionate effort or renders the processing objectives impossible or significantly impedes their achievement; for example, it would be impossible to provide information in the event that the manager has no way of communicating with the data subject;
 - when acquisition or disclosure is explicitly foreseen in EU or EU law, which would be the most common condition for local authorities;
 - when the confidentiality of personal data must be preserved, subject to the obligation of professional secrecy regulated by Union or national law, including the statutory obligation of secrecy; this exemption may apply to autonomous municipal enterprises and similar entities



Security

The GDPR requires that data is treated with care, providing security and that personal data is not disclosed to other persons

Information channels must be secure and municipality must be sure that information is provided to the right person



Thank you for your attention!