

Resolution of Cabinet of Ministers of Ukraine «On approval of the State Register of personal data and procedure of its keeping» on May 25, 2011 № 616

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CABINET OF MINISTERS OF UKRAINE

R E S O L U T I O N

on May 25, 2011 № 616

Kyiv

On approval of the State Register of bases of personal data and procedure of its keeping

In pursuance of Article 9 of the Law of Ukraine "On protection of personal data" (2297-17) The Cabinet of Ministers of Ukraine

R E S O L V E S:

1. To approve the Regulations on the State Register of Bases of Personal Data and its order of reference is attached.

2. State Service of Ukraine on Personal Data Protection to take steps to July 1, 2011 to create the State Register of Bases of Personal Data provide from July 1, 2011 registration of bases of personal data in said register based on the results of applications controllers of personal data of registration.

3. Paragraph two of Section II of Annex to the Cabinet of Ministers of Ukraine of April 19, 1993 № 283 (283-93-p) 'On the establishment of the production of securities and documents of strict accountability' - as amended by Cabinet of Ministers of Ukraine from November 4 1993 № 936 (936-93-p) and the Cabinet of Ministers of Ukraine of June 17, 2004

N 786 (786-2004-P) (Official Bulletin of Ukraine, 2004, № 24, art. 1599), dated 21 February 2007 № 286 (Official Bulletin of Ukraine, 2007, № 14, art. 534) , on April 17, 2008 № 381 (381-2008-P) (Official Bulletin of Ukraine, 2008, N 31, art. 991) from December 22, 2010 № 1167 (1167-2010-P) (Official Bulletin of Ukraine, 2010 № 98, art. 3484), after the words 'sick leaves' add the words 'certificate of registration base of personal data'.

4. This resolution shall take effect after its publication, except for paragraphs 15 and 16 of the State Register of Bases of Personal Data and the order of reference, which will enter into force on 1 January 2012.

APPROVED

Cabinet of Ministers of Ukraine of May 25, 2011 № 616

REGULATION

on approval of the State Register of Bases of personal data and procedure of its keeping

1. State Register of Bases of Personal Data (hereinafter - the Register) as a single state information system of collection, storage and processing information about the registered base of personal data is to implement state policy on protection of personal data.

2. Controller Register a State Service of Ukraine on Personal Data Protection (PDPA of Ukraine), which provides its creation and maintenance.

3. Administrator of the Register is a state enterprise "Information Centre" of the Ministry of Justice of Ukraine, which provides technical and technological creation and maintenance of software registry, registrars provide access to, preservation and protection of data contained in the Register.

4. A register is conducted an official language.

5. PDPA of Ukraine registers of personal data and amending the information contained in the Register, the registered base of personal data in an application filed by the controller of such base or his authorized representative (hereinafter - the applicant).

6. The application shall be submitted for each base, which is owned by the applicant, the form and manner approved by the Ministry of Justice.

7. The application must include:

request for entering the base of personal data in the Register;

information about the controller of the Base of Personal Data:

- Name, resident / nonresident tax code under Unified State Register of enterprises and organizations of Ukraine (EDRPOU code) or tax number (for residents), location - for legal entities;

- Surname, name and patronymic (if any), nationality, number, passport series and the authority that issued it, and for the citizens of Ukraine registration number registration form the taxpayer (not filed by individuals, which, because of their religious beliefs have refused the assignment of the registration card account number and taxpayer formally notified the competent organs of state power, as evidenced by a note in the passport), place of residence - for individuals; information about the name and location of the Personal Data:

- Address of actual location - for bases of personal data in the form of card indexes;

- The actual address of processing of personal data - for bases of personal data in electronic form; information about the purpose of processing personal data in the personal data referring to the regulations, provisions, statutory or other documents regulating the activity of the controller of the personal data, including their category and legal grounds for such treatment;

information about other processors of bases of personal data:

- Name, resident / nonresident tax code under EDRPOU code or tax number (for residents), location - for legal entities;

- Surname, name and patronymic (if any), nationality, number, passport series and the authority that issued it, and for the citizens of Ukraine registration number registration form the taxpayer (not filed by individuals, which, because of their religious beliefs have refused the assignment of the registration card account number and taxpayer formally notified the competent organs of state power, as evidenced by a note in the passport), place of residence - for individuals;

proof of commitment to the implementation of legislation on protection of personal data.

8. PDPA of Ukraine in connection with the receipt of the application makes the roster the following information:

information about the applicant;

name of the base of personal data;

date of registration of the applicant and the reference number (if any) application.

9. After making the roster details of the application it automatically (using software registry) is assigned a registration number. In this fixed date and time of registration statements.

10. PDPA of Ukraine notifies the applicant no later than next business day after receiving the statement of its receipt. The notice shall indicate the date and registration number of the application record in the Register, and the date of application for a certificate or notice of refusal in registration.

11. PDPA of Ukraine takes within 10 working days of receipt of the application base the decision on registration of base of personal data by the publication of the controller of the certificate of registration base of personal data message or to refuse registration, which makes entry into the Register.

12. Recording in the Register of a bases of personal data file contains the following information:

Information provided for in paragraph 7 of this Regulation;

Registration number of the record in the Register;

Date and time of recording (amendments thereto) in the Register;

Name, name registrar, who made a record (change it);

Information about the issued certificate of registration;

Information about the change.

13. PDPA of Ukraine refuses in registration the bases of personal data if the submitted pursuant to paragraph 7 of these Regulations information is incomplete or unreliable.

14. PDPA of Ukraine provides information from the Register, including extracts from it, at the request of any person or entity under the law on personal data protection, the appeals and on access to public information.

15. State authorities, local governments, state enterprises, institutions, organizations and other legal and natural persons have access to the data register through the website maintained by the administrator of the Register, by searching and browsing of information about such a personal data:

Name of the base of personal data;

Information about the controller of the Base of Personal Data:

Name, address, tax code under EDRPOU code or tax number (for residents) - for legal entities;

Surname, name and patronymic (if any) - for individuals;

Purpose of processing personal data;

Registration number of the record of a base of personal data in the Register.

16. Find information about a base of personal data through a Web site by using any of the following indications:

registration number of the record of a base of personal data in the Register;

name of legal entity - controller of the base of personal data and tax code under EDRPOU code;

surname, first name and patronymic (if any) individual - the controller of the base of personal data and registration number of the registration form the taxpayer.