

# Polizia di Stato

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## National Police Database

Privacy Policy (Art. 10 of the Legislative Decree 18th may 2018 n. 51)

The Multi-Agency National Police Database (CED) has been established with Article 8 of Law 1/4/1981, n. 121 for the purpose of coordinating the collection, classification, analysis and evaluation of information on the protection of public order and security and on prevention and countering activities (Article 1, paragraph 1, Legislative Decree 18/5/2018, n. 51).

With particular regard to this system for the processing personal data and in accordance with Article 10 of Law 1/4/1981, n. 121, paragraph 3, and with Article 48 of Legislative Decree 18/5/2018 n. 51, transposing EU Directive 2016/680, on the protection of natural persons personal data for police purposes, persons may forward a written request concerning the processing of their personal data stored in CED.

### 1.Data Controller

The Data Controller is the Department of Public Security.

The Controller's contact details are the following:

Ministero dell'Interno

Dipartimento della Pubblica Sicurezza

Direzione Centrale della Polizia Criminale

Via Torre di Mezzavia, 9

00173 Roma

*dipps009.0910@pecps.interno.it*

### 2.Purpose of Processing

The personal data and the information collected in CED are data allowing the Department of Public Security to implement the directives given by the Minister of the Interior and to carry out his institutional duties as to the protection of public order and to security and crime prevention and countering activities.

### 3.Exercise of the right of access to personal data processed by the Data Processing Centre

The right of access to data entered in the Multi-Agency National Police Database is the possibility for any subject to request the confirmation of the existence of personal data and communication of such data in an intelligible form and, should data turn out to have been processed in violation of law or regulation provisions in force, to ask for their cancellation or transformation into anonymous form

(Article 10, paragraph 3, Law 1/4/1981, n. 121).

Whoever learns about the existence of personal data, processed even in a non-automated form in violation of law or regulation provisions, is entitled to request the court of the place of residence of the Controller to carry out the necessary controls and order the rectification, integration, cancellation or transformation into anonymous form of such data (Article 10, paragraph 5, Law 1/4/1981, n. 121). Please note that the competent authority is the civil court of Rome, where the Public Security Department (the Controller) is based.

The requesting subject will not be provided with data that could prejudice operations concerning the protection of public order and security as well as prevention and countering activities. The Data Protection Authority is informed of the non-communication (Article 10, paragraph 4, Law 1/4/1981, n. 121).

As to the request for cancellation, reference is made to Article 10, paragraph 3 of Law 1/4/1981, n. 121, according to which the request for cancellation or transformation into anonymous form of personal data processed in the Data Processing Centre of the Public Security Department can be considered only if the data are processed in violation of the laws or regulations in force.

The Data Protection Authority, in its capacity as the national Authority monitoring the Data Processing Centre, controls over the processing of personal data.

**The right of access and the related rights can be exercised filling in the attached application form (form: Mod 1A Request concerning personal data, Mod. 1B Request concerning the personal data of a minor), and forwarding it, together with a signed photostatic copy of a valid identity document, to the following address:**

***Ministero dell'Interno***

***Dipartimento della Pubblica Sicurezza***

***Direzione Centrale della Polizia Criminale***

***Via Torre di Mezzavia, 9***

***00173 Roma***

**The holders of a certified email box can submit their applications to the following address:**

*dipps009.0910@pecps.interno.it*

In the event of a reply which is deemed unsatisfactory, the person concerned may lodge a complaint with the Data Protection Authority at the following address:

*Garante per la protezione dei dati personali*

*Piazza Venezia n. 11*

*00187 Roma*

Tel.: (+39) 06.696771

Fax: (+39) 06.69677.3785

*garante@gpdp.it*

The documents sent should be perfectly legible and contain the address of the applicant (either a postal or a certified email) so that the data subject may easily receive a reply.

#### 4. Personal data retention period

Article 57 of Legislative Decree 30 June 2003, No 196 stipulates that the requirements for the implementation of the principles of the code for the protection of personal data processed for police purposes should be envisaged by an appropriate regulation. After the repeal of the above-mentioned Article 57 by Article 49, paragraph 2, of Legislative Decree 18 May 2018, n. 51, transposing EU directive 2016/680, the processing methods of the data recorded in the multi-agency database (including data retention periods and methods) will have to be specified by a special Decree, not yet enacted. (art. 5, paragraph 2, legislative decree 51/2018).

Moreover, it must be underlined that the provisions contained in Decree of the President of the Republic 15 January 2018, n. 15, in accordance with Article 1, regulate exclusively the processing carried out by police bodies, offices and command, even without the use of electronic means.

#### 5. Categories of personal data recipients

Personal data recorded in CED may be communicated only to the persons to whom they are related or to their designated legal representative with an appropriate proxy, and are accessible only to persons indicated by specific legal provisions.

#### 6. Data protection officer

According to Article 28 of Legislative Decree 18/5/2018 n. 51 the data protection officer (DPO) operates within the Central Criminal Police Directorate of the Department of Public Security.

The data protection officer can be contacted at the following certified email address:

*dpo.ced@pecps.interno.it*

#### 7. Further information of interest

##### **Facts constituting criminal offences committed by minors**

If an update of the information is necessary, please always send a certified copy of the documentation supporting the update.

##### **Causes for extinguishment of the offence**

If the information recorded in the database includes final judgments in relation to which there is a cause for the extinguishment of the offence, please send a copy of the statement issued by the enforcement court, pursuant to article 676 of the Code of Criminal Procedure.

##### **Rehabilitation**

If the information recorded in the database includes a criminal conviction followed by the granting of

rehabilitation, pursuant to article 178 of the Criminal Code, please send a copy of the relevant order.

### **Revocation of the judgment or the criminal decree of conviction**

If there are judgments of conviction in relation to provisions which have been decriminalized, repealed or annulled by the Constitutional Court, please send a copy of the decision with which the enforcement court revokes the judgment or the criminal decree of conviction declaring that the fact is not deemed an offence according to the law (article 673 of the Code of Criminal Procedure).

### **Revocation of administrative measures**

If an administrative measure (e.g. a ban on possession of weapons, ammunition and explosives) has been repealed by the competent authority, please send a copy of the relevant documentation.

29/11/2019