

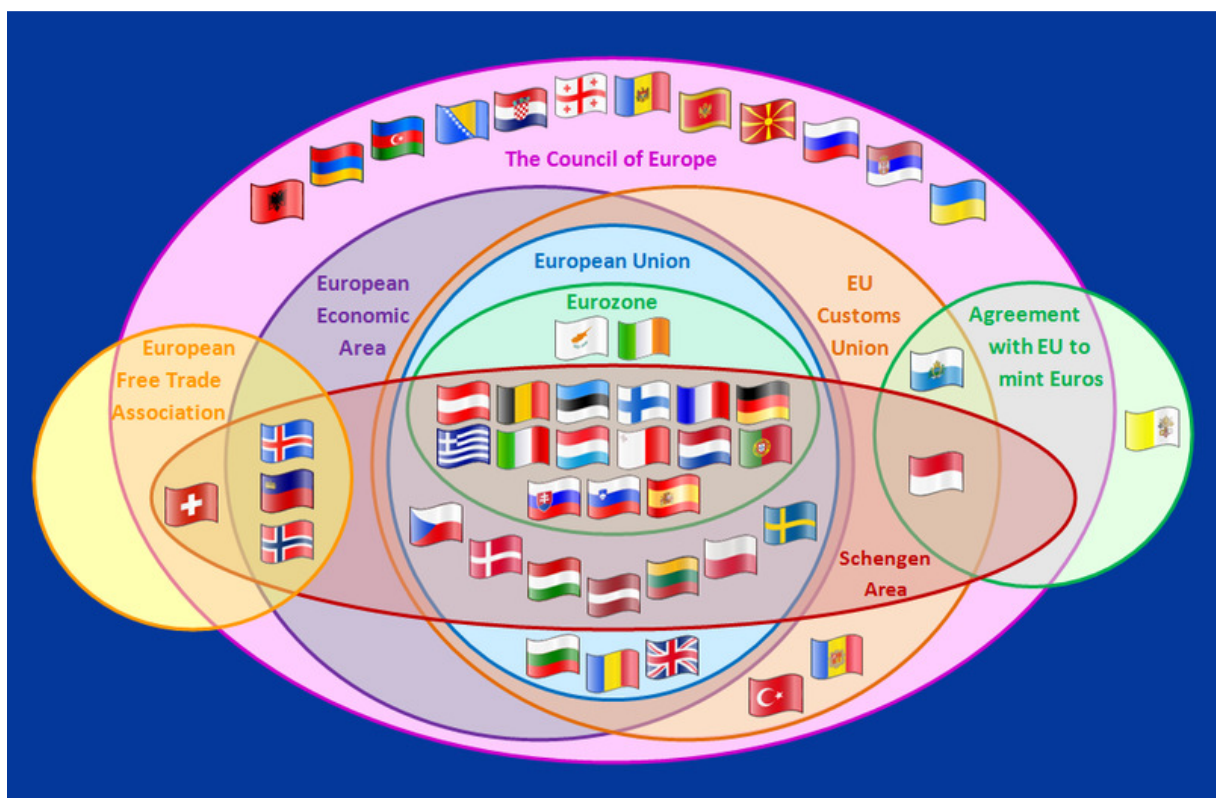
Overview

Data Protection Legislation

47 member states of the Council of Europe + other relevant countries



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The Council of Europe

The **Council of Europe** is an international organization promoting co-operation between all countries of Europe in the areas of legal standards, human rights, democratic development, the rule of law and cultural co-operation. It has 47 member states with some 800 million citizens, and is an entirely separate body from the European Union (EU), which has only 27 member states. Unlike the EU, the Council of Europe cannot make binding laws. The Council of Europe has nothing to do with either the Council of the European Union or the European Council, which are both EU bodies.

Convention 108 (Council of Europe)

Convention 108 refers to the **Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data** which was adopted by the Council of Europe in 1981. This Convention was the first legally binding international instrument adopted in the field of data protection. A total of 42 European states have ratified the Convention so far. At the same time, the Organization for Economic Co-operation and Development (OECD) issued guidelines to its members, which urged them to introduce measures to protect personal information.

National constitutions

Respect for private life and protection of personal data have been recognised as closely related, but separate fundamental rights in Articles 7 and 8 of the **EU Charter of Fundamental Rights** adopted in 2000 and reaffirmed in 2007. These principles are also reflected in the national constitutions of the member states of Council of Europe.

EU data protection legislation

As a result of the work in the Council of Europe and in the OECD, many European countries had enacted legislation designed to balance the individual's right to data protection with the need of public authorities, employers and others to process data. This was undertaken at national level long before the initiative was taken at EU level in early 1990's to ensure more harmonisation on the basis of Convention 108. Data protection is now highly developed in the EU and reflected in the following legal instruments:



1. **Directive 95/46/EC ("Data Protection Directive")** is the central piece of EU legislation, which regulates the protection of individuals with regard to the processing of personal data and the free movement of such data. As a framework law, the Directive had to be implemented in EU Member States through national laws. The Directive stipulates general rules on the lawfulness of personal data processing and rights of the people whose data are processed ('data subjects'). The Directive also provides that at least one independent supervisory authority in each Member State shall be responsible for monitoring its implementation. It also governs the use of data carriers and information and regulates the processing of personal data regardless of whether such processing is automated or not, stipulating that: a). people are not allowed to process personal data without the consent of the party involved, b). people have the right to access their own data and correct errors, c). data cannot be abused or used without the consent of the person it concerns. Companies working with people in the EU must demonstrate that they have adequate protections in place to secure the data and prevent it from being abused.
2. **Directive 2002/58/EC ("e-Privacy Directive")** is concerned with the processing of personal data and the protection of privacy in the electronic communications sector and regulates areas such as confidentiality, billing and traffic data, rules on spam, etc.
3. **Regulation (EC) No 45/2001** lays down the same rights and obligations as Data Protection Directive at the level of the EC institutions and bodies. It also establishes the European Data Protection Supervisor (EDPS) (*Europäische Datenschutzbeauftragte - EDSB*) as independent supervisory authority with the responsibility to monitor the processing of personal data by the EC institutions and bodies.
4. **Framework Decision 2008/977/JHA** on the protection of personal data processed in the framework of police and judicial co-operation in criminal matters. It is a legal framework for data protection in the "third pillar" of the EU. Its content is also based on Convention 108, but differs from Directive 95/46/EC in many ways that are related to the specific nature of the subject.



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Specific national legislation

Specific national legislation serves as the basis for the activities provided by REISSWOLF. In Germany, this is the latest version of the Federal Data Protection Act (BDSG). Federal Data Protection authorities where REISSWOLF is registered must carry out checks at REISSWOLF etc. Data protection regulations overview (all member states of the Council of Europe) is listed below.

Member states of the council of Europe

Albania, Andorra, Armenia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Montenegro, Czech Republic, Denmark, Estonia, Finland, France, Greece, Georgia, Croatia, Island, Ireland, Italy, Cyprus, Latvia, Lichtenstein, Lithuania, Luxembourg, Hungary, Macedonia, Malta, Moldova, Monaco, Netherlands, Norway, Germany, Poland, Portugal, Romania, Russian Federation, San Marino, Slovakia, Slovenia, Serbia, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom

Applicant country: Belarus

Countries-observers within the Committee of Ministers: Canada, the Holy See, Mexico and the USA

National parliaments-observers within the Parliamentary Assembly of CoE: Canada, Israel and Mexico

Other relevant states

Belarus, Kazakhstan, Kosovo, Kuwait



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1. ALBANIA



Convention 108	Signed	09.06.2004
	Ratified	14.02.2004
National Constitution		Art 35, 1998 Constitution
Specific National Legislation		Law No. 9887 on the protection of Personal Data, 2008
Enacted		10.03.2008
Scope	Manual Processing	Yes
	Non Natural person	No
	Public or private sector	Both
Registration or Notification		No
Special Authorisation for Exportation		No
Data Protection Authority		Data protection Commissioner



2. ANDORRA



Convention 108	Signed	31.05.2007
	Ratified	06.05.2008
National Constitution		
Specific National Legislation		
Enacted		
Scope	Manual Processing	
	Non Natural person	
	Public or private sector	
Registration or Notification		
Special Authorisation for Exportation		
Data Protection Authority		



3. ARMENIA



Convention 108	Signed	
	Ratified	
National Constitution		Art 20, 1995 Constitution
Specific National Legislation		
Enacted		
Scope	Manual Processing	
	Non Natural person	
	Public or private sector	
Registration or Notification		
Special Authorisation for Exportation		
Data Protection Authority		



4. AUSTRIA



Convention 108	Signed	28.01.1981
	Ratified	30.03.1988
National Constitution		Constitutional clause of Article 1, Sections 1-3, Data Protection Act 2000
Specific National Legislation		Federal Act concerning the Protection of Personal Data –Implementation of Directive 95/46/EC Länder Legislation
Enacted		17.08.1999
Scope	Manual Processing	Yes
	Non Natural person	Yes
	Public or private sector	Both
Registration or Notification		All data (Important exceptions)
Special Authorisation for Exportation		Some data
Data Protection Authority		Data Protection Commission



5. AZERBAIJAN



Convention 108	Signed	
	Ratified	
National Constitution		Art 32, 1995 Constitution
Specific National Legislation		Law of Azerbaijan Republic "on data, data processing and data protection"
Enacted		07.12.1999
Scope	Manual Processing	
	Non Natural person	
	Public or private sector	
Registration or Notification		
Special Authorisation for Exportation		
Data Protection Authority		



6. BELGIUM



Convention 108	Signed	07.05.1982
	Ratified	28.05.1993
National Constitution		Art.22, 1970 Constitution
Specific National Legislation		Law on Protection of Personal Data Law of implementation of directive 95/46/EC Decree on Enactment of Law on Protection of Personal Data
Enacted		08.12.1992 11.12.1998 13.02.2001
Scope	Manual Processing	Yes
	Non Natural person	No
	Public or private sector	Both
Registration or Notification		All data
Special Authorisation for Exportation		Some data
Data Protection Authority		Commission for the protection of privacy



7. BOSNIA AND HERZEGOVINA



Convention 108	Signed	02.03.2004
	Ratified	
National Constitution		Art II, para. 3 f), 1995 Constitution of Bosnia and Herzegovina
Specific National Legislation		Law on the protection of Personal Data
Enacted		20.12.2001
Scope	Manual Processing	-
	Non Natural person	-
	Public or private sector	Both
Registration or Notification		-
Special Authorisation for Exportation		No
Data Protection Authority		Data Protection Commission



8. BULGARIA



Convention 108	Signed	02.06.1998
	Ratified	18.09.2002
National Constitution		Art. 32, 1991 Constitution
Specific National Legislation		Personal Data Protection Act
Enacted		21.12.2001
Scope	Manual Processing	Yes
	Non Natural person	Yes
	Public or private sector	Both
Registration or Notification		All data
Special Authorisation for Exportation		Yes
Data Protection Authority		Commission for the Protection of Personal Data



9. CROATIA



Convention 108	Signed	05.06.2003
	Ratified	21.06.2005
National Constitution		Art. 37, 1990 Constitution (amendments 1997, 2000)
Specific National Legislation		Law on Protection of Personal Data (2 Regulations that are by laws: Regulation on the method of maintaining and the form of the records on personal data filing system (Official Gazette, 105/04, 28 July 2004) and Regulation on the method of storing and special technical protection measures of special categories of personal data (Official Gazette, 139/04, 6 Oct. 2004)
Enacted		01.10.2005
Scope	Manual Processing	Yes
	Non Natural person	No
	Public or private sector	Both
Registration or Notification		All data (important exceptions)
Special Authorisation for Exportation		No
Data Protection Authority		Personal Data Protection Agency



10.CYPRUS



Convention 108	Signed	25.07.1986
	Ratified	21.02.2002
National Constitution		Art 15, 1960 Constitution
Specific National Legislation		Processing of Personal Data (Protection of individuals) Law 2001
Enacted		2001
Scope	Manual Processing	Yes
	Non Natural person	No
	Public or private sector	Both
Registration or Notification		Some data
Special Authorisation for Exportation		Yes
Data Protection Authority		Personal Data Protection Commissioner



11. CZECH REPUBLIC



Convention 108	Signed	08.09.2000
	Ratified	09.07.2001
National Constitution		Art 10, 1992 The Charter of fundamental rights and freedoms (Constitutional order)
Specific National Legislation		Act on the protection of personal data and on Amendments to some related Acts
Enacted		04.04.2000
Scope	Manual Processing	Yes
	Non Natural person	No
	Public or private sector	Both
Registration or Notification		All data
Special Authorisation for Exportation		Some data
Data Protection Authority		Personal Data Protection Office



12. DENMARK



Convention 108	Signed	28.01.1981
	Ratified	23.10.1989
National Constitution		
Specific National Legislation		The act on processing of personal data
Enacted		31.05.2000
Scope	Manual Processing	Yes
	Non Natural person	Some
	Public or private sector	Both
Registration or Notification		Some data
Special Authorisation for Exportation		Some data
Data Protection Authority		Danish Data Protection Agency



13. ESTONIA



Convention 108	Signed	24.01.2000
	Ratified	14.11.2001
National Constitution		Art. 42, 1992 Constitution
Specific National Legislation		Personal Data Protection Act The Databases Act – and the Public Information Act
Enacted		12.06.1996 12.03.1997
Scope	Manual Processing	Yes
	Non Natural person	No
	Public or private sector	Yes
Registration or Notification		Some data
Special Authorisation for Exportation		No
Data Protection Authority		Data Protection Inspectorate



14. FINLAND



Convention 108	Signed	10.04.1991
	Ratified	02.12.1991
National Constitution		Section 10, 1991, Constitution
Specific National Legislation		Personal Data Act Act on the amendment of the Personal Data Act
Enacted		22.04.1999 24.11.2000
Scope	Manual Processing	Yes
	Non Natural person	No
	Public or private sector	Both
Registration or Notification		Some data
Special Authorisation for Exportation		Some data
Data Protection Authority		Data Protection Ombudsman



15.FRANCE



Convention 108	Signed	28.01.1981
	Ratified	24.03.1983
National Constitution		
Specific National Legislation		Act on Informatics, Data files and Liberties
Enacted		06.01.1978 06.08.2004
Scope	Manual Processing	Yes
	Non Natural person	Yes (Administrative decision of the CNIL 03/07/84)
	Public or private sector	Both
Registration or Notification		Some data
Special Authorisation for Exportation		Some data
Data Protection Authority		National Commission for Computerisation and Freedom (CNIL)



16. GEORGIA



Convention 108	Signed	21.11.2001
	Ratified	
National Constitution		Arts. 20/41, 1995 Constitution
Specific National Legislation		
Enacted		
Scope	Manual Processing	
	Non Natural person	
	Public or private sector	
Registration or Notification		
Special Authorisation for Exportation		
Data Protection Authority		



17.GERMANY



Convention 108	Signed	28.01.1981
	Ratified	19.06.1985
National Constitution		Art 10, 1943 Constitution
Specific National Legislation		Federal Data Protection Act (Implementation of Directive 95/46/EC) Telecommunications act
Enacted		01.01.2002
Scope	Manual Processing	Yes
	Non Natural person	No
	Public or private sector	Both
Registration or Notification		Some data
Special Authorisation for Exportation		No
Data Protection Authority		Federal Data Protection Commissioner



18. GREECE



Convention 108	Signed	17.02.1983
	Ratified	11.08.1995
National Constitution		
Specific National Legislation		Law No. 2472 on the Protection of individuals with regard to the processing of Personal Data, 1997 Protection of personal data and privacy in the electronic telecommunications sector and amendment of law 2472/1997, 2006.
Enacted		26.03.1997
Scope	Manual Processing	Yes
	Non Natural person	No
	Public or private sector	Both
Registration or Notification		All data
Special Authorisation for Exportation		Some data
Data Protection Authority		Personal Data Protection Authority



19.HUNGARY



Convention 108	Signed	13.05.1993
	Ratified	08.10.1997
National Constitution		Art 59, 1949 Constitution
Specific National Legislation		Act No. LXIII on the Protection of Personal Data and Disclosure of Data of Public Interest
Enacted		17.11.1992, Chapter III, Chapter IV
Scope	Manual Processing	Yes
	Non Natural person	No
	Public or private sector	Both
Registration or Notification		All data
Special Authorisation for Exportation		No
Data Protection Authority		Data Protection Ombudsman



20. ICELAND



Convention 108	Signed	27.09.1982
	Ratified	25.03.1991
National Constitution		
Specific National Legislation		Act on protection of individuals with regard to the processing of personal data
Enacted		01.01.2000
Scope	Manual Processing	Yes
	Non Natural person	Yes
	Public or private sector	Both
Registration or Notification		All data
Special Authorisation for Exportation		All data
Data Protection Authority		Personal Data Protection Authority



21. IRELAND



Convention 108	Signed	18.12.1986
	Ratified	25.04.1990
National Constitution		
Specific National Legislation		Data Protection Act 1988, amended in 2003 Electronic privacy Law 2003, amended 2008
Enacted		13.07.1988 19.12.2001
Scope	Manual Processing	No
	Non Natural person	No
	Public or private sector	Both
Registration or Notification		Some data
Special Authorisation for Exportation		No
Data Protection Authority		Data Protection Commissioner



22.ITALY



Convention 108	Signed	02.02.1983
	Ratified	29.03.1997
National Constitution		
Specific National Legislation		Personal Data Protection Code Legislative decree N° 196/2003
Enacted		01.01.2004
Scope	Manual Processing	Yes
	Non Natural person	Yes
	Public or private sector	Both
Registration or Notification		Some data
Special Authorisation for Exportation		Some data
Data Protection Authority		Garante per la protezione dei dati personali



23.LATVIA



Convention 108	Signed	31.10.2000
	Ratified	30.05.2001
National Constitution		Art 96, 1922 Constitution
Specific National Legislation		Personal Data Protection Law
Enacted		23.03.2000
Scope	Manual Processing	Yes
	Non Natural person	No
	Public or private sector	Both
Registration or Notification		Some data
Special Authorisation for Exportation		Some data
Data Protection Authority		Data State Inspectorate



24. LIECHTENSTEIN



Convention 108	Signed	02.03.2004
	Ratified	11.05.2004
National Constitution		
Specific National Legislation		Data Protection Act 2002 Ordinance of 9 July 2002 on the Data Protection Act
Enacted		14.03.2002 09.07.2002
Scope	Manual Processing	Yes
	Non Natural person	Yes
	Public or private sector	Yes
Registration or Notification		Some data
Special Authorisation for Exportation		Yes
Data Protection Authority		Commissioner for the Protection of Data



25. LITHUANIA



Convention 108	Signed	11.02.2000
	Ratified	01.06.2001
National Constitution		Art 22, 1992 Constitution
Specific National Legislation		Law on Legal Protection of Personal Data
Enacted		17.07.2000
Scope	Manual Processing	Yes
	Non Natural person	No
	Public or private sector	Both
Registration or Notification		Some data
Special Authorisation for Exportation		Some data
Data Protection Authority		State Data Protection Inspectorate



26. LUXEMBOURG



Convention 108	Signed	28.01.1981
	Ratified	10.02.1988
National Constitution		Art. 28, 1868 Constitution
Specific National Legislation		Act on the Protection of individuals with regard to the processing of Personal Data (French only) Law on telecommunication, 2005 (French only)
Enacted		02.08.2002
Scope	Manual Processing	Yes
	Non Natural person	Yes
	Public or private sector	Both
Registration or Notification		All Data (but exemptions)
Special Authorisation for Exportation		Some data
Data Protection Authority		National Commission for Data Protection Esch-sur-Alzette



27.MALTA



Convention 108	Signed	15.01.2003
	Ratified	28.02.2003
National Constitution		Section 32, 1964 Constitution
Specific National Legislation		Data Protection Act, 2001
Enacted		14.12.2001
Scope	Manual Processing	Yes
	Non Natural person	No
	Public or private sector	Both
Registration or Notification		All Data
Special Authorisation for Exportation		Some data
Data Protection Authority		Data Protection Commissioner



28.MOLDOVA



Convention 108	Signed	04.05.1998
	Ratified	28.02.2008
National Constitution		Art. 28, 1994 Constitution
Specific National Legislation		Law Nr. 17-XVI of 15.02.2007 on the protection of personal data Law Nr. 182-XVI of 10.07.2008 regarding the approval of the Statute, structure, staff-limit and financial arrangements of the National Centre for Personal Data Protection
Enacted		27.07.2007 10.07.2008
Scope	Manual Processing	Yes
	Non Natural person	Yes
	Public or private sector	Both
Registration or Notification		All Data
Special Authorisation for Exportation		Some data
Data Protection Authority		National Centre for Personal Data Protection



29. MONACO



Convention 108	Signed	
	Ratified	
National Constitution		
Specific National Legislation		
Enacted		
Scope	Manual Processing	
	Non Natural person	
	Public or private sector	
Registration or Notification		
Special Authorisation for Exportation		
Data Protection Authority		



30. MONTENEGRO



Convention 108	Signed	06.09.2005
	Ratified	06.09.2005
National Constitution		
Specific National Legislation		
Enacted		
Scope	Manual Processing	
	Non Natural person	
	Public or private sector	
Registration or Notification		
Special Authorisation for Exportation		
Data Protection Authority		



31. NETHERLANDS



Convention 108	Signed	21.01.1988
	Ratified	24.08.1993
National Constitution		Art. 10, 1989 Constitution
Specific National Legislation		Personal Data Protection Act
Enacted		06.07.2000
Scope	Manual Processing	Yes
	Non Natural person	No
	Public or private sector	-
Registration or Notification		Both
Special Authorisation for Exportation		Some data
Data Protection Authority		Data Protection Commission



32. NORWAY



Convention 108	Signed	13.03.1981
	Ratified	20.02.1984
National Constitution		Art. 10, 1989 Constitution
Specific National Legislation		Personal Data Act
Enacted		14.04.2000
Scope	Manual Processing	Yes
	Non Natural person	-
	Public or private sector	Both
Registration or Notification		All data
Special Authorisation for Exportation		All data
Data Protection Authority		Data Inspectorate



33.POLAND



Convention 108	Signed	21.04.1999
	Ratified	23.05.2002
National Constitution		Art 51, 1997 Constitution
Specific National Legislation		Act on the Protection of Personal Data
Enacted		29.08.1997
Scope	Manual Processing	Yes
	Non Natural person	Yes
	Public or private sector	Both
Registration or Notification		Some data
Special Authorisation for Exportation		Yes
Data Protection Authority		Inspector General for Personal Data Protection



34. PORTUGAL



Convention 108	Signed	14.05.1981
	Ratified	02.09.1993
National Constitution		Art. 35, 1976 Constitution
Specific National Legislation		Protection of Personal Data (Implementation of Directive 95/46/EC)
Enacted		28.10.1998
Scope	Manual Processing	Yes
	Non Natural person	No
	Public or private sector	Both
Registration or Notification		Some data
Special Authorisation for Exportation		Some data
Data Protection Authority		National Data Protection Commission



35.ROMANIA



Convention 108	Signed	18.03.1997
	Ratified	27.02.2002
National Constitution		Art. 26, 1991 Constitution
Specific National Legislation		Law on the Protection of Individuals with Regard to the Processing of Personal Data and the Free movement of Such Data No. 677/2001 Law. No. 102/2005 Law No. 506/2004
Enacted		12.12.2001
Scope	Manual Processing	Yes
	Non Natural person	Yes
	Public or private sector	Yes
Registration or Notification		Yes
Special Authorisation for Exportation		Yes
Data Protection Authority		National Authority for the Supervision of Personal Data Processing



36. RUSSIA



Convention 108	Signed	07.11.2001
	Ratified	
National Constitution		Art.24, 1993 Constitution
Specific National Legislation		
Enacted		
Scope	Manual Processing	
	Non Natural person	
	Public or private sector	
Registration or Notification		
Special Authorisation for Exportation		
Data Protection Authority		



37. SAN MARINO



Convention 108	Signed	
	Ratified	
National Constitution		
Specific National Legislation		Act on Collection, Elaboration and Use of computerised personal data
Enacted		01.03.1983
Scope	Manual Processing	No
	Non Natural person	Yes
	Public or private sector	Both
Registration or Notification		All data
Special Authorisation for Exportation		Some data
Data Protection Authority		Guarantor for the Protection of Confidential and Personal Data



38. SERBIA



Convention 108	Signed	06.09.2005
	Ratified	
National Constitution		
Specific National Legislation		Personal Data Protection Act
Enacted		01.10.2008
Scope	Manual Processing	
	Non Natural person	
	Public or private sector	
Registration or Notification		
Special Authorisation for Exportation		
Data Protection Authority		



39. SLOVAK REPUBLIC



Convention 108	Signed	14.04.2000
	Ratified	13.09.2000
National Constitution		Art. 19 and 22, 1992 Constitution
Specific National Legislation		Act on personal data protection Euro amendment of the Act 428/2002 Coll. entered into force on 1st May 2005
Enacted		03.02.2005
Scope	Manual Processing	Yes
	Non Natural person	No
	Public or private sector	Both
Registration or Notification		Some data
Special Authorisation for Exportation		No
Data Protection Authority		The Office for personal data protection of the Slovak Republic



40. SLOVENIA



Convention 108	Signed	23.11.1993
	Ratified	27.05.1994
National Constitution		Art. 38, 1991 Constitution
Specific National Legislation		Personal Data Protection Act
Enacted		08.07.1999
Scope	Manual Processing	Yes
	Non Natural person	No
	Public or private sector	Both
Registration or Notification		All data
Special Authorisation for Exportation		Some data
Data Protection Authority		Information Commissioner



41.SPAIN



Convention 108	Signed	28.01.1982
	Ratified	31.04.1984
National Constitution		Art. 18, 1978 Constitution
Specific National Legislation		Organic Law 15/99 on the Protection of Personal Data
Enacted		13.12.1999
Scope	Manual Processing	No
	Non Natural person	Yes
	Public or private sector	Both
Registration or Notification		All data
Special Authorisation for Exportation		Some data
Data Protection Authority		Data Protection Agency



42. SWEDEN



Convention 108	Signed	28.01.1981
	Ratified	29.09.1982
National Constitution		Chapter 2, Art. 3, 1989 Constitution
Specific National Legislation		Personal Data Act
Enacted		13.12.1999
Scope	Manual Processing	Yes
	Non Natural person	No
	Public or private sector	Both
Registration or Notification		
Special Authorisation for Exportation		
Data Protection Authority		Data Inspection Board



43. SWITZERLAND



Convention 108	Signed	02.10.1997
	Ratified	02.10.1997
National Constitution		Art. 13, 1999 Constitution Ordinances:OLPD, OALSP (French)
Specific National Legislation		Federal Data Protection Act Ordinances:OLPD, OALSP (French)
Enacted		19.06.1992 Ordinances adopted 14.06.1993
Scope	Manual Processing	Yes
	Non Natural person	Yes
	Public or private sector	Both
Registration or Notification		Some data
Special Authorisation for Exportation		Some data
Data Protection Authority		The Federal Data Protection and Information Commissioner



44. MACEDONIA



THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA (FYROM)

Convention 108	Signed	24.03.2006
	Ratified	24.03.2006
National Constitution		Art. 18, 1992 Constitution
Specific National Legislation		Law on Personal Data Protection
Enacted		25.01.2005
Scope	Manual Processing	Yes
	Non Natural person	Yes
	Public or private sector	Both
Registration or Notification		No
Special Authorisation for Exportation		Yes
Data Protection Authority		Administration Body - Directorate for personal data protection



45. TURKEY



Convention 108	Signed	28.01.1981
	Ratified	
National Constitution		Art. 20, 2001 Constitution
Specific National Legislation		
Enacted		
Scope	Manual Processing	
	Non Natural person	
	Public or private sector	
Registration or Notification		
Special Authorisation for Exportation		
Data Protection Authority		



46. UKRAINE



Convention 108	Signed	29.08.2005
	Ratified	30.09.2010
National Constitution		Art. 32, 1996 Constitution
		Law of Ukraine On Protection of Information in informational and telecommunication Systems of 01.01.2006
Specific National Legislation		Draft Law on personal data protection 09.01.2007
Enacted		
Scope	Manual Processing	
	Non Natural person	
	Public or private sector	
Registration or Notification		
Special Authorisation for Exportation		
Data Protection Authority		



47. UNITED KINGDOM



Convention 108	Signed	02.10.1997
	Ratified	02.10.1997
National Constitution		
Specific National Legislation		Data Protection Act Territorial Laws: Jersey Law Guernsey Law Isle of Man Law
Enacted		16.07.1998
Scope	Manual Processing	Yes
	Non Natural person	No
	Public or private sector	Both
Registration or Notification		All data
Special Authorisation for Exportation		Yes
Data Protection Authority		Office of the Information Commissioner



48. BELARUS



Convention 108	Signed	No
	Ratified	No
National Constitution		
Specific National Legislation		Law Of The Republic Of Belarus "On Information, Informatization and Protection of information"
Enacted		01.05.2009
Scope	Manual Processing	-
	Non Natural person	-
	Public or private sector	-
Registration or Notification		-
Special Authorisation for Exportation		-
Data Protection Authority		No

Belarus is not a signatory to the European Convention on Human Rights

Belarus has not signed the Convention 108 for the protection of Individuals with regard to Automatic Processing of Personal Data as well as the Convention's Additional Protocol on supervisory authorities and trans-border data flows.

Belarus does not have special legislation on data protection. In May 2009 the Law on Information, Informatization and protection of information entered in force. According to Article 32 of the law "transfer of personal data shall be allowed only on the basis of consent of the person this information relates to, or according to the legislation of the Republic of Belarus. (...) If personal data has been received with violations of these requirements (...), a party that has obtained such information shall not be entitled to use it and is bearing responsibility in accordance with the legislation of the Republic of Belarus". But the law does not establish a data protection authority nor does it say about a governmental body responsible for data protection.



49. KAZAKHSTAN



Convention 108	Signed	No
	Ratified	No
National Constitution		Yes
Specific National Legislation		Concept of Information Security
Enacted		10.10.2006
Scope	Manual Processing	-
	Non Natural person	-
	Public or private sector	-
Registration or Notification		-
Special Authorisation for Exportation		-
Data Protection Authority		No

Kazakhstan has not signed the Convention 108 for the protection of Individuals with regard to Automatic Processing of Personal Data as well as the Convention's Additional Protocol on supervisory authorities and trans-border data flows.

There are no specific laws on data protection. However, the following legislative acts contain data protection provisions:

- Constitution of the Republic of Kazakhstan
- Criminal Code
- Civil Code
- Labour Code
- Law on Banks and Banking Activities
- Law on Informatization

There is currently neither a Data Protection Authority in Kazakhstan nor comprehensive data protection legislation. There will be a provision for the establishment of a Data Protection Authority in the Law on Data Protection that is currently in progress. It is currently unclear when this law will be approved. On October 10, 2006 the President of Kazakhstan signed a decree that approved the Concept of Information Security. The Concept provides general information on possible threats to information security of the country and will serve as a reference point for all Kazakhstan further developments related to information security. It is expected that a Law on Data Protection (or Law on Information Security) will be adopted based on this concept paper.



50.KOSOVO



Convention 108	Signed	No
	Ratified	No
National Constitution		The protection of personal data in Kosovo is guaranteed by the Constitution. Art.36 protects the right to privacy and guarantees the protection of personal data, whereas Section 3 explicitly specifies that the secrecy of correspondence, telephony and other communication is an inviolable right.
Specific National Legislation		Law on the Protection of Personal Data (LPPD)
Enacted		29.04.2010
Scope	Manual Processing	Yes
	Non Natural person	Yes
	Public or private sector	Yes
Registration or Notification		-
Special Authorisation for Exportation		-
Data Protection Authority		Kosovo National Agency for the Protection of Personal Data
Despite the fact that the Law on the Protection of Personal Data (LPPD) has been approved, the current state of affairs regarding its implementation is rather concerning.		



51. KUWAIT



Convention 108	Signed	No
	Ratified	No
National Constitution		Yes
Specific National Legislation		
Enacted		
Scope	Manual Processing	
	Non Natural person	
	Public or private sector	
Registration or Notification		
Special Authorisation for Exportation		
Data Protection Authority		
<p>Data protection is dealt with under the Constitution of Kuwait and under the Civil and Commercial Procedure (Law No. 38/1980). Banks and their customers are specifically protected under the Central Bank of Kuwait Law (Law No. 32/1968).</p>		