



# **PUBLICATION OF PERSONAL DATA ON THE INTERNET**

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## Content:

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- Introduction
- **1st case:** publication of personal data on the website of Police;
- **2nd case:** publication of personal data on the website of The Central Electoral Commission of the Republic of Lithuania

## 1st case

- Personal data of the persons who committed administrative offence of drunken driving (*name, surname, year of birth, time and place of the committed administrative offence, degree of drunkenness, the sanction imposed*)
- On the website of Vilnius City Police Headquarters
- Purpose-informing the public, education and prevention of administrative offences.

# 1st case Arguments of the Inspectorate

- These data were collected for a different purpose;
- It is prohibited to disclose the personal information which is stored in the police information systems (paragraph 2 of the Article 6 of the Law on Police Activities);
- There were no any criteria for lawful processing of personal data.

## 1st case

# The court of the first instance

- Personal data may be processed if processing is necessary for the purposes of legitimate interests

(subparagraph 6 of the paragraph 1 of the Article 5 of the Law on Legal Protection of Personal Data);

- Data about administrative offence should not be considered as personal data.

# Supreme

## 1st case Administrative Court

The data about administrative offence should be considered as personal data when these data are published together with the name and the surname of the data subject.

Personal data of the persons who committed the offence of drunk driving may be published on the internet.

## 1st case

# Supreme Administrative Court

- One of the main purposes of administrative penalties is prevention of offences.
- The data subject's right to privacy is less important than the public interest to perform prevention of heavy offences of Road Traffic Rules.

## 2nd case

- **Personal data of Parliamentary candidates** (*name, surname, date and place of birth, family status, names of family members, declarations of property and private interests, citizenship, nationality, the political party and etc.*)
- On the website of the The Central Electoral Commission
- Unlimited period of time
- Purpose – informing the electorate



## 2nd case

# The Inspectorate

Personal data should not be stored longer than it is necessary for data processing purposes

(Article 4 of the Law on Legal Protection of Personal Data).

# Supreme Administrative Court

## 2nd case

The personal data of the candidates may be published on the internet for unlimited period of time.

## 2nd case

# Supreme Administrative Court

Proper informing of electorate serves as a precondition for the legitimate and fair elections.

The publication of personal data may be justified by a lawful purpose – to stimulate the confidence of electors on the organization of the representative institutions.



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**Thank you for attention !**