



# The Conflict between Data Protection and Archiving

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Danish National Archives



# The directive

- Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data



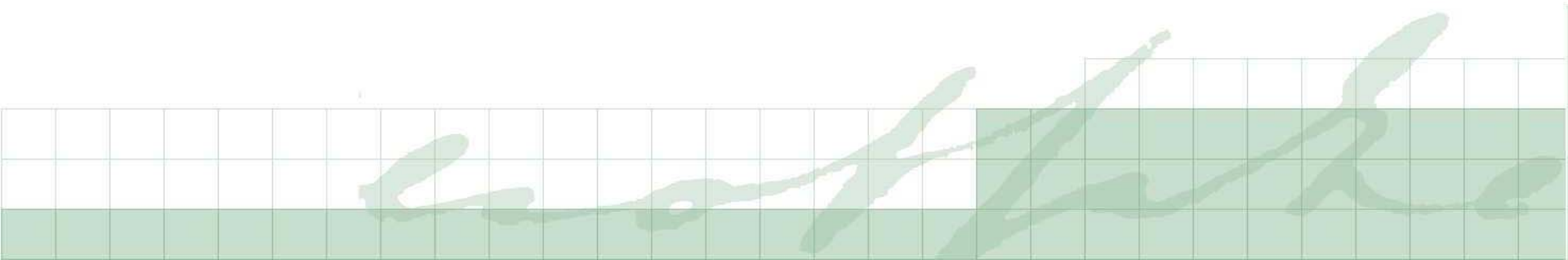
# Article 6

- Personal data must be:
  - Processed fairly and lawfully,
  - Collected for specified, explicit and legitimate purposes, and not further processed in a way incompatible with those purposes
  - Adequate, relevant, not excessive
  - Accurate and kept up to date
  - Kept in a form which permits identification for no longer than is necessary



# The CPR-number

- Since April 1968
- Unique identification of all inhabitants in Denmark

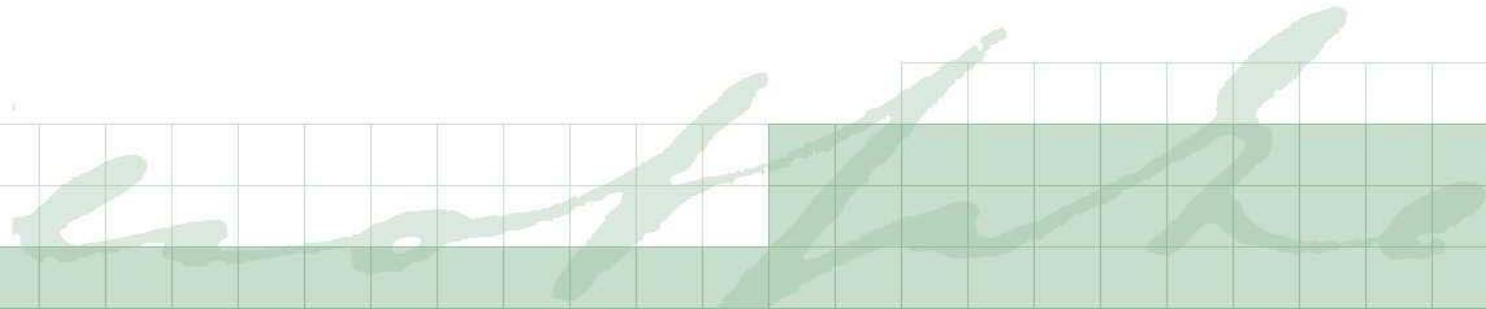




# To examine a bog body..



..you need a CPR-number!





# Information about us

- Taxes, income, fortune, property
- Health, hospitalization
- Social benefits
- Education
- Church membership, or lack thereof
- etc etc.



# Notification (Danish Act)

- The controller or his representative shall notify the Data Protection Agency before processing of data is carried out on behalf of the public administration
- Must include date of erasure of data in notification



# Transfer to Archives (Danish Act)

- Data covered by this Act may be archived under the rules laid down in the legislation on archives.





# To sum up

- Personal data can be transferred to archives
- But it requires that the archives make appraisal decisions in time
- And that the archives can set the time for transfer



# Ethics

- Data will “reemerge” after 75 years
- What about the right to be forgotten?

