

## THE PROTECTION OF PERSONAL DATA IN CONTEXT NEW SLOVAK LEGAL ACT

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**Abstract**

The data protection ranks among the fundamental rights and freedoms guaranteed by the Constitution of the Slovak Republic. The processing of personal data of individuals forms part of the labor relations. It is necessary in all processing operations that employers ensure the protection of personal data of their employees on the required level and that they would not provide information on personal data without the consent of involved person. This thesis analyses the Slovak legal regulation of personal data protection with regard to the obligations of the employers to protect the personal data of their employees. The employers are obliged within the framework of fulfilment of legal obligations in relation to various state authorities (social security authority tax authorities) and other entities to process personal data of the employees. The result of the analysis is that the protection of personal data of individuals in Slovakia is ensured at a high level and complies with the European standards.

**Key words**

Data protection, fundamental right, right to be forgotten, independent authority

**JEL Classification:** F66, M15, L86

**Introduction**

Personal data protection represents the new area of law that has come to the attention starting from 1970s in connection with technical and technological development. At the initiative of international organizations, States begun to adopt systemic measures to protect personal data. The Member States of the Council of Europe adopted Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data. This Convention is the first binding international instrument which protects the individual against abuses which may accompany the collection and processing of personal data. The aim of this Convention is to regulate the cross border flow of personal data (Council of Europe (1981). The Slovak Republic acceded to this Convention and is bound by it. In Slovakia the Law No. 428/2002 Coll. on the Protection of Personal Data was adopted in the year 2002 and it has been subsequently several times amended. It was one of the duties stemming from the preparation for the membership of the country in the European Union. The Law No. 122/2013 Coll. on the Protection of Personal Data abolished the Law No. 428/2002. Further to the new secondary legislation of the European Union in Slovakia the new Law No. 18/2018 Coll. on Protection of Personal Data and on Changing and Amending of other acts was adopted in the year 2016. The Slovak legal regulation strengthens the rights of individuals and provides the effective and functional means that will ensure their right to be informed about their personal data and enable more effective exercise

of their rights. At the same time, it provides greater responsibility for the data processors to ensure the availability, integrity and reliability of information systems and to protect sensitive personal data from loss, damage, theft, modification and destruction.

**Goal and Methodology**

The aim of this scientific study is to point out the significance and importance of personal data protection having in mind in particular the fact that the right for personal data protection rank among the fundamental rights and freedoms. Having regard to the extent of the given problematics the composition and choice of individual parts of this scientific study have been made from general to concrete facts. The effort has been to clarify the notion of personal data, freedom of flow of personal data and to compose the catalogue of rights connected with the personal data protection. The basic theory on the protection of personal data has its origin in international conventions of international organizations and in legal provisions. In order to get the general overview, the specific example of the violation of the personal data protection is also provided. In this scientific study we use the general methods, in particular description of facts, analysis, synthesis, deduction and induction. Covering of the issue in this scientific study was preceded by the high quality heuristics of the relevant EU legislation as well as the Slovak legislation. Among the basic information sources used in the scientific study, rank in particularly the EU legal

regulation, explanatory report to the Law on the Protection of Personal Data, scientific reports, decisions of the courts and internet sources. With regard to the fact that the Law on the Protection of Personal Data contains more than 100 articles, only provisions relating directly to individuals were analyzed.

## Findings

The Europe Strategy 2020 introduced the Digital Agenda for Europe as one of seven flagship initiatives. The creating the digital single market forms part of the digital agenda. It essentially entails removing national barriers to transactions that take place online. It builds on the concept of the common market, intended to eliminate trade barriers between Member States. The rise of the digital agenda also involves the protection of personal data and the introduction of secure measures related to the transfer of data to other states. Findings of this thesis are positive, because under the influence of European Union law, a new Law on the Protection of Personal Data covering the processing and protection of personal data has been adopted, thereby ensuring the adequate protection of fundamental rights to privacy. At the same time, we have pointed out the responsibility of the Slovak Republic for the fulfilment of its rights stemming from its membership in the European Union, which is stipulated in its Accession Treaty to the EU as well as in Article 7 paragraph 2 of the Slovak Constitution. It is the obligation to transpose the respective directive into the internal legislation within the given deadline. The directives are legally binding legal acts of the EU that have to be transposed by the Member States as to the goal they pursue.

## Discussion

### 1.1 Legal framework protection of personal data of the EU

The protection of natural persons in relation to the processing of personal data represents the fundamental right and it also forms part of the right to privacy of individuals. From the point of view of the EU law the problematic of the protection of personal data is regulated in article 16 paragraph 1 of the Treaty on the functioning of the European Union (OJ EU C 83.30.3.2010). The provision of this article enables adopting the rules on the protection of individuals as regards the processing of personal data by institutions, bodies, offices and agencies of the EU

in performing their activities belonging to the remit of the EU law.

The Declaration no. 21. on the protection of personal data in the fields of judicial cooperation in criminal matters and police cooperation also forms part of the Treaty on the Functioning of the European Union. According to this declaration *the Conference acknowledges that specific rules on the protection of personal data and the free movement of such data in the fields of judicial cooperation in criminal matters and police cooperation based on Article 16 of the Treaty on the Functioning of the European Union may prove necessary because of the specific nature of these fields.*

In Charter of Fundamental Rights of the European Union the protection of personal data is enshrined in its article 8 as the autonomous right separated and different from the right to respect the private life in expressed in its article 7. (OJ EU C 83.30.3.2010) *Article 8(2) and (3) Charter of Fundamental Rights of the European Union specifies that such data must be processed fairly for specified purposes and on the basis of the consent of the person concerned or some other legitimate basis laid down by law, that everyone has the right of access to data which have been collected concerning him or her and the right to have the data rectified, and that compliance with these rules is to be subject to control by an independent authority* (para 69, in Case C-131/12)

In addition to the regulation in the primary law of the EU the secondary legal acts adopted by the EU institutions are of significant importance, mainly: Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA (OJ L 119, 4.5.2016) and Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation) (OJ EU L 119, 4.5.2016. ).The Directive (EU) 2016/680 in its Article 1 paragraph 2 imposes to the Member States the obligation to protect the fundamental rights and freedoms of natural persons and in particular their right to the protection of personal data. Regulation 2016/679 provides individuals with rights that are enforceable by legal remedies, it specifies data processing obligations for operators in the EU institutions, bodies, offices and agencies.

## 1.2 Slovak legislation on the protection of personal data

Further to the obligation of the Slovak Republic to transpose directives into its domestic legal system, the *Directive 2016/680* has been transposed into the Slovak legal system, more specifically into the Law on Personal Data Protection of 2018. This Law is implemented in accordance with the *Regulation 2016/679*. This legal regulation applies to the personal data processing by the competent authorities in fulfillment their rights in criminal proceedings. The law does not apply to the processing of personal data by natural persons for their own use in the context of their domestic activities (e.g. personal diary, personal correspondence, or diary management, or creating a photo album).

In the Slovak legal order the protection of personal data that ranks among fundamental rights and freedoms guaranteed by the Constitution of the Slovak Republic. According to article 19 paragraphs 2 and 3 of the Constitution of the Slovak Republic *everyone has the right to protection against unauthorized interference in private and family life as well as against unauthorized collection, publication, or other misuse of personal data*. According to article 16 of the Constitution of the Slovak Republic the inviolability of the person and its privacy is guaranteed while the inviolability of privacy in connection with the whole personal sphere of private life is meant, and not only limited to the dwellings and what is happening behind the doors of people's houses or apartments.

The conditions of personal data processing in the labor law relations are regulated by the Labor Code as well as the Law on Personal Data Protection.

For the purpose of labour relations, including the application of related rights and obligations (e.g. social insurance, health insurance, calculation of travel allowances, calculation of wages, employer's liability for the health of an employee in the form of an accident at work or occupational disease, etc.) the processing the personal data is regulated either in Labour Code (Law No. 311/2001 Coll.), or in other special laws (for example in the Law on Safety and Protection of Health at Work, Law on Public Health Protection).

In article 2 of the Law on Personal Data Protection the notion of personal data is clearly defined. From factual point of view the term "personal data" refers to data that relate to an identified or identifiable natural person, i.e. determined or determinable, directly or indirectly. From the point of view of the protection of personal data the „determinability of natural person“ is understood such situation, when it is possible to

identify the person on the basis of one or several available data.

Personal data can be in the concrete situation for example: title, name and surname, address of domicile, date of birth, birth number, data on health, concrete tattoo, localization data, online identifier, etc. (article 2 of the Law). The notion of personal data includes data providing any kind of information related to individual in processing his or her personal data in the information system, without limitations as to the content of the personal data that are processed. At the same time it extends the range in addition to the mentioned personal information (e.g. name and surname) to the new type of data, such as IP address or cookies files.

The Law on the Personal Data Protection differentiates in broader context also the notions genetic data and biometric data. Genetic data should be defined as personal data relating to the inherited or acquired genetic characteristics of a natural person which result from the analysis of a biological sample from the natural person in question, in particular chromosomal, deoxyribonucleic acid (DNA) or ribonucleic acid (RNA) analysis, or from the analysis of another element enabling equivalent information to be obtained (paragraph 34 of the Regulation 2016/679). Personal data concerning health should include all data pertaining to the health status of a data subject which reveal information relating to the past, current or future physical or mental health status of the data subject (paragraph 35 Regulation 2016/679). On the basis of above mentioned these identifiers can be divided into three groups:

- a) those we have been assigned to for general identification – name and surname;
- b) those we have inherently – fingerprints, face, DNA;
- c) those assigned to us for a particular purpose – PIN of a payment card, address of domicil. (Mastalka,2008, p.16)

Within the framework of European integration, we quite often encounter the institute of free movement related to the internal market of the EU. The Slovak legal regulation in article 4 provides for the free flow of personal data between the Slovak Republic and the Member States of the EU. The free flow of personal data is also connected with the Digital Single Market that is one in which the free movement of goods, persons, services and capital is ensured and where individuals and businesses can seamlessly access and exercise online activities under conditions of fair competition, and a high level of consumer and personal data protection, irrespective of their nationality or place of residence (A Digital Single Market Strategy for Europe,2015) The Slovak Republic has undertaken not to restrict or prohibit the transfer of personal data in order to protect the

fundamental rights of natural persons, in particular their right to privacy in connection with the processing of their personal data. Removing obstacles to cross-border data flows is essential for a competitive European data economy. (Gabrielová, 2017)

The Law on the Personal Data Protection regulates in its articles 6 to 13 the principles for processing personal data that have the aim to respect the fundamental rights and freedoms of involved persons and to prevent infringement of right to privacy and protection of human dignity or to prevent other unlawful interference with the right to privacy. The processing of the personal data has to be legitimate and legal (principle of legality, principle of limiting purpose, principle of mineralization of personal data, principle of correctness, principle of minimum personal data retention, principle of integrity and confidentiality). The purpose of the processing must be legitimate, and the chosen method or specific technology with which the processing is to be undertaken must be necessary for the legitimate interest of the employer. The processing must also be proportionate to the business needs, i.e. the purpose, it is meant to address (Article 29 data protection working party, 2017). The principles of fair and transparent processing of data require that the person concerned is informed of the existence of processing operation and of its purposes. The operator should provide the concerned person with further information needed to ensure fair and transparent processing while all concrete requirements and the context of processing of those data. If personal data are obtained from the concerned person, this person should also be informed whether or not to provide personal data and the consequences if he does not provide the data.

The employer or other entitled subject is according to article 13 paragraph 1 of the Law on the Protection of Personal Data entitled to process the personal data on the basis of the content of the person concerned. The consent is the expression of free will of person and should be formulated in an understandable and easily accessible form, clearly and simply. This means, that obtaining consent is not possible under coercion or under threat (refusal of future labour legal relationship). If there are several different purposes for which the personal data are being processed, the consent should be given for all these purposes separately and independently. The explanatory report to the draft Law on the Protection of Personal Data states, that *the form of written declaration including the declaration through the electronic means or oral declaration, is acceptable where other requirements of the consent are met.* (explanatory report of the draft of Law 2018) The personal data may also be processed without the consent of the person concerned

only on the basis of specific legal regulation, which provides for such processing or on the basis of an international treaty binding on the Slovak Republic. In this context we can talk about specific cases of personal data processing under the specific legal regulations. It is important to state that employees are seldom in a position to freely give, refuse or revoke consent, given the dependency that results from the employer/employee relationship. (Article 29, data protection working party, 2017) The Law on the Protection of Personal Data regulates also the possibility in its article 14 paragraph 3, that the person concerned has the right at any time to withdraw his or her consent to the processing of personal data. The concerned person has to be informed about the possibility of withdrawal prior to the providing the data. The act of revoking the consent requires proper administrative procedures.

The personal data can be obtained and processed only for the purpose defined or stipulated by the Law. The article 16 paragraph 2 littera b) of the Law on the Protection of Personal data stipulates that, *processing is necessary for the purpose of fulfilment and performance of special rights of the operator or concerned person in the field of labour law, law of social security, social protection or public health insurance according to the special law, international treaty binding on Slovakia or according to the collective agreement, provided they contain adequate guarantees of the protection of fundamental rights and interests* (preventive occupational medicine, providing health care, social insurance, etc.) The scope and content of the processed personal data has to correspond with the purpose of the processing and has to comply with the condition of necessity of achieving the purpose. The Law on the Protection of Personal Data improves the legal status of concerned persons, i.e. natural persons, by guaranteeing new rights to them in connection with the processing of personal data in the context of new technologies and ways of their processing. The Law on the Protection of Personal Data explicitly stipulates

- a) the right of access to personal data in article 21. This provision enables the person to obtain from the operator the confirmation about the way of the processing of personal data, i.e. the purpose, scope and period of personal data retention, etc. Information about the specific person can be subject to lecture – and transfer to other state or international organization. In such a case, the concerned person has the right to be informed about the protection of his/her personal data.
- b) the right for rectification of personal data in article 22. According to this provision the operator is obliged to rectify the incorrectly retained data about the person concerned. As a result of incorrectly processed personal data, a

particular injury can be caused to the person concerned. For this reason, it is important that the operator to always process correct and up-to-date personal data. (*See case C-131/12*)

- c) the right to erasure of personal data in article 23 ('right to be forgotten'). The person has the right to delete the personal data relating to him or her without undue delay. It explicitly provides for the right of the person concerned to withdraw his or her consent to the processing of personal data without giving any reason, as well as the right to object to automatic processing and profiling, or if personal data are processed unlawfully. The reason for erasure is the fulfilment of the obligation under the Law on the Protection of Personal Data, a special regulation or an international treaty binding on the Slovak Republic. In case of the personal data were disclosed, the operator will have to inform third parties processing the data and inform them that the person concerned requests them to be removed, including the removal of links or other references. The aim of this provision is to increase the control of persons involved over the processing of their personal data.
- d) the right to restriction of processing of personal data in article 24. The processing of personal data is possible only if the processing of such data is legal and necessary to achieve the purpose, or if there is a legal claim, respectively.
- e) the right to be notified on rectification or erasure of personal data or restriction of processing of personal data in article 25. It is the responsibility of the operator to notify the recipient of the rectification of his or her personal data, the deletion of personal data or the limitation of the processing of personal data.
- f) the right to data portability in article 26. In order to strengthen the control over its own personal data, the concerned person in the case where the processing of personal data is carried out by the controller by automated means of processing, has the possibility to obtain the personal data s/he has provided to the operator in a structured and interoperable format and to transfer it to another operator, without the first operator to whom it has been given would prevent or restrict it in any way whatsoever. The right to data portability does not apply to the processing of personal data necessary for the performance of a task carried out in the public interest or in the exercise of official power entrusted to the operator. (article 26 paragraph 2)

This catalogue of rights related to the personal data protection strengthens the fundamental rights of persons. We find it right, that these rights are also set in the Regulation (EU) 2016/679, in particularly in its

articles 15 -20, which is directly applicable. According to article 288 of the Treaty on the Functioning of the European Union a regulation shall have general application. It shall be binding in its entirety and directly *applicable* in all Member States. (OJ EU C 326, 26.10.2012). The regulation ensures the uniform application of the Union law in all Member States. At the same time, it prevents the application of national provisions that are incompatible with its provisions.

The Law on the Protection of Personal Data in its article 30 provides for the limitation of rights of the person concerned. According to this provision it is possible to limit the rights of persons due to the protection and safety of the Slovak Republic, due to the protection of public order, the fulfillment of tasks for the purposes of criminal proceedings, etc. There is the legal possibility when the rights of individuals can be restricted, however, such a restriction respects the fundamental rights and represents a necessary and appropriate measure in a democratic society. The limitation of the rights of the concerned person based on the protection of natural security or the protection of public order relates to the information duty of the operator, the rights of concerned person, such as the right to rectification, the right to erasure, right to the limitation of processing, the right to transferability of data, the right to object, the right to object the automated individual decision, including profilation, etc. (Explanatory Report to the draft Law)

### 1.3 Case study -Right to erasure and blocking of data — 'Right to be forgotten'

The internet has revolutionized our lives by removing technical and institutional barriers to dissemination and reception of information, and has created a platform for various information society services. (Jääskinen,2013). In this context we have to take into account that the internet magnifies and facilitates in an unprecedented manner the dissemination of information. (*See case C-509/10*) The legal order of the European Union does not regulate explicitly the rights, obligations and a legal position of internet search engine service providers. In this context the notion „processing of personal data“ can be clarified using the quote from the judgement of the Court of Justice of the EU in case *Lindqvist* that 'the operation of loading personal data on an internet page must be considered to be processing of personal data (C-101/01, coll., p. I-12971, para 25 -29). The publishing of correct information in internet in the Google search has also been the subject of the preliminary ruling proceedings before the Court of Justice of the EU in case *Mario Costeja González v. Google* (C-131/12). The Court of Justice has dealt with several questions

within the framework of the proceedings held in respect of the question posed by the Audiencia Nacional: *protection of individuals with regard to the processing of such data*, territorial scope of application, Charter of Fundamental Rights of the European Union — Articles 7, 8, 11 and 16. The basic issue with respect of the aim of this scientific study is the question of publishing the accurate and relevant information about persons. The information on the auction of real estate was published in the newspaper in 1998 related to Mr. C. González, who was the debtor in the system of social security. This information was later on published also on the internet portal. After longer time Mr. González accidentally wrote his name to Google. To his big surprise, Google's search results revealed information about his house auction for not paying to the social security system. In 2009 he asked the newspaper publisher to remove this information. At the same time, he objected that this situation has been solved, since he paid all his debts from the social security and his house was not confiscated. This fact, however, was not published in the report of company Google on its web site. The case became before the national court, which has posed the Court of Justice the preliminary questions under Article 267 TFEU. The result of the proceedings was the judgement of the Court rendered on 13 May 2014 from which it follows that : *As the data subject may, in the light of his fundamental rights under Articles 7 and 8 of the Charter, request that the information in question no longer be made available to the general public on account of its inclusion in such a list of results, those rights override, as a rule, not only the economic interest of the operator of the search engine but also the interest of the general public in having access to that information upon a search relating to the data subject's name. However, that would not be the case if it appeared, for particular reasons, such as the role played by the data subject in public life, that the interference with his fundamental rights is justified by the preponderant interest of the general public in having, on account of its inclusion in the list of results, access to the information in question* (Case C- 131/12). The Court of Justice in this case confirmed the existence of right to be forgotten and the right to erasure of unreal, untrue and detrimental personal data of individuals.

## Conclusion

The Slovak legal regulation provides for the modern legal framework of the protection of personal data with the aim to ensure the respect for fundamental rights and freedoms in the context of evolving information and communication technologies and at the same time enabling the free flow of personal data.

In the global world, the new technologies make easier the movement of persons, goods, capital, ideas and personal data and there is a need of regulation at the national, European and international level. The purpose of the new Law on the Protection of Personal Data was, *inter alia* to achieve the complete compliance of the national legal framework of personal data protection with the relevant EU legislation. With regard to the fact, that the new legislation extended and clarified the individual rights of the concerned persons (right of rectification, right of cancellation, right to data transfer, right to object, it is the duty of employers and other institutions to respect that fact. In principle it is necessary, that everyone who processes personal data, is responsible for their processing and at the same him is obliged to inform regularly their correctness and relevance of processed data, and to ensure that they are updated. The new legal regulation will also have the economic impacts for employers and entities that are processing personal data, because they will have to invest substantial means to align the information systems with the new legislation. On the basis of the court case it was pointed out that the processed personal data should be correct and updated as the case may be; the adequate and effective measures have to be taken that the personal data, that are incorrect from the point of view of the purpose for which they are processed, would be erased or corrected without any delay.

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The development of interned and social networks accompanied by the new business models and connected steep increase in the use of IT technologies have required the substantive change in the regulation of the protection of personal data. Due to the development of digital economy the measures have been adopted at the EU level with the aim to strengthen and built trust of people in the digital economy and electronic services that cannot function without effectively without the personal data. In broader context it has to be taken into account that the fundamental right for the protection of privacy and personal data became the factual means of payment for the services of modern digital economy. The Slovak Republic as the EU Member State had to adopt respective measures that are in accordance with the European requirements. On the basis of concrete facts, we have pointed out that the Slovak legal regulation provides the adequate protection for the rights of individuals against unauthorised interference with their private life. The provisions of the Law on the Protection of Personal Data that regulate the concrete protection of individuals have been identified. We have pointed out the fact that it is necessary to apply

the principle of legality and legitimacy in the interest of proper protection of personal data. In another words, any processing of personal data must be

lawful, fair and transparent in relation to the individuals concerned, and only processed for specific purposes laid down by law.

## References

- Council of Europe. (1981). *Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data*. [online] [acc.: 2018-15-01]. Available at <https://www.coe.int/en/web/convention>
- Court of Justice EU(2012). Case C 131/12. Google Spain SL a Google Inc. proti Agencia Española de Protección de Datos (AEPD) [online] [acc.: 2018-15-1]. Available at <http://curia.europa.eu/juris/liste.jsf?num=C-131/12>
- Court of Justice EU. (2011). Cases C -509/09 and C-161/10 Judgment of the Court (Grand Chamber) of 25 October 2011 eDate Advertising GmbH and Others v X and Sociétés MGN LIMITED. ECR I-102696
- Court of Justice EU (2003). Case C 101/01, Judgment of the Court of 6 November 2003.Criminal proceedings against Bodil Lindqvist..ECR I-12971
- Delaneuville,F. (2017). La contestation de la politique migratoire Européenne par les états du Group de Višegrad In: *Education excellence and innovation management through Vision 2020: From regional development sustainability and competitive economic growth*
- European Union (2010). *Charter on the fundametal rights of the European Union*. OJ EU C 83.30.3.2010
- European Union (2010). *Treaty on the functionin of the European Union*. OJ EU C 83.30.3.2010
- European Union (2016). Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA (OJ EU L 119, 4.5.2016)
- European Union (2016). Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (Text with EEA relevance) OJ EU L 119, 4.5.2016
- European Union (2015). Communication from the Commission to the European parliament, the Council, the European economic and Social committee and the Committee of the regions .A Digital Single Market Strategy for Europe {SWD(2015) 100 final} Brussels, 6.5.2015 COM(2015) 192 final
- European Union (2017). Article 29 data protection Working party Opinion 2/2017 on data processing at work 7.6.2017. [online] [acc.: 2018-15-1]. Available at <://C:/Users/lektor/AppData/Local/Microsoft/Windows/INetCache/IE/AD6FCQM7/Opinion22017ondataprocessingatwork-wp249.pdf>
- European Union (2010): Declaration no. 21. on the protection of personal data in the fields of judicial cooperation in criminal matters and police cooperation. OJ EU C 83 30.3.2010
- Gabrielová M. (2017). State of the Union 2017: A framework for the free flow of non-personal data in the EU. [online] [acc.: 2018-15-1]. Available at: <http://europa.eu/rapid/search-result.htm?locale=EN> 2017
- Hradilová, J. (2008). *Protection on personal data in the European Union* Ikaros. [online] [acc.: 2017-15-12].. 2008, roč. 12, č. 2. Available at: <http://www.ikaros.cz/ochrana-osobnich-udaju-v-evropske-unii>.
- Jaaskinen (2013) Opinion of Advocate General C 132/12. [online] [acc.: 2017-15-12]. Available at <http://curia.europa.eu/juris/liste.jsf?num=C-131/12> (internetový zdroj)
- Kuner,H.(2003). *European data privacy law and online business*. Oxford: University Press, 2003. 72 s.
- Maštalka, J. (2008). *Personal data and we*. Praha, C. H. Beck, 2008, p.16
- Morávek, J. (2013). *Ochrana osobních údajů v pracovněprávních vztazích*. Praha: Wolters Kluwer ČR, 2013..p. 104-106
- National Council of the Slovak Republic (2017). Act No. 18/2018 Coll. on Protection of Personal Data and on Changing and Amending of other acts,, Report on draft of Act. [online] [acc.: 2017-15-12].. Available at <https://www.nrsr.sk/web/Default.aspx?sid=zakony/zakon&ZakZborID=13&CisObdobia=7&CPT=704>
- National Council of the Slovak Republic (1992). *Act. No. 460/1992 Coll. Constitution of the Slovak Republic*

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