



Presidency of the Republic
The Civil House
Sub-director Legal Affairs

DECREE N° 7.950 of 12 MARCH 2013

Establishing the National Bank of Genetic Profiles and The Integrated Network of Banks of Genetic Profiles.

The PRESIDENT OF THE REPUBLIC, using the powers conferred upon her by art. 84, head, sections IV and VI, paragraph "a" of the Constitution, and in view of the provisions of Law No. 12654 of 28 May 2012
DECREES:

Art. 1^º Establishes within the Ministry of Justice, the National Bank of Genetic Profiles and the Integrated Network of Banks of Genetic Profiles.

§ 1^º The National Bank of Genetic Profiles aims to store genetic profiles collected to support programs aimed at the investigation of crimes.

§ 2^º The Integrated Network of Banks of Genetic Profiles aims to enable the sharing and comparison of genetic profiles between the banks of genetic profiles with the Union, the States and the Federal District.

§ 3^º The accession of the states and the Federal District Network Integrated occur through technical cooperation agreement signed between the federal unit and the Ministry of Justice.

§ 4^º The National Bank of Genetic Profiles will be established on the unit expertise official of the Ministry of Justice and administered by a qualified federal criminal expert with proven experience in genetics, appointed by the Minister of Justice.

Art. 2^º The Integrated Network of Banks of Genetic Profiles will include a Management Committee, in order to promote coordination of the actions of the managers of the databases of genetic profiles and data integration in the areas of the Union, the states and the Federal District, which will consist of representatives and alternates, appointed as follows:

I - five representatives of the Ministry of Justice;

II - a representative of the Human Rights Secretariat of the Presidency, and

III - five representatives of the States or the Federal District, and a representative from each geographical region.

§ 1^º The Management Committee will be coordinated by member appointed pursuant to subsection I of the head, which will occupy the role of administrator of the National Bank of Genetic Profiles.

§ 2^º The representatives referred to in sections II and III of the caput and their alternates shall be appointed by the ultimate leader of their respective bodies.

§ 3^º It will appoint coroners as enabled federated units approved by the regions signed the cooperation agreement for the representation referred to in paragraph III of the caption.

§ 4º In the absence of understanding between the units in the geographical region, the relay is assumed between the states and the Federal District, in alphabetical order, as provided in the bylaws of the Management Committee.

§ 5º Will be invited to attend meetings without the right to vote, one representative from each of the following agencies:

I – the Public Prosecution;

II – the Public Defender;

III – the Bar Association of Brazil;

IV – the National Commission on Research Ethics.

§ 6º The Minister of State for Justice to appoint the members of the Managing Committee.

§ 7º The decisions of the Management Committee shall be adopted by an absolute majority, the vote of the coordinator admitted only for the purpose of tiebreaker.

§ 8º The members of the Management Committee shall be two years, renewable once allowed for an equal period.

Art. 3º The Management Committee may invite experts and representatives of other agencies and entities, public and private, to monitor the meetings and participate in its activities.

Art. 4º Participation in the Management Committee will be considered public service relevant unpaid.

Art. 5º It is for the Management Committee:

I - promote the standardization of procedures and techniques for the collection, analysis of genetic material, and inclusion, storage and maintenance of genetic profiles in databases that comprise the Integrated Network of Genetic Profiles;

II - set standards and measures that ensure respect for individual rights and guarantees in the procedures of collection, analysis and inclusion, storage and maintenance of genetic profiles in the databases;

III - define security measures to ensure the reliability and confidentiality of data;

IV - define the technical requirements for performing audits on the National Bank of Genetic Profiles and Integrated Network of Genetic Profiles, and;

V - prepare its bylaws.

Art. 6º The Ministry of Justice to adopt the necessary measures:

I - to preserve the confidentiality of the data and the identification of genetic profiles administered in scope, and

II - the inclusion in the agreement signed with the federal units, clauses that meet the provisions of section I of the head.

Art. 7º The genetic profile of identified criminal will be deleted from the database at the end of the term established by law for prescribing the offense, or at an earlier date set for judgment.

Art. 8º The National Bank of Genetic profiles can be used to identify missing persons.

Single paragraph. The comparison of samples and genetic profiles donated voluntarily by blood relatives of missing persons shall be used solely to identify the missing person, being prohibited its use for other purposes.

Art. 9º The Ministry of Justice periodically audit the National Bank of profiles Genetic and Integrated Network Banks Profiles Genetic to whether their activities are in compliance with this Decree, as provided in the Agreement on technical cooperation in § 3 of art. 1, observed the technical requirements specified in item IV of the art. 5.

Single paragraph. Participate in the audit experts from institutions of higher education or scientific nonprofit.

Art. 10. The Ministry of Justice shall act as Executive Secretary of the Management Committee.

Art. 11. This Decree shall enter into force on the date of its publication.

Brasilia, March 12, 2013, 192 and 125 of the Independence of the Republic.

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