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Gazette A

Regulation's title

Law amending the Law on the Establishment of a Central DNA Register and Code (Expanding the DNA profile register persondel, indication of bodily requirements, etc.)

Ministry

Justice

Ressort Ministry file number

Justitsmin., J.nr. 2005-730-0028

Law amending the Law on the Establishment of a Central DNA Register and Code

(Expanding the DNA profile register, indication of bodily requirements, etc.)

We, Margrethe the Second, by the Grace of God Queen of Denmark, hereby proclaim:

The Folketing has passed and we have given our Royal Assent to the following Act:

§ 1

Act No. 434 of 31 May 2000 establishing a central DNA Register is amended as follows:

1st Act *title* reads as follows:

'Law on the Central DNA profile register'.

2nd § 1 reads as follows:

"§ 1 The provisions of this Act shall keep and maintain the Commissioner of Police, the Central DNA profile register that serves as an internal working register of the police in connection with identification of persons.

Paragraphs. Second register is divided into a persondel and a track component, see § 2

Paragraphs. Third register consists of a manual registry and a computerized register. "

3rd § 2, *paragraph. 2*, reads as follows:

Paragraph. Second register must contain the following information:

- 1) The register must be recorded persondel DNA profiles of persons who are or have been charged with an offense under this Act can result in imprisonment for 1 year and 6 months or more, or for a violation of Penal

Code § 235, paragraph. 2, if DNA analysis is performed in that case on the basis of biological material taken under the rules of the Judicial Code Chapter 72

2) The register must be recorded track component DNA profiles from biological material found at crime scenes or effects, people or places connected to a crime. "

4th In § 3, *paragraph. 1*, repealed *No. 2*, and *No. 3*, which is *No. 2*, the words "70 years" to "80 years".
No. 3-6 are then No. 2-5.

5th In § 3, *paragraph. 3*, the words 'and 3'.

6th In § 4 the following *paragraph. 2*:

Paragraph. Second erase can be dispensed with in the paragraph. 1, No. 1, the second case, if the identified person is or has been indicted for the crime and he shall consent to continue registration. "

§ 2

The Administration of Justice Act, Consolidated Act No. 961 of 21 September 2004, as amended by § 2 of Act No. 1436 of 22 December 2004, is amended as follows:

1st In § 792, *paragraph. 1, No. 2*, after 'taking of': 'saliva or'.

2nd § 792 *b, paragraph. 1*, reads as follows:

"Outside of the cases mentioned in § 792 a, paragraph. 1, No. 2, and paragraphs. 2, fingerprinting and personal photography and the taking of saliva or blood sample for later identification also occur if the person is reasonably suspected of an offense under this Act can result in imprisonment for 1 year and 6 months or more or for a violation of Penal Code § 235, paragraph. 2 ' "

3rd In § 792 *c, paragraph. 1*, after 'taking of': 'saliva or'.

4th In § 792 *e, paragraph. 3*, inserted *third section*.

»Saliva Test in accordance with § 792 b, paragraph. 1 may be taken without the involvement of a doctor. "

§ 3

Paragraphs. 1st Act comes into force the day after publication in the Official Gazette.

Paragraphs. 2nd § § 1-4 of the Law on the Central DNA profile register as amended respectively amended by this Act § 1 also applies to DNA profiles obtained before its commencement.

§ 4

The Act does not apply to the Faroe Islands and Greenland but may by Royal Decree in force in these parts with such modifications as the special Faroese and Greenland conditions.

Given at the Royal Yacht Dannebrog, Rønne, 24 May 2005

Under Our Royal Hand and Seal

Margrethe R.

Act No. 1559 of 20/12/2006

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The Ministry of Justice

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Gazette A

Regulation's title

*Law amending the Law on the
Central DNA profile register*

*(Disclosure of information to other EU
countries, etc.)*

Ministry

Justice

Ressort Ministry file number

Justitsmin., J.nr. 2006-730-0384

Law amending the Law on the Central DNA profile register

(Disclosure of information to other EU countries, etc.)

We, Margrethe the Second, by the Grace of God Queen of Denmark, hereby proclaim:

The Folketing has passed and we have given our Royal Assent to the following Act:

§ 1

Act No. 434 of 31 May 2000 on the Central DNA profile register, as amended by § 1 of Act No. 369 of 24 May 2005, is amended as follows:

1st In *§ 5, paragraph. 1*, inserted after No. 1 as the new number:

"2) the competent law enforcement authority in a Member State of the European Union or a country participating in the cooperation under the Schengen Convention, for use in a criminal investigation or criminal intelligence operation."

No. 2-4 are then No. 3-5.

§ 2

Act comes into force the day after publication in the Official Gazette.

§ 3

The Act does not apply to the Faroe Islands and Greenland but may by Royal Decree be put into force with such modifications as the special Faroese and Greenlandic conditions.

Given at Christiansborg Castle, 20 December 2006

Under Our Royal Hand and Seal

Margaret R.

Act No. 347 of 14/05/2008

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Gazette A

Regulation's title

Law amending the Law on enforcement of certain criminal judgments in the European Union,

the Law on Extradition and the Law on the Central DNA profile register (Implementation of the Framework Decision on the European Evidence Warrant and the Framework Decision on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences, etc.)

Ministry

Justice

Ressort Ministry file number

Justitsmin., J.nr. 2006-730-0378

Law amending the Law on enforcement of certain criminal judgments in the European Union, the Law on Extradition and the Law on the Central DNA profile register

§ 3

Act No. 434 of 31 May 2000 on the Central DNA profile register, as amended by § 1 of Act No. 369 of 24 May 2005 and Act No. 1559 of 20 December 2006, is amended as follows:

1st In § 5, paragraph. 1, No. 1, insert after "Justice," "including use for the execution of a Warrant under the Act for enforcement of certain criminal judgments in the European Union '.

Act No. 479 of 17/06/2008

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Gazette A

Regulation's title

Law amending the Law on the Central DNA profile register Code, law on registration of vehicles and the Law on Competition and Consumer Interests in the Telecommunications Market (Implementation of the Prüm Decision on exchange of information on DNA profiles, fingerprints and vehicles, etc.)

Ministry

Justice

Ressort Ministry file number

Justitsmin., J.nr. 2007-7700-0076

Law amending the Law on the Central DNA profile register Code, law on registration of vehicles and the Law on Competition and Consumer Interests in the Telecommunications Market

(Implementing the Prüm Decision on exchange of information on DNA profiles, fingerprints and vehicles, etc.)

We, Margrethe the Second, by the Grace of God Queen of Denmark, hereby proclaim:

The Folketing has passed and we have given our Royal Assent to the following Act:

§ 1

Act No. 434 of 31 May 2000 on the Central DNA profile register, as amended by § 1 of Act No. 369 of 24 May 2005, Law No. 1559 of 20 December 2006 and § 3 of Act No. 347 of 14 May 2008, is amended as follows:

1st In § 5, after paragraph. 1 new subsection:

'Paragraph. Second, the competent law enforcement authority in a Member State of the European Union for the purpose of investigating a specific criminal case by automated search comparing a DNA profile included in the investigation, with the register of DNA profiles. "

Paragraphs. 2 becomes paragraph. 3rd

§ 2

In procedural law, Consolidated Act No. 1261 of 23 October 2007, as amended by § 1 of Act No. 168 of 12 March 2008, is amended as follows:

1st After § 116 is added:

'§ 116 a. The competent law enforcement authority in a Member State of the European Union for the purpose of investigating a specific criminal case by electronically comparing a fingerprint search, which is part of the investigation, the fingerprints in the police central finger and handprints register. "

§ 3

Act No. 309 of 19 April 2006 for registration of vehicles, as amended by § 3 of Act No. 106 of 7 February 2007, is amended as follows:

1st After § 17 the following:

"§ 17 a. Information in Vehicle Registry may be disclosed to the police.

Paragraphs. 2nd Tax The Minister may, after consultation with the Minister of Justice to lay down rules on disclosure of information pursuant to paragraph. 1st

Paragraphs. 3rd Commissioner of Police may grant the competent law enforcement authority of a Member of the European Union access to conduct electronic searches in the data from the Vehicle Register, which is passed to the police for the purpose of investigating a specific criminal case or a specific case of maintaining the public safety. "

§ 4

The Law on Competition and Consumer Interests in the Telecommunications Market Consolidation Act No 780 of 28 June 2007, as amended by Act No. 325 of 30 April 2008, is amended as follows:

1st In § 15 paragraph. 1, No. 4, the words 'State' to 'State Party'.

2nd In § 15 paragraph. 1, No. 5, the words' other Member States "to" other Contracting State "and" Member State "changed to" Contracting State ".

3rd In § 15 paragraph. 1, No. 6, the words' other Member States "to" other Contracting States ".

§ 5

Paragraphs. First provisions of the Penal Code Chapter 14 relating to crimes against the public authority, etc., and Chapter 16 on the crimes of public officials, etc. also apply when the relationship is committed against or by

officials of another country while performing tasks in Denmark after the Prüm or Council decision on improving cooperation between the EU special intervention units in crisis situations.

Paragraphs. 2nd Complaints about behavior that is exhibited by an official from another country while performing tasks in Denmark after the Prüm or Council decision on improving cooperation between the EU special intervention units in crisis situations, under the rules of the Judicial Code Chapter 93 b and 93 d.

Paragraphs. 3rd Minister of Justice shall pay compensation for damage caused by officials of another country while performing tasks in Denmark after or Prüm Council decision on improving cooperation between the EU special intervention units in crisis situations, which according to Danish law leads to liability.

Paragraphs. 4th Minister of Justice shall pay compensation for damage caused by the Danish state, and as a result of using incorrect information received from another country under the Prüm Decision. Damages can be reduced or denied if the person seeking compensation have given rise to the injury.

§ 6

Paragraphs. First Minister of Justice shall fix the date of commencement of the Act, cf. 2, and may determine that the Act § § 1-3 and 5 come into force at different times.

Paragraphs. 2nd § 4 shall enter into force the day after publication in the Official Gazette.

§ 7

Paragraphs. 1st Act does not apply to the Faroe Islands and Greenland.

Paragraphs. 2nd § § 1 and 5, by royal decree in whole or in part, brought into force for the Faroe Islands and Greenland with the deviations by special Faroese and Greenlandic conditions.

Given at Christiansborg Castle, 17 June 2008

Margrethe R.

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Gazette A

Regulation's title

Law amending the Law on the Central DNA profile register (deadline for deletion of data on DNA profiles of suspects, but not convicted persons)

Ministry

Justice

Ressort Ministry file number

Justitsmin., Docket. 2009-730-0961

Law amending the Law on the Central DNA profile register

(Deadline for erasing data on DNA profiles of suspects, but not convicted persons)

We, Margrethe the Second, by the Grace of God Queen of Denmark, hereby proclaim:

The Folketing has passed and we have given our Royal Assent to the following Act:

§ 1

Act No. 434 of 31 May 2000 on the Central DNA profile register, as amended including by § 1 of Act No. 369 of 24 May 2005 and last amended by § 1 of Act No. 479 of 17 June 2008, is amended as follows:

1st In § 3, *paragraph. 1*, inserted after No. 1 as the new number:

"2) who has gone 10 years from the acquittal, a decision on prosecution abandonment or settlement without conditions, "

No. 2-5 becomes 3-6.

2nd In § 3, *paragraph. 3*, the words ' no 2 ':' No 3 '.

3rd In § 7 is added as *second section.*:

"Justice may also lay down specific rules on storage, etc. of biological material which has formed the basis for information on a DNA profile on the register."

§ 2

Act comes into force on 1 August 2010.

§ 3

The Act does not apply to the Faroe Islands and Greenland but may by Royal Decree be put into force with such modifications as the Faroese and Greenlandic conditions.

Given at Christiansborg Castle, 21 April 2010

Under Our Royal Hand and Seal

Margrethe R.

Act No. 715 of 25/06/2010**Current**

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Gazette A

Regulation's title

Law amending the Law on the Central DNA profile register, Code and Law on registration of vehicles (Exchange of information on DNA profiles, fingerprints and vehicles with states outside the European Union)

Ministry

Justice

Ressort Ministry file number

Justitsmin., J.nr. 2009-305-0878

Law amending the Law on the Central DNA profile register, Code and Law on registration of vehicles

(Exchange of information on DNA profiles, fingerprints and vehicles with states outside the European Union)

We, Margrethe the Second, by the Grace of God Queen of Denmark, hereby proclaim:

The Folketing has passed and we have given our Royal Assent to the following Act:

§ 1

Act No. 434 of 31 May 2000 on the Central DNA profile register, as amended including by § 1 of Act No. 479 of 17 June 2008 and most recently by Act No. 405 of 21 April 2010, is amended as follows:

1st In § 5 the following:

'§ 5 a. The Minister of Justice may, on the basis of an agreement thereon with a state outside the European Union provide that § 5, paragraph. 2, applicable in the relations between Denmark and this state. "

§ 2

The Administration of Justice Act, Consolidated Act No. 1053 of 29 October 2009, as amended by § 2 of Act No. 551 of 26 May 2010, is amended as follows:

1st After § 116 a is inserted:

'§ 116 b. The Minister of Justice may, on the basis of an agreement thereon with a state outside the European Union provide that § 116 a shall apply in the relations between Denmark and this state. "

§ 3

Act No. 309 of 19 April 2006 for registration of vehicles, as most recently amended by § 2 of Act No. 545 of 26 May 2010, is amended as follows:

1st After § 18 is added:

"§ 18 a. The Minister of Justice may, on the basis of an agreement thereon with a state outside the European Union provide that § 18 paragraph. 3, applicable in the relations between Denmark and this state. "

§ 4

Minister of Justice shall pay compensation for damage caused by the Danish state, which is due to the use of inaccurate data received from another country under an agreement made under the provisions of this Act. Damages can be reduced or denied if the person seeking compensation have given rise to the injury.

§ 5

Minister of Justice shall fix the date of commencement of the Act and may determine that the Act § § 1-4 shall enter into force at different times.

§ 6

Paragraphs. 1st Act does not apply to the Faroe Islands and Greenland.

Paragraphs. 2nd § § 1 and 4, by royal decree in whole or in part, brought into force for the Faroe Islands and Greenland with the deviations as the Faroe Islands and Greenland.

Given at Christiansborg Castle, 25 June 2010

Under Our Royal Hand and Seal

Margrethe R.

All laws available online at the following links

[LOV nr 369 af 24/05/2005](#) Gældende

[LOV nr 1559 af 20/12/2006](#) Gældende

[LOV nr 347 af 14/05/2008](#) Gældende

[LOV nr 479 af 17/06/2008](#) Gældende

[LOV nr 405 af 21/04/2010](#) Gældende

[LOV nr 715 af 25/06/2010](#) Gældende