

Republic of Iceland

Law on police DNA files

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Entered into force on 15 June 2001.

■ **Article 1:** Commissioner of Police shall maintain an electronic file containing information about individuals and genetic material called the Police DNA File. The purpose of the register is to be exercised by the police in investigating criminal cases and to identify specific people.

□ Commissioner of Police is responsible for the registration of the DNA file, and is responsible for the file itself. He shall ensure compliance with the provisions of the Protection of Privacy and rules established on the basis of safety assessment, security and internal controls.

■ **Article 2:** The DNA File is divided into:

a. *offender register*, containing information about the genetic type of the persons referred to in Article 4 Art. and

b. *traces register*, containing information about the DNA found at the crime scene, or of persons or objects that are intended to be related to an offense, without knowing these characters.

■ **Article 3:** The DNA files should only enter information about the name, address and genetic type of person with reference to the court case number or unlighted criminal.

□ When genetic information has been extracted the existing biological sample must be destroyed.

■ **Article 4:** The offender register can record information about the genetic type of:

a. have been convicted for violating the provisions of X. Chapter XI. Section, 108th Art., 164th-166. Art., 170th-171. Art., 194th-196. Art., 1 and second paragraph. 200th Art., two hundred and first-202. Art., 211th Art., 2 paragraph. 218th Art., 1 paragraph. 220th Art. and 252nd Art. Penal Code. The same applies to the court for an experiment and share in the violations;

b. have been acquitted of charges of violating the legal provisions referred to in paragraph, including experimental and sharing violations, lack of evidence, or have been judged to be subject to safeguards under. VII. section of the Penal Code for the same offense;

c. specified in a and b and serve offender convicted prior to the commencement of this Act, subject to safety or has been granted probation and the trial is over.

Do not move the offender register information about other cases than those in the first paragraph unless reasonable cause is taken and it has special significance for the utility of the file.

■ **Article 5:** If samples are not taken from an individual before a final judgment may do so within six months from the date of trial.

Blood Sample may be taken by a doctor, nurse or medical technician. The convicted must comply with the treatment considered necessary for the collection of biological samples.

■ **Article 6:** When information about a person have been recorded on the basis of article 4, the police must be notified in writing of its registration and its purpose.

■ **Article 7:** The information reported in the offender register shall be erased:

- a. no later than two years after the death of the registered,
- b. no later than six months after the listing has been acquitted after reopening the case,
- c. provided that they are incorrect or have been registered without proper authorization.

The information reported in the traces register shall be erased:

- a. the identification has been applied on the information arising from,
- b. the expiry of the violation of the case.

■ **Article 8:** The following authorities may be given access to information from the register:

- a. police, Prosecutor General, Ministry of Justice,
- b. foreign courts and foreign judicial authorities of the information to be used in criminal investigations or treatment, provided that it is considered compatible with the Icelandic have the right structure,
- c. laboratory conducting the analysis of genetic material under a service agreement with the Ministry of Justice, to the extent necessary for investigation or criminal proceedings.

Other than those mentioned in first paragraph. may not provide access to the file, cf. However, second paragraph. 9th Art.

■ **Article 9:** Privacy Policy shall supervise the registration and treatment of existing information is in accordance with this Act and the rules governing data protection and privacy. Privacy must also monitor the security file is secured so that unauthorized persons do not have access to it or to affect the registration of it.

Privacy has access to existing data and other necessary materials to conduct control gene list.

If privacy comments the operation of the register and it shall come to them and suggestions for improvements across the Department and the Ministry of Justice and in other respects, the

powers under the Data Protection Act on the Protection of Privacy.

■ **Article 10:** Minister of Justice shall issue further provisions in regulations implementing the Act, including records in the file, access and control it.

■ **Article 11:** This Act shall take effect immediately.