

DECREE N.º 180/X

Approves the creation of a database of DNA profiles for identification purposes civil and criminal

The Assembly of the Republic, under subparagraph c) of Article 161. Of the Constitution, the following:

Chapter I

General Provisions

Article 1.º

Objective

- 1 - This law establishes the principles of creating and maintaining a database of DNA profiles for identification purposes and regulates the collection, processing and preserving of samples of human cells, their analysis and to obtain DNA profiles, the methodology of comparison of DNA profiles extracted from the samples and the treatment and conservation of their information in computer.
- 2 - A database of DNA profiles also serves the purposes of criminal investigation.
- 3 - It is forbidden to use, analysis and treatment of any information obtained from the analysis of samples for purposes other than those provided for in Article 4 º.

Article 2.º
Definitions

For the purposes of this act, shall apply:

- a) «DNA», deoxyribonucleic acid;
- b) «Sample», any biological traces of human origin, for the analysis of DNA obtained directly from the person or collected from corpse to corpse in part, a thing or where the collection is carried out for purposes of identification;
- c) «Case sample», sample under investigation, whose identification is to be established;
- d) «Reference sample», sample used for comparison;
- e) «DNA marker», specific region of the genome that typically contains information of different individuals, which according to scientific knowledge does not provide any health information or specific hereditary characteristics in short non-coding DNA;
- f) «DNA Profile», result of an analysis of the sample by means of a DNA marker obtained by the techniques scientifically validated and internationally recommended;
- g) «Personal data», set of information, of a collected nature that may independently or respectively support, including sound and image on an identified or identifiable individual, which includes the full name, date of birth, place of birth, current known residence, personal identification number (number of identity card, residence card, passport or other similar document), affiliation, marital status, sex, ethnic group, height and existence of physical deformities;

- h) «Identifiable individual», anyone who can be identified, directly or indirectly, in particular by reference to an identification number or to one or more factors specific to his physical, physiological, psychological, economic, cultural or social;
- i) «File of DNA profiles», structured set of DNA profiles which are accessible according to specific criteria;
- j) «File of personal data», any structured set of personal data accessible according to specific criteria, whether centralized, decentralized or dispersed functionally or geographically;
- l) «Database of DNA profiles», structured set of files consisting of DNA profiles and personal data files with unique identification purposes;
- m)«Biobank», any repository of biological samples or their derivatives, collected with the sole purpose of identification;
- n) «Consent of data», a declaration of informed free will, in written form, under which the owner agrees that their personal data is being processed.

Article 3.º

General Principles

- 1 - A database of DNA containing the profile of foreign nationals, stateless persons who are or live in Portugal, being filled and gradually staged.
- 2 - Treatment of DNA profiles and personal data should be done in accordance with the principles enshrined under the law governing the protection of personal data, including a transparency and in strict respect for private life and self-determination informative, as well as the other rights, freedoms and guarantees.

- 3 - The processing of DNA profiles should be done strictly on the principle of legality, as well as the principles of authenticity, genuineness, and safety of univocal identification information.
- 4 - Any person has the right not to be subject to any decision having an effect on its part or that significantly affects him, based solely on a data processing.
- 5 - The collection, maintenance, handling and use of material belonging to the biobank should be restricted to the purposes described in Article 4.º.

Article 4.º

Purpose

- 1 - For the purposes of this Act, and except as provided in Article 23, the analysis of DNA is solely intended for purposes of civil identification and criminal investigation.
- 2 - The purposes of civil identification are carried out by comparing DNA profiles for samples of biological material collected in person, in body, part of body or where there should be collections with those purposes, and to compare those with the existing profiles in the database of DNA profiles, with the restrictions in Article 20.º.
- 3 - The purposes of criminal investigations are carried out by comparing DNA profiles, from samples of biological material collected at crime scenes and with those of people who, directly or indirectly, may be associated, with an intent of identifying their agents, and with the existing profiles in the database of DNA profiles, with the limitations provided for in Article 20º.

Article 5.º

Authorities responsible for laboratory analysis

- 1 - Those nationally qualified for the analysis of the sample to obtain the DNA profile, for the purposes of this Law, are the Forensic Science Laboratory of the Judicial Police and the National Institute of Forensic Medicine (Instituto Nacional de Medicina Legal - INML).
- 2 - On a proposal from one of the entities mentioned in the previous paragraph, the Ministry of Justice and the ministry responsible for the proposed laboratory, analysis of DNA profiles can be carried out by other laboratories.
- 3 - All laboratories carrying out laboratory analysis should meet the scientific, technical and organizational standards established internationally.

Chapter II

Sampling

Article 6.º

Voluntary sampling

- 1 - A database of DNA profiles referred to in paragraph 1 of Article 3, is built, phased in a gradual manner, from the sampling of volunteers, for which they must give their consent, informed and written.
- 2 - The applicant must address the authorities responsible for laboratory analysis in writing their request for sampling, which, after obtaining the DNA profile, the must send INML, have it entered in the register referred to in point a) of paragraph 1 of Article 15.º.
- 3 - The defendant in the pending criminal case can only be understood as a volunteer in the collection of samples that do not involve their use for purposes of criminal investigation.

Article 7.º

Sampling for purposes of civil identification

- 1 -the competent authorities are allowed to collect samples from dead, partly dead, a thing or where it gathers, for purposes of civil identification, in accordance with applicable law.
- 2 -A sampling of people for civil identification, particularly relatives of missing people, lack consent, informed and written.
- 3 -In the case of minors or incapacitated individuals, the collection of samples in the preceding paragraph depends on judicial authorization obtained under the provisions of art. 1889 of the Civil Code.

Article 8.º

Sampling for purposes of criminal investigation

- 1 -A sampling of the criminal procedure is conducted on behalf of the defendant or ordered ex officio or upon request by order of the court, from the constitution of the accused under Article 172 of the Code of Criminal Procedure.
- 2 -When not performing the collection of the sample under the preceding paragraph, it is sorted by order of the trial judge, after res judicata, the sampling is for a conviction of a crime punishable by imprisonment of 3 years or more, although this has been replaced.
- 3 -If there is a declaration of innocence and the accused will be applied to detention under paragraph 2 of Article 91 of the Penal Code, the sample collection is carried out by order of the trial judge, unless there has been proceeded to collect the sample, in accordance with paragraph 1.

- 4 - A sampling of body, part of body, or in anything where you do a search for purposes of criminal investigation is carried out in accordance with the provisions of Article 171 of the Code of Criminal Procedure.
- 5 - The collection of DNA samples carried out under this article must be delivered, where possible, the very act of the document recording the process ID and the rights and obligations arising from the application of this law, and with the necessary adaptations of Law No 67/98 of 26 October (Law on the Protection of Personal Data).
- 6 - In the case when an accused in several lawsuits, simultaneous or successive, can be given the sampling, by court order when it is not five years have elapsed since the first round and in any case, when the collection is deemed unnecessary or impossible.

Article 9.º

Right of information

Prior to sampling, the suspect has the right to information referred to in paragraph 1 of Article 10 of the Law on Personal Data Protection, *mutatis mutandis*, should be informed in writing, including:

- a) that their personal data will be inserted in a file of personal data, with the exception of data relating to persons referred to in paragraph 1 of Article 8.º;
- b) On the nature of the data that are extracted from the sample, ie, the DNA profile;
- c) that the DNA profile is, where permitted by this law, integrated into a file of DNA profiles, with the exception of data on persons referred to in paragraph 1 of Article 8.º;
- d) the possibility of crossing the profile collected with the existing database of DNA profiles, with explicit mention of the possibility of using the data for investigation purposes, if applicable;

e) that the sample collected may be stored in a biobank, where permitted by this Law.

Article 10.º

Mode of collection

A sampling of people is done through a non-invasive method, which respects human dignity and physical and moral individuality, including the collection of oral mucosa cells or an equivalent, in strict compliance with the principles and rules of the Code of Criminal Procedure

Article 11.º

Principle of contradiction

- 1 - Except in cases of manifest failure, the sample is preserved and sufficient to conduct counter-analysis.
- 2 - When the amount of the sample is small it should be handled in such a way as not to compromise a counter-analysis.

Article 12.º

Scope of analysis

- 1 - The analysis of the sample is restricted to only those DNA markers that are absolutely necessary to identify the holder for the purposes of this Act.
- 2 - The DNA markers to be included in the register of DNA profiles are set after consultation with the National Commission for Data Protection (DPA), by joint order of the Cabinet members responsible for the areas of Justice and Health, according to the international standards and scientific knowledge on the subject.

3 -In case of there being set new DNA markers, in accordance with the preceding paragraph, could the DNA profiles of samples be completed.

Article 13.º

Results

- 1 -An identification results from the coincidence between the profile obtained from a sample under investigation and one or more other DNA profiles already included in the file.
- 2 -For the purposes of the preceding paragraph, the intersection between the profile obtained by "sampling problem" and profiles in the base must be conducted in accordance with the legislation on protection of personal data.
- 3 -The provisions of the preceding does not, where possible, repeat the technical procedures for obtaining the DNA profile from the samples, confirming results.
- 4 -Obtaining DNA profiles and the results of their comparison skills are valid throughout the national territory.

Chapter III

Processing of Data

Section I

Constitution of the database

Article 14.º

The database

DNA profiles resulting from analysis of samples and the corresponding personal data are entered and stored in data files of DNA profiles and personal data files in accordance with the following Articles.

Article 15.º

Content

- 1 -For the purposes of this Act, a database of DNA profiles is created for identification purposes, consisting of:
 - a) A file containing information on the samples of volunteers, obtained in accordance with paragraph 1 of Article 6.º;
 - b) A file containing information on the "problem samples" obtained pursuant to paragraph 1 of Article 7.º;
 - c) A file containing information on the "reference samples" missing persons obtained pursuant to paragraph 1 of Article 7. thereof, or samples from their relatives, obtained pursuant to paragraph 2 of Article 7.º;
 - d) A file containing information on the "problem samples" collected from the crime scene, obtained pursuant to paragraph 4 of Article 8 thereof.;
 - e) A file containing information on the samples obtained pursuant to paragraphs 2 and 3 of Article 8, of persons convicted in criminal proceedings, a judicial decision has become final;
 - f) A file containing information on the samples of professionals who act in collection and analysis of samples.
- 2 -The system should ensure that DNA profiles and related personal data are stored in separate files logically and physically, manipulated by users other than by restricted access, coded and identifying users.
- 3 -It is prohibited to include any identifying element of the data in the file of DNA profiles in any type of nominal research.

Article 16.º

Authority responsible for database

- 1 -The INML is responsible for the database of DNA profiles and the operations that apply.
- 2 -A database of DNA profiles is based in INML in Coimbra.
- 3 -The INML, in exercising the functions assigned to it by this Act, that shall be governed by this, is available and the operating rules of the database of DNA profiles, meeting the standards for the protection of personal data and the rules relating to fundamental rights, respect for human dignity.
- 4 -The Medical-Legal Board of INML will develop the operating rules of the database of DNA profiles.
- 5 -The activity of INML is monitored for the purposes of this Act, the by Supervisory Board.

Article 17.º

Competencies of the INML

- 1 -The INML, as in the authority's mandate, is to treat data on the database of DNA profiles.
- 2 -The INML should consult the ICPD for any clarifications regarding the processing of personal data and comply with the resolutions of this Commission in this area.
- 3 -Powers of INML, especially:
 - a) the insertion, interconnection, communication and removal of data in the database of DNA profiles;

- b) to secure the right information and access to data by those holders, the correction of errors, or omissions of the supplement, the removal of improperly recorded data, and ensure that consultation and communication of information in compliance with the requirements of this law and Law on Protection of Personal Data;
- c) Provide data from the database of DNA profiles to the persons designated in paragraph 1 of Article 19, following verification of compliance with the requirements;
- d) to update, correct or change the data contained in the database of DNA profiles;
- e) Can provide the data coding DNA profiles for the purposes of paragraphs 2 and 3 of Article 15.º;
- f) decide on any disputes on access to information on the record, fitting or appeals under general;
- g) To delete the data of DNA, in accordance with paragraph 1 of Article 26.º.

Section II

Entry, transmission, interconnection and access to data

Article 18.º

Entering data

1 -The DNA profiles obtained from analysis of the samples and the corresponding personal data are only included in the database of DNA profiles by consent, and written informed of the data:

- a) In the case of sampling, referred to in paragraph 1 of Article 6. Article and paragraph 2 of Article 7.º;

- b) In the case of samples collected to establish the register referred to in paragraph f) of paragraph 1 of Article 15. °, with the prior consent requirement for the office as technical collection and analysis of DNA samples.
- 2 -The DNA profiles obtained from analysis of samples collected under paragraph 1 of Article 7, and in paragraph 4 of Article 8 thereof, and the corresponding personal data, where available, are integrated in the database of DNA profiles, by order of the officer involved in the respective.
- 3 -The DNA profiles obtained from analysis of samples collected under the provisions of paragraphs 2 and 3 of Article 8 thereof, and the corresponding personal data are entered in the database of DNA profiles, by order of the trial judge.
- 4 -It is mandatory for understanding the integration of data to maintain the chain of custody of their sample.

Article 19.º

Data transmission

- 1 -DNA profiles as well as personal data, recorded in the database of DNA profiles will be communicated to the process, according to the laws applicable to criminal investigations or civil identification, as follows:
- a) The data are reported by INML to the judge depending on the type or stage of the process, based on application;
- b) The judge referred to in the previous paragraph for the data in question when needed or requested for good reason, the public prosecutor or the police force, speaking to the effect reasoned order.

2 -Transmission of data in the database of DNA profiles from other entities, for the purposes specified in Article 23, shall be subject to the assent of the Supervisory Board and the National Commission for Data Protection, in accordance with Law of Protection of Personal Data.

3 -Communication is refused if the request is not based.

Article 20.º

Interconnection of data in the database of DNA profiles

1 -DNA profiles obtained from samples taken from defendant, under the provisions of paragraph 1 of Article 8 thereof, may be linked with the data in the files mentioned in paragraphs b), d) f) paragraph 1 of Article 15.º

2 -DNA profiles obtained from samples taken from relatives, in accordance with paragraph 2 of Article 7 thereof, as well as profiles for the "reference samples" missing persons obtained pursuant to paragraph 1 Article 7, can only be crossed with the file referred to in subparagraph b) of paragraph 1 of Article 15.º

3 -The DNA profiles obtained from samples taken from volunteers, under Article 6 thereof, can be crossed with any of the profiles embedded in files referred to in paragraph 1 of Article 15.º.

4 -The DNA profiles obtained from the "problem samples" collected from the crime scene, in accordance with paragraph 4 of Article 8 thereof, and the DNA profiles obtained from convicted persons in criminal proceedings under paragraphs 2 and 3 of Article 8 thereof may be linked with the data in the files contained in points a) b) d) e) f) of paragraph 1 of Article 15.º.

5 -In exceptional circumstances and through reasoned application, there may be other cross-checks not included in this article with the prior assent of the Supervisory Board and the National Commission for Data Protection.

Article 21.º

Interconnection of data in the context of international cooperation

- 1 -The provisions of this Act shall not affect the obligations assumed by the State of Portugal in the field of international cooperation in the areas referred to in Article 4.º.
- 2 -In no case is allowed the transfer of biological material.

Article 22.º

Third party access

- 1 -It is forbidden for third party access to the information in the database of DNA profiles, apart from the exceptions provided for in this Law.
- 2 -Written consent of the data can access the information in the database of DNA profiles of descendants, or spouse who has lived with an unmarried, under the law.
- 3 -Subject to the approval of the Supervisory Board, and after consulting the Medical-Legal Board, have access to information in the database of DNA profiles after he dies, the heirs apparent, since they show a legitimate interest and there serious risk of intrusion into the privacy of the holder of information.

Article 23.º

Information for statistical or scientific research

- 1 -The information obtained from the DNA profiles can be reported for purposes of scientific research or statistics, after irreversible anonymisation.

2 -The process of irreversible anonymisation of data should be done in a manner that is no longer possible to identify the data subject, not allowing any kind of research, nominal or alphanumeric.

Article 24.º

Right to information and access to data from the database of DNA profiles

- 1 -Everyone has the right to know the contents of the register or referring to them.
- 2 -Apply, mutatis mutandis, in paragraph 1 of Article 11 of the Law on Protection of Personal Data.
- 3 -If the returns on its holder could undermine national security, or prevention of a criminal investigation, the Supervisory Board is limited to inform the data subject only of the elements contained in the database that do not endanger those interests.

Article 25.º

Correction of inaccuracies

Everyone has the right to request correction of any inaccuracies in the removal of improperly recorded data and filling out any omissions in accordance with the Law on Personal Data Protection.

Section III
Storage of DNA profiles and personal data

Article 26.º
Storage of DNA profiles and personal data

1 -DNA profiles and the corresponding personal data are:

- a) to be stored indefinitely when integrated into the file that contains information relating to samples of volunteers out in paragraph a) of paragraph 1 of Article 15, unless the holder revoke an explicit, the consent previously held;
- b) to be stored indefinitely, when integrated into the file referred to in subparagraph b) of paragraph 1 of Article 15, being eliminated when the identification is obtained;
- c) Retained until it is identification, when integrated into the file referred to in subparagraph c) of paragraph 1 of Article 15, or relating to DNA profiles, related to the "reference samples" of missing persons as well as those for samples relatives, unless the parents specifically request to remove your profile File;
- d) disposed of when the sample is identified with the defendant at the end of criminal proceedings or the end of the maximum limitation period of prosecution under the Penal Code, when integrated into the file created under the provisions of subparagraph d) paragraph 1 of Article 15.º;
- e) deleted when the sample is not identified with the defendant, 20 years after harvest, when integrated into the file created under the provisions of paragraph d) of paragraph 1 of Article 15º;
- f) disposed on the same day in which, the eventual cancellation of their decisions in criminal records, when integrated into the file created under the provisions of paragraph e) of paragraph 1 of Article 15.º;

g) disposed of 20 years after leaving the service, when integrated into the file created under sub-paragraph f) of paragraph 1 of Article 15. of which contains information on samples of professionals.

2 -In the cases provided for in point d) above, when the term of the criminal proceedings leading to conviction of a felony, with res judicata, on penalty of not less than 3 years in prison, DNA profile, and their personal data updated, transferred to the register referred to in paragraph e) of paragraph 1 of Article 15 shall, in accordance with the provisions of Article 8.º.

Section IV

Database security

Article 27.º

Security of information

- 1 -The database should be given the necessary security guarantees to prevent the search, modification, deletion, addition, destruction or disclosure of information that does not conform under this law.
- 2 -It is monitored with a view for information security in:
 - a) the media and its transport, in order to prevent unauthorized reading, disclosed, copied, altered or deleted by anyone or unauthorized;
 - b) inclusion of data in order to prevent the introduction and any access to, disclosure, alteration, or unauthorized removal of personal data;
 - c) systems for data processing, to prevent them from being used by unauthorized persons through facilities for data transmission;
 - d) access to data, so that only authorized persons have access to the data of interest to carry out their statutory duties;

- e) the transmission of data to ensure that their use is limited to authorized individuals;
 - f) the introduction of personal data processing systems in order to verify that data was introduced, when and by whom.
- 3 -To maintain the safety and fidelity in the storage and processing of data, the performance of the technical collection and analysis of DNA samples, and other equivalent function involving direct contact with supporters of genetic data, is subject to subparagraph b) of paragraph 1 of Article 18.º.

Article 28.º

Duty of secrecy

- 1 -The communication or disclosure of personal data and DNA profiles, even if not identified, registered in the database, can only be made in accordance with the present law, and in strict compliance with the standards of the Law Data Protection.
- 2 -Those responsible for the dossier for the sampling and obtaining the profile, as well as the inclusion, communication, interconnection and access to files containing DNA profiles and personal data are bound by professional secrecy, even after their functions.
- 3 -The same obligation stands for the members of the Supervisory Board, even after the expiry of the mandate.

Chapter IV
Supervisory Board of the database of DNA profiles

Article 29.º

Nature and composition

- 1 - Monitoring of the database of DNA profiles is made by the Supervisory Board appointed by the Assembly of the Republic, subject to the supervisory powers of this organ of sovereignty, as stated in the Constitution.
- 2 - The Supervisory Board is an independent body with powers of authority, answering only to the Assembly of the Republic.
- 3 - The Supervisory Board is composed of three citizens of recognized integrity and full enjoyment of their civil and political rights and is incompatible with the exercise of a member of the Supervisory Board membership of other boards or committees with functions supervision or control of a similar nature.
- 4 - The members of the Supervisory Board are appointed by the parliament, according to the method of highest average Hondt, for a term of four years.
- 5 - The members of the Supervisory Board will be in a list published in Series I of the Official Gazette (*Diário da República*).
- 6 - Members of the Supervisory Board shall take office before the National Assembly, within 10 days following publication of the list in the preceding paragraph, may resign from office by written declaration to be submitted to the President of the Assembly, which is published in Series II of Official Gazette (*Diário da República*).

Article 30.º

Powers and functions

- 1 -The status of members of the Supervisory Board ensures the independence of the exercise of their functions and consists of organic law, to be published within six months after the entry into force of this law.
- 2 -It is the responsibility of the Supervisory Board to:
 - a) authorize the acts, where provided for in this Law;
 - b) give its opinion on the operating rules of the database, when it is approved or subject to change, and on any other matter, whenever requested to do so;
 - c) solicit and obtain information and clarification on the part of INML it deems necessary to the proper exercise of its supervisory powers;
 - d) get the INML and the Medical-Legal Board for the necessary clarification on specific operation of the database of DNA profiles;
 - e) carry out inspection visits to gather information on the operating mode of the database of DNA profiles;
 - f) prepare reports to be submitted to parliament on a regular basis at least annually on the operation of the database of DNA profiles;
 - g) order the President of the National Institute of Forensic Medicine to destroy samples in accordance with Article 34.º;
 - h) issue instructions on matters being considered on its own initiative or put to it;
 - i) Provide suggestions for legislative action on the matters covered by this law and opinion when there is some ongoing legislative initiative of a similar nature;

- 3 -Members of the Supervisory Board receive a fee to be determined by joint order of the Cabinet members responsible for the areas of Finance, Public Administration, Internal Affairs and Justice.
- 4 -The Supervisory Board is headquartered in Coimbra, and the human, administrative, technical and logistics for the operation of that provided by INML by transfer of funds of the Assembly for the latter.

Chapter V

Biobank

Article 31.º

Custody of samples

- 1 -Samples should be kept in a safe place with no possibility of immediate identification of the person.
- 2 -The samples are kept in INML, subject to be concluded agreements with other entities to ensure the safety and confidentiality referred to in the preceding paragraph and shall be subject to these rules and limitations of this law.
- 3 -Except as provided in the preceding paragraph, the samples can not be transferred to other entities.

Article 32.º

Purpose of the biobank

For the purposes of this law, the preservation of samples relates only to the analysis and counter-analysis required for purposes of civil identification and criminal investigation..

Article 33.º

Protection of samples

- 1 - The use of samples to obtain the DNA profile is only permitted for entities referred to in Article 5.º
- 2 - The entities responsible for sampling should take appropriate measures to:
 - a) Prevent access by unauthorized persons to the premises;
 - b) Allow the proper and safe storage of samples;
 - c) permit the safe and proper transport of samples to one of the premises of the entities referred to in Article 31.º.
- 3 - Access to laboratories, and the local storage of samples should be restricted to trained personnel using coded identification and authorization of the Head of Service.

Article 34.º

Destruction of samples

- 1 - The samples are destroyed immediately after obtaining the DNA profile in cases of a) e) of paragraph 1 of Article 15.º
- 2 - The samples taken under the provisions of paragraph 1 of Article 8 thereof can only be used as a means of evidence in the dossier.

- 3 -Samples of all cases referred to in subparagraphs b) c) d) f) of paragraph 1 of Article 15. shall be destroyed, respectively, within the time provided for in paragraph 1 of Article 26.º
- 4 -The Supervisory Board shall inform the President of the National Institute of Forensic Medicine for it to order the immediate destruction of the samples, whether they are within their departments or entity filed.

Chapter VI

Penalties

Article 35.º

Breach of duty or secrecy

Any person bound by a duty of secrecy under Article 28, who reveal or disclose in whole or in part, information in the database of DNA profiles, is punishable under the general terms of the Code and the Criminal Law Data Protection.

Article 36.º

Violation of regulations concerning personal data

Violation of the rules governing the protection of personal data is punishable under Articles 35 and Articles 43, following the Law on Personal Data Protection.

Chapter VII
Oversite and control

Article 37.º
Oversight

In CNPD necessary to determine the operating conditions of the database and storage conditions of samples for certification of compliance with the provisions on the protection of personal data.

Article 38.º
Automated individual decisions

Under no circumstances is a decision allowed which produces legal effects in the sphere of a person or to affect you significantly, based solely on the processing of personal data and DNA profiles..

Chapter VIII
Final provisions and passages

Article 39.º
Rules of operation of the DNA database

The rules of operation of the database of DNA profiles are to be approved by the Medical-Legal Board of the INML within six months after the publication of this law.

Article 40.º
Accreditation

The Laboratory of Forensic Science of the Judicial Police and the National Institute of Forensic Medicine and the laboratories referred to in paragraph 2 of Article 5, shall make necessary the fulfillment of the internationally established conditions for accreditation of the laboratory in the area of DNA analysis of their laboratories, for test validation, monitoring procedures, standardization of methodologies and equipment certification.

Article 41.º
Entry into force

This law shall enter into force 30 days after publication.