

Legislative Branch
Law No. 18,849

***The Senate and House of Representatives of the Oriental
Republic of Uruguay, gathered in General Assembly,
Enacted***

Article 1 - Creating in the Ministry of Interior and as a dependency of Criminal Identification Division of the National Technical Police, the National Register of genetic fingerprinting.

The National Register of genetic fingerprints retained and guard genetic information obtained pursuant to the provisions of this Act, for purposes of its use by the procedures and purposes set forth therein.

Article 2 - For genetic fingerprinting will be registered by digitized alphanumeric staff made exclusively on the basis of information that includes a minimum of thirteen genetic markers validated at international level, which lacks direct association in the expression of genes coding, to provide information only identifiable and that is suitable to be systematized and codified in computer database links.

Article 3 - The National Registry of Genetics footprints shall be:

- A) Facilitate the clarification of facts under criminal investigation, particularly relative to the identification of those responsible and based on the identification of a genetic profile of non-coding DNA.
- B) Identify and help locate missing persons, unidentified remains and dead.
- C) Assist the court in resolution of question or controversy in relation to the identity of authors or suspects of crimes.

Article 4 - The information contained in the National Register of genetic fingerprints will be secret and confidential. The register will not retain samples of deoxyribonucleic acid (DNA) - coding and non-coding - must necessarily precede the removal of genetic material and information can only open at the same as the study of the sample.

It can only be required, for identification purposes, to the National Technical Police in the course of a criminal investigation, by competent judges, in the same regime of Criminal Identification fingerprint file (Law 4847 of May 11 , 1914).

Under no circumstances may this information be used as a basis or source of discrimination, stigmatization, violation of dignity, privacy or honor of any person.

Article 5 - The extraction of deoxyribonucleic acid (DNA) may only be performed when the person consents expressly and unequivocally and knowledge of the purpose for which it has to allocate.

Excepted from the principle embodied in the preceding paragraph may be incorporated into the corresponding records without prior consent:

- A) The samples taken from crime scenes, to be compared against samples collected from the victims, people asked and with the profiles stored in the National Register of genetic fingerprinting.
- B) The genetic profiles of the accused by the competent Court.
- C) The extraction is provided by a competent judge.
- D) The samples corresponding to the officials of Ministry of Interior and Ministry of Defense to determine the regulations issued by the Executive.

Article 6 - The National Registry of genetic fingerprints consist of three sections:

- A) Latent Gene File section obtained from evidence and evidence collected at scenes of crimes, without identifying, later lost investigative purposes.
- B) Genetic Identification Section Criminal File where will be stored in a systematized and codified (anonymous), the genetic profiles of the accused by the competent Court.
- C) Section of Genetic Archive Identification of officials of the Ministries of Interior and National Defense, as provided by Article 5 paragraph d) of this Act.

Article 7 - The Supreme Court of Justice through the Forensic Technical Institute may implement in the sphere of its competence and in accordance with the provisions of this law, a common data base for which purpose the Ministry of the Interior shall provide all information it is requested.

Article 8 - The Biological Laboratory of the National Technical Police is the authority competent to carry out scientific research and analysis of samples whose results will be integrated into the National Register of genetic fingerprints of Criminal Identification Division.

Article 9 - The Executive Branch, under the provisions of this Act, regulate the priorities of sampling and processing of deoxyribonucleic acid (DNA) non-coding identification purposes only criminal, according to their strategic planning and material resources people.

Article 10 - For reasons of general interest, the National Technical Police, as the only body authorized, upon order of a competent judge, can exchange data from its national registry of genetic fingerprints with other international agencies operating in the same area and equal fine for criminal investigation. He acted under the same regimen used for fingerprints in your file fingerprint Criminal Identification (Law 4847 of May 11, 1914), provided that such information falls on people with past convictions in Case of res judicata.

Article 11 - The Executive Branch shall regulate, following a report from the National Technical Police,

organic creation or modification of the Departments or Sections necessary for the organization and functioning of the National Register of genetic fingerprints, in its Criminal Division Identification which ensures compliance with its technical and administrative tasks.

Article 12 - The Executive Branch shall regulate this law within ninety days of its enactment.

Conference Room of the House Representatives, in Montevideo, November 9, 2011.

Signed,

Jose Pedro Montero
Secretary

Luis Lacalle Pou
President

President of the Oriental Republic of Uruguay

Ministry of Interior
Ministry of National Defense

Montevideo, 02 DIC 2011

Having expiry of the period provided for in the Constitution of the Republic and in accordance with the provisions of Article 144 fulfilled, received, communicated, published and placed in the National Register of Acts and Decrees, the Law establishing the National Register of Genetic Fingerprinting.