

Data Preservation

24/7 Contact Point

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PUBLIC MINISTRY

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Directorate for the Investigation of Organized Crime and Terrorism

***Service for Countering
Cyber Criminality***

- GENERAL INSPECTORATE OF ROMANIAN POLICE
- ***General Directorate for Combating Organized Crime***
 - ***Service for Countering
Cyber Criminality***

Legislation

- Law 161/2003 –for preventing cybercrime
- Law 82/2012 -for data retention
- New Penal Cod and Procedural Cod

Law 161/2003-data preservation

- Art 54 –the content and traffic data
- prosecutor or judge
- 90 days with extension for 30 days
- ISP executes the measure/more ISP
- Art 55 –the answer from ISP

Law 161/2003-24/7 contact point

- Art 62 - ***Service for Countering Cyber Criminality***
- Responsibilities:
- Provide assistance to other contact points (including advices and information about legislation)
- Provide assistance with preservation requests
- Provide assistance with MLATs on cybercrime

Law 161/2003-preservation request

- Art 63 –Content:
- Legal entity
- Short description of the facts
- Info requested
- Info about the ISP/ service
- Utility of the data and preservation

Law 82/20012-data retention

- Subscriber data, traffic data and data to identify the location
- 6 months retention period
- Authorization from the judge
- 48 h or 5 days to respond

Romanian Experience

- Procedure
- People designated/System in place
- Requests in 2013: 28
- MLATS for the response
- New legal changes
- Examples: Phishing case, Intrusion case, Internet frauds case, child exploitation

THANK YOU!