

Second Study Commission

Civil Law and Procedure

63rd Annual Meeting of the IAJ – San José (Costa Rica)

Questionnaire 2020

HOW DATA PROTECTION RULES

ARE IMPACTING ON CIVIL LITIGATION

In Nur-Sultan Kazakhstan we decided that in 2020, our Second Study Commission will focus on how data protection rules are impacting on civil litigation. We have limited the questionnaire to five questions and we expect to receive short but concise answers. The questions are as follows:

1. Do you store digital data in your jurisdiction?

YES, WE DO.

2. How is it stored and for how long?

IT IS STORED IN THE COURT ACCORDINGLY TO THE STATUTE OF LIMITATION PERIODS (GENERALLY 10 YEARS BUT FOR PERIODIC OR FINANCIAL CLAIMS 3 YEARS)

3. Who has access to the digital data in your jurisdiction?

DIGITAL DATA CAN BE ACCESSED BY PARTIES. THEY MAY BE ACCESSED ALSO BY NON-PARTIES E.G. JOURNALISTS BY A CLEARANCE ISSUED BY A PRESIDENT OF THE COURT OR APPOINTED JUDGE.

4. Are there digital data protection rules in place in your jurisdiction?

YES, THERE ARE. THEY ARE GENERAL JUDICIAL DATA PROTECTION MEASURES PROVIDED BY LAW.

5. Who covers the costs relating to the storage and protection of the digital data in your jurisdiction?

IT IS COVERED BY THE STATE.