

## PROTECTION OF PERSONAL DATA PROCESSED BY THE CATHOLIC CHURCH IN POLAND

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**Summary.** The processing of the personal data of the members of the Catholic Church is essential for the attainment of objectives associated with the administration of Church affairs. The right to process data – despite some restrictions imposed on the interference of the Inspector General for Personal Data Protection – is linked with the obligation to diligently and properly protect personal data. The article presents the ways of protecting personal data processing by the Catholic Church in Poland which are prescribed principally by the Code of Canon Law of 1983, the *Act on the Protection of Personal Data* and *The Guidelines on Personal Data Protection in the Activity of the Catholic Church in Poland*.

**Key words:** sensitive data, data filing system, processing of data, archive, diocesan bishop, pastor

The Catholic Church in Poland has the right to process personal data of its members in order to perform the mission it is entrusted with by Jesus Christ. The processing of these data is essential for the attainment of objectives associated with the administration of Church affairs. The right to process data – despite some restrictions imposed on the interference of the Inspector General for Personal Data Protection – is linked with the obligation to diligently and properly protect personal data.

The article is intended to present ways of protecting personal data that are processed by the Catholic Church in Poland which are prescribed principally by the Code of Canon Law of 1983<sup>1</sup>, the *Act on the Protection of Personal Data*<sup>2</sup>, and *The Guidelines on Personal Data Protection in the Activity of the Catholic*

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<sup>1</sup> *Codex Iuris Canonici auctoritate Ioannis Pauli PP. II promulgatus* (25 Jan 1983), AAS 75 (1983), pars II, p. 1–317 [henceforth quoted as CIC/83].

<sup>2</sup> *Act on the Protection on Personal Data* of 29 August 1997, Journal of Laws of 2016, item, 922 [henceforth quoted as Act]. The Act applies to the processing of data as needed by the Church and institutions operating therein. In a lesser degree, the Act is applicable to the processing of data belonging to Church members only. This, however, does not contravene separate regulations of Canon Law. See: *To what extent are the provisions of the Act applicable to the activity of the Catholic Church in Poland?* in: *Personal Data Protection in the Activity of the Catholic Church in Poland. Guidelines Developed by the Inspector General for Personal Data Protection and the Secretariat of the Conference of the Polish Episcopate*, Warsaw 2009, p. 12, question 1.

*Church in Poland*<sup>3</sup>, the latter developed jointly by the Inspector General for Personal Data Protection and the Secretariat of the Conference of the Polish Episcopate. Hence the following questions need to be addressed: What are the legal grounds for the processing of personal data of the Catholic Church members? To what extent are the provisions of the Act applicable to the activity of the Catholic Church in Poland? Which bodies are obliged to protect personal data in the Church? Before we attempt to provide answers to the above questions, some essential notions need to be explained: personal data (ordinary and sensitive), data filing system, archive, data processing, and data security in a computer system.

### EXPLICATION OF BASIC NOTIONS

Personal data are regarded to be any information related to an identified or identifiable natural person (Art. 6 para 1 of the Act)<sup>4</sup>. The legislator distinguishes two categories of personal data. The first category includes the so-called **ordinary data**, name, surname, place of residence, and occupation. The second category includes the so-called **sensitive data**, i.e. racial or ethnic origin, political opinions, religious or philosophical beliefs (this applies also to an atheistic or agnostic attitude, but the category does not cover moral principles), religious, partisan or trade-union affiliation (also being not affiliated or having left an or-

<sup>3</sup> Inspector General for Personal Data Protection, Secretariat of the Conference of the Polish Episcopate, *The Guidelines on Personal Data Protection in the Activity of the Catholic Church in Poland* (23 Sept 2009), in: *Personal Data Protection in the Activity of the Catholic Church in Poland*, p. 3–11 [henceforth quoted as: *Guidelines*]. *Guidelines* were developed by the Inspector General for Personal Data Protection and the Secretariat of the Conference of the Polish Episcopate in connection with doubts concerning the application of *The Act on the Protection of Personal Data* to the data processed by the Catholic Church in Poland. The legislator in CIC/83 states: “§1. Instructions clarify the prescripts of laws and elaborate on and determine the methods to be observed in fulfilling them. They are given for the use of those whose duty it is to see that laws are executed and oblige them in the execution of the laws. Those who possess executive power legitimately issue such instructions within the limits of their competence. §2. The ordinances of instructions do not derogate from laws. If these ordinances cannot be reconciled with the prescripts of laws, they lack all force. §3. Instructions cease to have force not only by explicit or implicit revocation of the competent authority who issued them or of the superior of that authority but also by the cessation of the law for whose clarification or execution they were given” (can. 34). For more, see: M. Sitarz, *Miejsce instrukcji w hierarchii aktów normatywnych*, in: *O „Sanctorum Mater”*, W. Bar, L. Fiejdasz (eds.), Katedra Prawa Kanonizacyjnego, Stowarzyszenie Kanonistów Polskich, Lublin 2008, p. 27–40.

<sup>4</sup> “An identifiable person is the one who can be identified, directly or indirectly, in particular by reference to an identification number or to one or more factors specific to his/her physical, physiological, mental, economic, cultural or social identity” (Art. 6 para 2 of the Act). The above definition of personal data complies with a definition provided by Directive 95/46/EC of the European Parliament and the Council of 24 Oct 1995 *On the protection of individuals with regard to the processing of personal data and on the free movement of such data*, OJ L (1995) 281, 31 as amended.

ganisation), health, genetic code, addictions (including being treated for drug addictions or the fact of having discontinued such treatment, participation in anti-drug groups or organisations), sex life, court convictions, decisions on penalty, fines and other decisions issued in court or administrative proceedings (Art. 27 para 1 of the Act)<sup>5</sup>.

**A data filing system** is any structured set of personal data which are accessible using specific criteria, whether centralised, decentralised or dispersed on a functional basis (Art. 7 point 1 of the Act). Such systems may be created in a traditional manner (on paper) or using an IT system, e.g. parish records or HR/payroll software (*Guidelines*, I.3). Personal data sets processed by the Catholic Church, if related to Church members and processed to cater for the needs of the Church, need not be registered with the Inspector General for Personal Data Protection (Art. 43 para 1 point 3 of the Act). Therefore, with regard to these data filing systems, the Inspector General is not entitled (Art. 43 para 2 of the Act) to: issue administrative decisions and review complaints in cases related to the application of provisions on personal data protection (Art. 12 point 2 of the Act), enter between 6 a.m. and 10 p.m., upon presentation of a document of personal authorisation and service identity card, any premises where the data filing system is located, and premises where data are processed outside from the data filing system, and to perform necessary examination or other kinds of inspection to assess the compliance of the data processing activities with the Act (Art. 14 point 1 of the Act), consult any documents and data directly related to the subject of the inspection and to make a copy thereof, inspect any devices, data storage media and IT systems used for data processing, commission expert evaluations and opinions (Art. 14 points 3–5 of the Act), as well as to verify the compliance of the processed data with the *Act on the Protection on Personal Data* (Art. 15–18 of the Act). Such a position was also adopted by the Supreme Administrative Court, which concluded that pursuant to Art. 43 para 2 of the Act the legislator “disabled the governing intervention of GIODO in respect of data sets of Church people. The above implies [...] that no statutory sanction which would enforce such a behaviour accompanies the obligation of the Church or a religious organisation to complete, update, or amend data, temporarily or permanently stop the processing of data which are called into question or delete them from the data set if a reasonable claim is made from a member of the Church or an organisation”<sup>6</sup>.

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<sup>5</sup> J. Barta, P. Fajgielski, R. Markiewicz, *Komentarz do art. 27 ustawy o ochronie danych osobowych*, in: *Ochrona danych osobowych. Komentarz*, LEX a Wolters Kluwer business, Warszawa 2015, ed. 6.

<sup>6</sup> Judgement of 9 February 2016, I OSK 1509/15, issued by the Warsaw Supreme Administrative Court.

**Archive** is an ordered collection of files and documents, either public or private; a room or building where a collection of files and documents is stored; also an institution where documents are gathered, stored and made available<sup>7</sup>.

Within the meaning of the Act, **processing of data** means any operation performed upon personal data, such collection, preservation, storage, organization, alteration, disclosure and erasure, and in particular those performed in computer systems (Art. 7 point 2 of the Act)<sup>8</sup>. **The processing of data** is permitted only if: 1) the data subject has given his/her consent, unless the processing consists in erasure of personal data, 2) processing is necessary for the purpose of exercise of rights and duties resulting from a legal provision, 3) processing is necessary for the performance of a contract to which the data subject is a party or in order to take steps at the request of the data subject prior to entering into a contract, 4) processing is necessary for the performance of tasks provided for by law and carried out in the public interest, 5) processing is necessary for the purpose of the legitimate interests pursued by the controllers or data recipients, provided that the processing does not violate the rights and freedoms of the data subject (Art. 23 para 1 of the Act). As a matter of principle, the processing of sensitive data is prohibited (Art. 27 para 1 of the Act). However, the legislator provides that the processing of these data – with respect to the Catholic Church – is permitted in a situation when it is necessary for the performance of statutory objectives of the Church on condition that data processing affects only its members or persons who have regular contact with them in connection with their activity and that appropriate protection of the processed data is ensured (Art. 27 para 2 point 4 of the Act)<sup>9</sup>. With respect to the Catholic Church, however, the processing of particularly sensitive data is permissible is only when a written consent of the data subject is given (Art. 27 para 2 point 2 of the Act; *Guidelines*, I.4)<sup>10</sup>.

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<sup>7</sup> M. Sitarz, *Archiwum*, in: *Słownik prawa kanonicznego*, M. Sitarz, Instytut Wydawniczy PAX, Warszawa 2004, col. 15.

<sup>8</sup> Computer system – shall mean a set of co-operating devices, utilities, procedures of data processing and software tools which are applied for the purpose of personal data processing (Art. 7 point 2a of the Act).

<sup>9</sup> “[...] is necessary for the purposes of carrying out the statutory objectives of churches and other religious unions, associations, foundations, and other non-profit seeking organizations or institutions with a political, scientific, religious, philosophical, or trade-union aim and provided that the processing relates solely to the members of those organizations or institutions or to the persons who have a regular contact with them in connection with their activity and subject to providing appropriate safeguards of the processed data” (Art. 27 para 2 point 4 of the Act).

<sup>10</sup> What is more, the processing of sensitive data is not prohibited if: “[...] the data subject has given his/her written consent, unless the processing consists in erasure of personal data [...]; processing is necessary to protect the vital interests of the data subject or of another person where the data subject is physically or legally incapable of giving his/her consent until the establishing of a guardian or a curator [...]; processing relates to the data necessary to pursue a legal claim; processing is necessary for the purposes of carrying out the obligations of the controller with regard to employment of his/her employees and other persons, and the scope of processing is provided by

**Security of data within a computer system** means an implementation and usage of appropriate technical and organizational measures applied to protect data against unauthorised processing (Art. 7 point 2b of the Act).

#### ENTITY RESPONSIBLE FOR PERSONAL DATA PROTECTION

A data administrator is an entity who is responsible for the protection of personal data and who decides on the purposes and means of the processing of personal data. A data administrator means: 1) an administrative body or a self-government unit, 2) a state or community organisational unit, 3) a non-public entity which performs public tasks, and 4) a legal person, organisational unit without legal personality or a natural person who processes data related to his or her commercial activity, occupation or for the performance of statutory objectives (Art. 7 point 4 of the Act)<sup>11</sup>. A public body or a private entity can be an administrator. This category includes the Catholic Church, which is represented by relevant organs, e.g. diocesan bishops<sup>12</sup>, pastors<sup>13</sup> or institutions cooperating with the Church, such as: foundations, associations, publishing houses (*Guidelines*, II.2).

An administrator of personal data created in connection with the activity of ecclesiastical legal persons is under no obligation to submit it for registration if

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the law; processing is required for the purposes of preventive medicine, the provision of care or treatment, where the data are processed by a health professional subject involved in treatment, other health care services, or the management of health care services and subject to providing appropriate safeguards; the processing relates to those data which were made publicly available by the data subject; it is necessary to conduct scientific researches including preparations of a thesis required for graduating from university or receiving a degree; any results of scientific researches shall not be published in a way which allows identifying data subjects; data processing is conducted by a party to exercise the rights and duties resulting from decisions issued in court or administrative proceedings" (Art. 27 para 2 point 1, 3, 5–10 of the Act).

<sup>11</sup> A data administrator means "[...] a body, an organizational unit, an establishment or a person referred to in Article 3, who decides on the purposes and means of the processing of personal data" (Art. 7 point 4 of the Act). According to Art 3 of the Act, "1. The Act shall apply to state authorities, territorial self-government authorities, as well as to state and municipal organizational units. 2. The Act shall also apply to: 1) non-public bodies carrying out public tasks, 2) natural and legal persons and organizational units not being legal persons, if they are involved in the processing of personal data as a part of their business or professional activity or the implementation of statutory objectives – having the seat or residing in the territory of the Republic of Poland or in a third country, if they are involved in the processing of personal data by technical means located in the territory of the Republic of Poland".

<sup>12</sup> The diocesan bishop represents his diocese in all its juridic affairs (can. 393). Diocese, constituted by competent ecclesiastical authority, possesses juridic personality by the law itself (can. 373; can 116). Representing a public juridic person and acting in its name are those whose competence is acknowledged by universal or particular law or by its own statutes (can. 118).

<sup>13</sup> In all juridic affairs the pastor represents the parish according to the norm of law (can. 532). Parish, constituted by competent ecclesiastical authority, possesses juridic personality by the law itself (can. 515 § 3; can 116).

the processing of this data is performed to realise the objectives of the Church and this, too, applies to Church people. There is no obligation to submit data filing systems related to donors who remain members of the Church, presbyters, bishops, members of institutes of consecrated life and societies of apostolic life, students attending Catholic schools, Church members who do not participate in the liturgical life of the Church, baptised persons (Art. 43 para 1 point 3 of the Act). The article “excludes the protective competences of GODO in a situation when a [data – A.R.] filing system that is maintained by a church or a religious organisation with a clear legal status relates to its members”<sup>14</sup>. Apparently, the argumentation of the Supreme Administrative Court is correct in that “the processing of personal data related to church members may not be subject to a governing interference of the state given the autonomy of the church”<sup>15</sup>. In a situation where data processing is not performed to realise the objectives of the Catholic Church, data sets maintained by ecclesiastical legal persons are subject to registration (e.g. personal data sets maintained by nursing homes run by religious orders or persons who receive such help)<sup>16</sup>.

#### WAYS TO PROTECT PERSONAL DATA

Methods of protecting personal data which are processed by the Catholic Church in Poland<sup>17</sup> consist chiefly in: 1) establishing archives which process personal data, 2) careful maintenance of documentation with respect to processed data, 3) protecting personal data against disclosure to unauthorised persons or being taken away by persons who are not authorised to do so, and 4) protecting such data from corruption, destruction, alteration or loss.

#### **The erection of archives in which personal data are to be processed**

A diocesan bishop is obliged to erect in a secure place a curia (diocesan) archive, which will be the crucial location for storage of documents (see also:

<sup>14</sup> Judgement of 8 October 2013, I OSK 129/13, issued by the Warsaw Supreme Administrative Court.

<sup>15</sup> Judgement of 27 March 2013, I OSK 1060/12, issued by the Warsaw Supreme Administrative Court.

<sup>16</sup> *Is it mandatory to submit for registration personal data sets created in connection with the activity of ecclesiastical legal persons?*, in: *Personal Data Protection in the Activity of the Catholic Church in Poland*, p. 12, question 2.

<sup>17</sup> It must be noted that as of 2015 affiliation with the Catholic Church in Poland was declared by 92.8% of Polish citizens, i.e. 32.9 million individuals out of the total population of 35.8 million. See: M. Sitarz, *Bezpieczeństwo w stosunkach państwo-Kościół w Polsce*, in: *Bezpieczeństwo prawne państw demokratycznych w procesie integracji europejskiej: Polska – Słowacja – Ukraina*, J. Krukowski, J. Potrzebszcz, M. Sitarz (eds.), Towarzystwo Naukowe KUL, Lublin 2016, p. 226. For more on the definition of “Church”, see: M. Sitarz, *Zasada równouprawnienia kościołów i innych związków wyznaniowych*, “Kościół i Prawo” 4 (17) 2015, No. 1, p. 153–157.

cann. 482 § 1<sup>18</sup>; 1053 § 2<sup>19</sup>; 1208<sup>20</sup>; 1283, 3<sup>o21</sup>; 1284 § 2, 9<sup>o22</sup>; 1306 § 2<sup>23</sup>). The archive will preserve all documents pertaining to the “spiritual and temporal” affairs of the diocese (can. 486 § 2). The archive of the diocesan curia should preserve a second copy of the inventory of documents held in archives of cathedral, collegiate, parochial, and other churches in the territory of the diocese (can. 491 § 1)<sup>24</sup>. The right to erect an archive by a diocese was also acknowledged in the *Act on the Relations Between the State and the Catholic Church in the Republic of Poland*<sup>25</sup>, whereby ecclesiastical legal persons have a right to establish and hold archives (Art. 50 para 1).

Documents of historical value, when systematically ordered, are stored in a special **historical archive**, which the diocesan bishop should establish in every diocese (can. 491 § 2). Also duplicates of documents made in parishes and by other ecclesiastical legal persons should be deposited in such an archive. Moreover, the parties to the Concordat concluded between the Holy See and the Republic of Poland<sup>26</sup> agreed that in every diocese the diocesan bishop should appoint a special commission to collaborate with competent state authorities in order to protect cultural objects of national heritage located in sacred and church buildings as well as archival documents of historical and artistic value (Art. 25 para 1).

Pursuant to the *Act on the National Archival Resource and State Archives*, archival materials created [a historical archive – A.R.] and being created [e.g. a diocesan archive – A.R.] in the course of the activity of the Catholic Church

<sup>18</sup> “In every curia a chancellor is to be appointed whose principal function, unless particular law establishes otherwise, is to take care that acts of the curia are gathered, arranged, and safeguarded in the archive of the curia”.

<sup>19</sup> “The ordaining bishop is to give to each of the ordained an authentic testimonial of the reception of ordination; if a bishop other than their own promoted them with dismissorial letters, they are to show the testimonial to their own ordinary for notation of the ordination in a special register to be kept in the archive”.

<sup>20</sup> “When the dedication or blessing of a church or the blessing of a cemetery has been completed, a document is to be drawn up, one copy of which is to be kept in the diocesan curia and another in the archive of the church”.

<sup>21</sup> “Before administrators begin their function [...] one copy of this inventory is to be preserved in the archive of the administration and another in the archive of the curia; any change which the patrimony happens to undergo is to be noted in each copy”.

<sup>22</sup> Administrators must “[...] organize correctly and protect in a suitable and proper archive the documents and records on which the property rights of the Church or the institute are based, and deposit authentic copies of them in the archive of the curia when it can be done conveniently”.

<sup>23</sup> “One copy of the charter is to be preserved safely in the archive of the curia and another copy in the archive of the juridic person to which the foundation belongs”.

<sup>24</sup> For more, see: M. Sitarz, *Archiwum diecezjalne*, in: *Słownik prawa kanonicznego*, col. 15–16.

<sup>25</sup> *Act on the Relationship Between the State and Catholic Church in the Republic of Poland* on 17 May 1989, Journal of Laws of 2013, item 1169 as amended.

<sup>26</sup> The Concordat between the Holy See and the Republic of Poland, signed in Warsaw on 28 July 1993, Journal of Laws of 1998 no. 51, item 318.

constitute “the non-state, registered archival resource” (Art. 42 point 3)<sup>27</sup>. The ownership of the archival materials may not be subject to trading (Art. 43 para 1 of NAR).

Apart from the “common” archive, the Code legislator lays down the obligation to erect a **secret archive**. If this is impossible, the archive of the curia is to hold at least a safe, well locked and fixed so that it cannot be removed. In it secret documents are to be preserved with “utmost diligence” (can. 489 § 1), dealing with *forum internum* (see cann. 1082<sup>28</sup>; 1133<sup>29</sup>; 1339 § 3<sup>30</sup>; 1719<sup>31</sup>, as well as cann. 269, 2<sup>32</sup>; 377 § 2<sup>33</sup>; 413 § 1<sup>34</sup>).

Additionally, each parish should have its own document repository, that is an archive. In a **parish archive**, the parish register must be kept, along with letters of bishops and other documents whose preservation is necessary or beneficial (can. 535 § 4). The particular legislator is to issue detailed provisions regulating the manner in which the archive should be used and how parish acts should be pre-

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<sup>27</sup> *Act on the National Archival Resource and State Archives* of 14 July 1983, Journal of Laws of 2016, item 1506 [henceforth quoted as NAR]. Under the act, archival materials comprising the national archive resource are any and all files and documents, correspondence, financial, technical and statistical documentation, maps and plans, photographs, films and microfilms, sound and picturephone recordings, electronic documents, and other documentation (Art. 1).

<sup>28</sup> “Unless a rescript of the Penitentiary provides otherwise, a dispensation from an occult impediment granted in the non-sacramental internal forum is to be noted in a book which must be kept in the secret archive of the curia; no other dispensation for the external forum is necessary if afterwards the occult impediment becomes public”.

<sup>29</sup> “A marriage celebrated secretly is to be noted only in a special register to be kept in the secret archive of the curia”.

<sup>30</sup> “The warning or rebuke must always be established at least by some document which is to be kept in the secret archive of the curia”.

<sup>31</sup> “The acts of the investigation, the decrees of the ordinary which initiated and concluded the investigation, and everything which preceded the investigation are to be kept in the secret archive of the curia if they are not necessary for the penal process”.

<sup>32</sup> “A diocesan bishop is not to allow the incardination of a cleric unless [...] he knows by a lawful document that excardination has been granted, and has also obtained from the excardinating bishop, under secrecy if need be, appropriate testimonials concerning the cleric’s life, behavior and studies [...]”.

<sup>33</sup> “At least every three years, bishops of an ecclesiastical province or, where circumstances suggest it, of a conference of bishops, are in common counsel and in secret to compose a list of presbyters, even including members of institutes of consecrated life, who are more suitable for the episcopate. They are to send it to the Apostolic See, without prejudice to the right of each bishop individually to make known to the Apostolic See the names of presbyters whom he considers worthy of and suited to the episcopal function”.

<sup>34</sup> “When a see is impeded, the coadjutor bishop, if there is one, has governance of the diocese unless the Holy See has provided otherwise. If there is none or he is impeded, governance passes to an auxiliary bishop, the vicar general, an episcopal vicar, or another priest, following the order of persons established in the list which the diocesan bishop is to draw up as soon as possible after taking possession of the diocese. The list, which must be communicated to the metropolitan, is to be renewed at least every three years and preserved in secret by the chancellor”.



served (see also can. 491 § 1<sup>35</sup>; 895<sup>36</sup>). The Inspector General for Personal Data Protection stressed that parish files<sup>37</sup> should contain information which is essential for the attainment of statutory objectives of the Church, related to both ordinary and sensitive data. The acquisition and collection of these data is performed mainly pursuant to both CIC/83 and specific provisions, but where the scope is not regulated by CIC/83, it is done pursuant to the *Act on Personal Data Protection*<sup>38</sup>. If information in the documentation contains obsolete data, e.g. outdated address of residence, surname or telephone number, the data administrator (e.g. the pastor) is obliged to amend and complete such information<sup>39</sup>. A person who intends to leave the Church has no right to demand his or her personal data to be removed from the Church register because the rules of archiving of information contained in parish registers follow from can. 535, for example, while the fact of leaving the Church is recorded in a baptismal register<sup>40</sup>.

<sup>35</sup> “A diocesan bishop is to take care that the acts and documents of the archives of cathedral, collegiate, parochial, and other churches in his territory are also diligently preserved and that inventories or catalogs are made in duplicate, one of which is to be preserved in the archive of the Church and the other in the diocesan archive”.

<sup>36</sup> “The names of those confirmed with mention made of the minister, the parents and sponsors, and the place and date of the conferral of confirmation are to be recorded in the confirmation register of the diocesan curia or, where the conference of bishops or the diocesan bishop has prescribed it, in a register kept in the parish archive. The pastor must inform the pastor of the place of baptism about the conferral of confirmation so that a notation is made in the baptismal register according to the norm of can. 535, §2”.

<sup>37</sup> M. Sitarz, *Kartoteka parafialna*, in: *Leksykon Teologii Pastoralnej*, R. Kamiński, W. Przygoda, M. Fiałkowski (eds.), Towarzystwo Naukowe KUL, Lublin 2006, p. 335–336.

<sup>38</sup> *Which personal data are preserved in parish files and other documents amassed by the Church?* in: *Personal Data Protection in the Activity of the Catholic Church in Poland*, p. 16, question 10.

<sup>39</sup> *Does a parishioner have a right to demand that his or her personal data be supplemented if incomplete or amended if obsolete in the parish documentation?* in: *Personal Data Protection in the Activity of the Catholic Church in Poland*, p. 17, question 14. See also Art. 35 of the Act.

<sup>40</sup> *Does a person who intends to leave the Church have a right to demand that his or her personal data be removed from the parish files?* in: *Personal Data Protection in the Activity of the Catholic Church in Poland*, p. 15, question 9. See also: Conference of the Polish Episcopate, *Zasady postępowania w sprawie formalnego aktu wystąpienia z Kościoła* (27 Sept 2008), in: *Ustrój hierarchiczny Kościoła. Wybór źródeł 2*, M. Sitarz, A. Romanko, U. Wasilewicz, P. Zając (eds.), Towarzystwo Naukowe KUL, Lublin 2013, p. 704–708. The baptismal register should have notes related to: confirmation (can. 535 § 2; 895), conclusion of sacramental marriage (can. 1122 § 1) excluding marriages celebrated secretly (can. 1133); convalidation in the external forum (can. 1123); judicial declaration of nullity of a marriage along with prohibitions, if any, to remarry (cann. 1123 and 1685); granting a papal dispensation in the case of unconsummated marriage (can. 1123); the ordination to the diaconate, presbyterate or the episcopacy (cann. 535 § 2 and 1054 § 3); perpetual profession made in a religious institute (can. 535 § 2); change of rite (can. 535 § 2); abandonment of the Church (can. 535 § 2); adoption (can. 535 § 2).

Personal data of members of the Catholic Church are also processed in the **archives of other ecclesiastical legal persons** (cann. 173 § 4<sup>41</sup>; 1208; 1283, 3°; 1284 § 2, 9°; 1306 § 2). The diocesan bishop takes care that the documents in these archives are diligently preserved, and inventories made in duplicate. One is to be kept in the archive of a given church and the other in the diocesan archive (can. 491 § 1). A detailed instruction on the use of files and documents preserved in these archives is provided by a particular legislator (can. 491 § 3).

### **Maintenance of documentation related to data processing**

The data administrator maintains documentation which describes the way data are processed as well as the technical and organisational means to enable protection of the processed personal data, which is adequate for envisaged risks and the category of protected data (Art. 36 para 2 of the Act). According to the order issued by the Minister of Interior and Administration<sup>42</sup>, the documentation encompasses a security policy and instructions on the management of the computer system for personal data processing (Art. 3). The documentation is to be made in writing. The obligation to develop and distribute it among the data processing staff rests with the data administrator. The security policy should focus on the following: 1) an inventory of buildings, rooms or parts of rooms, which constitute an area where personal data are processed; 2) a list of personal data sets with an indication of appropriate processing software; 3) a description of the structure of data sets indicating the content of individual information fields and connections between them; 4) data flow between individual systems; 5) indication of technical and organisational means necessary to ensure confidentiality, integrity and accountability of the processed data (§ 4 of the *Regulation*). The obligation to develop a security policy rests also with administrators who process personal data both in a traditional way and using an IT system<sup>43</sup>. Administrators who process data in the computer system are obliged to develop instructions for the management of an IT system intended for personal data processing. The instructions should include the following: 1) procedures of granting authorisation to process data and registering this authorisation in a computer system and nominating a person who would be in charge thereof; 2) methods and authorisation methods as well as procedures of the management and usage thereof;

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<sup>41</sup> “All the acts of an election are to be transcribed accurately by the secretary and are to be preserved carefully in the archive of the college after they have been signed at least by the same secretary, the one presiding, and the tellers”.

<sup>42</sup> Regulation of the Minister of Interior and Administration of 29 April 2004 on *documentation of personal data processing and technical and organisational conditions to be fulfilled by IT equipment and systems used for personal data processing*, Journal of Laws No. 100, item 1024 [henceforth quoted as *Regulation*].

<sup>43</sup> See also: Inspector General for Personal Data Protection, *Wytyczne w sprawie opracowania i wdrożenia polityki bezpieczeństwa*, in: [http://www.giudo.gov.pl/163/id\\_art/1063/j/pl/](http://www.giudo.gov.pl/163/id_art/1063/j/pl/) [accessed: 17 Oct 2016].

3) procedures for initiation, suspension and termination of work by systems users; 4) procedures for the creation of backup copies of data sets as well as programs and utilities for the processing thereof; 5) the manner, location and period of storage of electronic storage media which hold personal data and of backup copies of data sets (§ 5 of the *Regulation*)<sup>44</sup>.

The above guidelines for mandatory maintenance of documentation which indicates a method of data processing as well as technical and organisational measures used to protect the processed data are applied by the Catholic Church in Poland when processing personal data. The Inspector for Personal Data Protection and Secretarial of the Conference of the Polish Episcopate recommend that a data administrator (e.g. a diocesan bishop or a pastor) develop a written instruction containing rights, rules and practical guidance on management, protection and exchange of data, both in a traditional manner and using IT. Additionally, a data administrator should nominate persons who will be responsible for the appropriate application of a developed mode of conduct, especially in a situation in which others have access to personal data, apart from the administrator (*Guidelines*, II.5).

All archives, both diocesan and parochial and those of other ecclesiastical legal persons, should have an inventory, i.e. a catalogue of documents along with a brief synopsis of each written document (cann. 486 § 3; 491 § 1).

### **Protecting data against disclosure to unauthorised personnel**

A data administrator is obliged to preserve personal data by using technical and organisational measures to ensure protection of the processed personal data, which are adequate for envisaged risks and the category of protected data (Art. 36 para 1 of the Act). The legislator did not specify which measures are to be used by a data administrator to fulfil the obligation of “ensuring protection of processed personal data”. The essential tasks intended to protect data, which should be carried out by using adequate, i.e. effective technical and organisational means. This applies to both data processing carried out traditionally (manually on paper) and data processing done by means of IT systems, i.e. in an electronic form, e.g. using a computer (*Guidelines*, II.3). Since the legislator does not specify these means, authors suggest various means, e.g. architectural-construction means, alarm systems, security personnel, smart cards or access codes. Using these means, an administrator should provide maximal protection for the protected personal data. When using means of protection, it is essential to consider changing

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<sup>44</sup> For more, see: Inspector General for Personal Data Protection, *Wskazówki dotyczące sposobu opracowania instrukcji określającej sposób zarządzania systemem informatycznym, służącym do przetwarzania danych osobowych, ze szczególnym uwzględnieniem wymogów bezpieczeństwa informacji*, in: [http://giodo.gov.pl/163/id\\_art/1064/j/pl/](http://giodo.gov.pl/163/id_art/1064/j/pl/) [accessed: 17 Oct 2016].

circumstances and technological progress in order to alter or upgrade the protection systems which were earlier implemented by the administrator<sup>45</sup>.

The legislator provides that a data administrator should protect personal data from being processed by unauthorised personnel as well as unauthorised disclosure (Art. 36 para 1 of the Act). For this reason, the Inspector for Personal Data Protection and the Conference of the Polish Episcopate specify that it is essential to: 1) protect the premises (building, room or a section of a room) where personal data are processed either on paper or using an IT system, e.g. by implementing a suitable protection against third-party access when the authorised personnel is not present in the room; 2) protect documents containing personal data by granting access to these documents solely to authorised personnel who will be obliged to keep the accessed information confidential; 3) protect the IT systems for personal data processing by granting access to the computers solely to authorised personnel (*Guidelines*, II.3).

The obligation to protect data against disclosure to unauthorised personnel arises also under CIC/83<sup>46</sup>. The Code provides: “All documents which regard the diocese or parishes must be protected with the greatest care” (can. 486 § 1). The obligation concerns all documents that belong to a particular Church or parish, therefore not only written matter but also information preserved by means of modern storage media. Such documents will concern natural persons (e.g. baptismal registers) and ecclesiastical legal persons (with respect to possessed assets or the estate owned by ecclesiastical legal persons)<sup>47</sup>. The Code imposes on the chancellor, whose office is obligatory in every diocesan curia<sup>48</sup>, the obligation to “safeguard” – protect against unauthorised access – acts of the curia held in the archive unless otherwise provided by the particular law (can. 482 § 1)<sup>49</sup>. The curia notary is obliged to furnish acts or instruments to those who legitimately request them (can. 484, 3°).

The personal data of members of the Catholic Church which are stored in the diocesan archive are to be guarded and properly protected not only against their unauthorised disclosure but also against their illegitimate removal. For this

<sup>45</sup> J. Barta, P. Fajgielski, R. Markiewicz, *Komentarz do art. 36 ustawy o ochronie danych osobowych*.

<sup>46</sup> It must be noted that the *Guidelines*, developed by the Inspector General for Personal Data Protection and the Secretariat of the Conference of the Polish Episcopate in order to specify the duties of a data administrator under CIC/83, invoke cann. 486–491 only.

<sup>47</sup> J. Krukowski, *Kuria diecezjalna*, in: *Komentarz do Kodeksu Prawa Kanonicznego. Księga II. Lud Boży. Część I. Wierni chrześcijanie. Część II. Ustrój hierarchiczny Kościoła*, vol. II/1, (ed.) J. Krukowski, Pallottinum, Poznań 2005, p. 369; B.A. Cusack, *The Archives*, in: *New Commentary on the Code of Canon Law*, J.P. Beal, J.A. Coriden, T.J. Green (eds.), Paulist Press, New York-Mahwah 2000, p. 639–645.

<sup>48</sup> In every curia a chancellor is to be appointed by the diocesan bishop (can. 482 § 1; can. 470). If it seems necessary, the chancellor can be given an assistant whose title is to be vice-chancellor (can. 482 § 2), and other notaries (can. 483 § 1).

<sup>49</sup> For more, see: R. Kaszak, *Kompetencje kanclerza kurii diecezjalnej dotyczące archiwum według Kodeksu Prawa Kanonicznego z 1983 roku*, “Kościół i Prawo” 4 (17) 2015, No 2, p. 55–68.

reason, the archive is to be locked, and only the diocesan bishop and chancellor are to have the key. Only either the diocesan bishop or both the moderator of the curia and the chancellor can grant permission to enter the archive (can. 487 § 1). It is of note that although the chancellor is in possession of the key to the archive, his consent is not sufficient to grant permission to enter the archive and obtain a certified copy or a full copy of a document, but a simultaneous permissions of the chancellor and moderator are required. The office of the curia moderator is a facultative organ (can. 473 § 2)<sup>50</sup>, hence in practice, if such an official is not appointed by the diocesan bishop, in accordance with the ordinary law, only a pastor in a particular Church will be entitled to issue the said permission. The Code specifies the methods of protecting the personal data of members of the Catholic Church by providing that in principle no documents may be removed from the archive. However, a requester may gain access, for a brief period of time, such a permission from either the diocesan bishop or both the moderator and chancellor together (can. 488). As regards the secret archive, only the diocesan bishop is to have the key (can. 490 § 1). If the episcopal see is vacant (can. 416–430), this archive must not be opened<sup>51</sup>. “In a case of true necessity” this archive may not be opened except by the diocesan administrator (can. 490 § 2) in connection with can. 427 § 1<sup>52</sup>. No documents may be removed from the secret archive (can. 490 § 3). Each year documents of criminal cases in matters of morals, in which the accused parties have died or ten years have elapsed from the condemnatory sentence, are to be destroyed by a diocesan bishop. A brief summary of what occurred along with the text of the definitive sentence is to be retained (can. 489 § 2).

In a parish, the pastor is to take care that personal data preserved in the parochial archive do not come into the hands of unauthorised persons (can. 535

<sup>50</sup> “It is for the diocesan bishop himself to coordinate the pastoral action of the vicars general or episcopal vicars. Where it is expedient, a moderator of the curia can be appointed who must be a priest and who, under the authority of the bishop, is to coordinate those things which pertain to the treatment of administrative affairs and to take care that the other members of the curia properly fulfill the office entrusted to them.” For more, see: P. Kukulska, *Moderator kurii w Kodeksie Prawa Kanonicznego z 1983 roku i partykularnym prawie polskim*, “Kościół i Prawo” 3 (16) 2014, No 2, p. 67–82.

<sup>51</sup> For more, see: M. Sitarz, *Zarządzanie Kościołem partykularnym w sytuacjach nadzwyczajnych*, “Biuletyn Stowarzyszenia Kanonistów Polskich” 14 (2001), No 1, p. 45–57; Idem, *Zarządzanie parafią w sytuacjach nadzwyczajnych. Zarys problematyki*, “Biuletyn Stowarzyszenia Kanonistów Polskich” 20 (2010), No 23, p. 83–88; Idem, *Procedura zarządzania Kościołem w sytuacjach nadzwyczajnych*, “Teki Komisji Prawniczej. Polska Akademia Nauk Oddział w Lublinie” vol. III (2010), p. 182–191; Idem, *Zarządzanie parafią w sytuacjach nadzwyczajnych*, in: *Parafia w prawie kanonicznym i w prawie polskim*, S.L. Głódź, J. Krukowski, M. Sitarz (eds.), Towarzystwo Naukowe KUL, Lublin 2013, p. 133–154.

<sup>52</sup> See also: Congregazione per i Vescovi, *Direttorio per il ministero pastorale dei vescovi Apostolorum successores* (22 Febr 2004), Libreria Editrice Vaticana, Città del Vaticano 2004, No 242.

§ 4)<sup>53</sup>. The Inspector General for Personal Data Protection stressed that a pastor may not share with third parties the data obtained on account of administering a sacrament<sup>54</sup>. However, the rules of personal data protection are not violated when a list of names of couples who intend to enter into marriage is displayed on an altar announcements board (banns) because “all the faithful are obliged to reveal any impediments they know about to the pastor or local ordinary before the celebration of the marriage” (can. 1069). The fulfilment of this obligation must consider the relevance of the processed data so that the scope of the disclosed information does not infringe the principle of proportionality or the dignity of the data subject. Furthermore, the scope of information intended to be disclosed for the purpose should not be too large so as not to infringe the privacy which guaranteed to everybody (see can. 220<sup>55</sup>; Art. 47 of the Polish Constitution<sup>56</sup>), unless the data subject gives consent to a more extensive disclosure. Such a consent is also required from individuals who are late paying their contributions to the Church<sup>57</sup>.

#### **Protection of data from damage, destruction, alteration or loss**

The protection of data processed by the Catholic Church in Poland from damage, destruction, alteration or loss is guaranteed not only by the *Act on the Protection of Personal Data* but also by the *Act on the National Archival Resource and State Archives*. The legislator provides that churches and religious organisations where archival material is created or stored are obliged to ensure appropriate conditions for its storage, protection against damage, destruction or loss, and to ensure necessary degree of conservation of it (Art. 12 of NAR). These questions should be further specified in the internal law of the Church (Art. 13 of NAR).

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<sup>53</sup> *Who has the custody of the personal data collected in parish registers?*, in: *Personal Data Protection in the Activity of the Catholic Church in Poland*, p. 16, question 11. See also: W. Wenz, *Kancelaria parafialna. Quaestiones Selectae*, in: *Parafia w prawie kanonicznym i w prawie polskim*, p. 217–262; M. Sitarz, *Kancelaria parafialna*, in: *Leksykon Teologii Pastoralnej*, p. 332–334.

<sup>54</sup> *Can a pastor convey information about persons intending to get married to third party service providers (e.g. a wedding dress store, a photographic studio, a florist, etc.)?*, in: *Personal Data Protection in the Activity of the Catholic Church in Poland*, p. 15, question 7.

<sup>55</sup> For more, see: W. Kacprzyk, *Prawo do prywatności w prawie kanonicznym i w prawie polskim*, Towarzystwo Naukowe KUL, Lublin 2008.

<sup>56</sup> The Constitution of the Republic of Poland of 2 April 1997, Journal of Laws no. 78, item 483 as amended [henceforth quoted as: Constitution].

<sup>57</sup> *Does a presentation of a list of names of couples who intend to enter into marriage (the so-called banns) or a list of parishioners who have paid or not paid a monthly contribution for the Church constitute a violation of the rules of personal data protection?*, in: *Personal Data Protection in the Activity of the Catholic Church in Poland*, p. 14–15, question 6. For more on consent, see: *Can the Church use the personal data of its members without their prior consent?*, in: *Personal Data Protection in the Activity of the Catholic Church in Poland*, p. 16–17, question 12.

Protection of data processed by the Catholic Church in Poland in a traditional manner or by means of IT systems against damage, destruction, alteration or loss was further specified in the *Guidelines on Personal Data Protection in the Activity of the Catholic Church in Poland*. To this end, it is of primary importance to protect the area where personal data are processed by means of suitable locks, doors, alarm systems, and by providing keys to such rooms or even cabinets and desks, and monitoring their use. The documents with personal data must be then protected through a destruction of redundant documents in a manner which prevents data recovery and by keeping these documents in locked cabinets when the session is over. The Inspector General for the Personal Data Protection and the Secretariat of the Conference of the Polish Episcopate describe the method of protecting IT systems used for personal data processing, stressing the following: storage of electronic storage media containing personal data must be done in a way that prevents them from unlawful removal, retrieval, copying or destruction; when personal data are processed on a portable computer it is essential to be extremely careful when transporting, storing and using it outdoors, and to use encryption software. IT systems are protected from power outage by using UPS devices; data loss is prevented by performing periodical backups; Internet threats are prevented by means of specialist software solutions (e.g. firewalls, break-in detection systems or anti-virus software). These threats can be reduced through the use of a computer which is not connected to the Internet (*Guidelines*, II.3)<sup>58</sup>.

## CONCLUSIONS

The presented analysis of the right of the Catholic Church in Poland to process personal data of its members as well as its obligation to protect these data, the following conclusions can be drawn:

1. The legal grounds for the processing of personal data of the Catholic Church members are laid down in CIC/83, the *Act on the Protection of Personal Data*, Concordat between the Holy See and the Republic of Poland, and in *The Guidelines on Personal Data Protection in the Activity of the Catholic Church in Poland*.

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<sup>58</sup> The *Guidelines* also provide rules for a safe use of the Internet: 1) attachments (files) with electronic correspondence should not be opened if the sender is unknown; 2) no illegal programs or files from unknown sources are to be downloaded onto the hard disk of the computer or run; 3) websites presenting information of criminal or hacking character or any other forbidden by law (most of such websites incorporate harmful software which automatically infects the operating system of the computer with harmful programs); 4) automatic form filling-in and password remembering must be disabled on web browsers; 5) the operating system, anti-virus software and firewall must be regularly updated (*Guidelines*, II.4).

2. The right of the Catholic Church to process the personal data of its members is linked with the obligation to properly protect them. The body responsible for the protection of personal data is the data administrator (e.g. the diocesan bishop or a pastor).

3. Personal data sets processed by the Catholic Church concerning the members of the Catholic Church and used exclusively for the needs of the Church (e.g. a parish register) need not be submitted for registration with the Inspector General For Personal Data Protection.

4. Protection of personal data of the members of the Catholic Church in Poland, processed both traditionally and electronically, mainly consists in:

- erection of archives which process personal data;
- diligently maintaining documentation concerning the processed data;
- protecting personal data against their disclosure to and removal by unauthorised persons;
- protecting them from damage, destruction, alteration or loss.

#### REFERENCES

2009. „Lista pytań związanych z działalnością Kościoła Katolickiego w Polsce kierowanych do Generalnego Inspektora Ochrony Danych Osobowych.” In *Ochrona danych osobowych w działalności Kościoła Katolickiego w Polsce. Instrukcja opracowana przez Generalnego Inspektora Ochrony Danych Osobowych oraz Sekretariat Konferencji Episkopatu Polski*, 12–18. Warszawa.
- Barta, Janusz, Paweł Fajgielski, and Ryszard Markiewicz. 2015. „Komentarz do art. 27 ustawy o ochronie danych osobowych.” In *Ochrona danych osobowych. Komentarz*. Ed. 6. Warszawa: LEX a Wolters Kluwer business.
- Cusack, Barbara Anne. 2000. “The Archives.” In *New Commentary on the Code of Canon Law*, edited by John P. Beal, James A. Coriden, and Thomas J. Green, 639–645. New York-Mahwah: Paulist Press.
- Kacprzyk, Wiesław. 2008. *Prawo do prywatności w prawie kanonicznym i w prawie polskim*. Lublin: Towarzystwo Naukowe KUL.
- Kaszak, Robert. 2015. „Kompetencje kanclerza kurii diecezjalnej dotyczące archiwum według Kodeksu Prawa Kanonicznego z 1983 roku.” *Kościół i Prawo* 4 (17) 2:55–68.
- Krukowski, Józef. 2005. „Kurja diecezjalna.” In *Komentarz do Kodeksu Prawa Kanonicznego. Księga II. Lud Boży. Część I. Wierni chrześcijanie. Część II. Ustrój hierarchiczny Kościoła*, vol. II/1, edited by Józef Krukowski, 344–381. Poznań: Pallottinum.
- Kukulska, Patrycja. 2014. „Moderator kurii w Kodeksie Prawa Kanonicznego z 1983 roku i partykularnym prawie polskim.” *Kościół i Prawo* 3 (16) 2:67–82.
- Sitarz, Mirosław. 2001. „Zarządzanie Kościołem partykularnym w sytuacjach nadzwyczajnych”. *Biuletyn Stowarzyszenia Kanonistów Polskich* 14, No 1:45–57.
- Sitarz, Mirosław. 2004a. „Archiwum.” In *Słownik prawa kanonicznego*, Mirosław Sitarz, col. 15. Warszawa: Instytut Wydawniczy PAX.
- Sitarz, Mirosław. 2004b. „Archiwum diecezjalne”. In *Słownik prawa kanonicznego*, Mirosław Sitarz, col. 15–16. Warszawa: Instytut Wydawniczy PAX.



- Sitarz, Mirosław. 2006a. „Kancelaria parafialna”. In *Leksykon Teologii Pastoralnej*, edited by Ryszard Kamiński, Wiesław Przygoda, and Marek Fiałkowski, 332–334. Lublin: Towarzystwo Naukowe KUL.
- Sitarz, Mirosław. 2006b. „Kartoteka parafialna”. In *Leksykon Teologii Pastoralnej*, edited by Ryszard Kamiński, Wiesław Przygoda, and Marek Fiałkowski, 335–336. Lublin: Towarzystwo Naukowe KUL.
- Sitarz, Mirosław. 2008. „Miejsce instrukcji w hierarchii aktów normatywnych”. In *O „Sanctorum Mater”*, edited by Wiesław Bar, and Lidia Fiejdasz, 27–40. Lublin: Katedra Prawa Kanonicznego, Stowarzyszenie Kanonistów Polskich.
- Sitarz, Mirosław. 2010a. „Procedura zarządzania Kościołem w sytuacjach nadzwyczajnych”. *Teka Komisji Prawniczej. Polska Akademia Nauk Oddział w Lublinie* vol. III:182–191.
- Sitarz, Mirosław. 2010b. „Zarządzanie parafią w sytuacjach nadzwyczajnych. Zarys problematyki”. *Biuletyn Stowarzyszenia Kanonistów Polskich* 20, No 23:83–88.
- Sitarz, Mirosław. 2013. „Zarządzanie parafią w sytuacjach nadzwyczajnych”. In *Parafia w prawie kanonicznym i w prawie polskim*, edited by Sławoj Leszek Głódź, Józef Krukowski, and Mirosław Sitarz, 133–154. Lublin: Towarzystwo Naukowe KUL.
- Sitarz, Mirosław. 2015. „Zasada równouprawnienia kościołów i innych związków wyznaniowych”. *Kościół i Prawo* 4 (17) 1:153–157.
- Sitarz, Mirosław. 2016. „Bezpieczeństwo w stosunkach państwo-Kościół w Polsce”. In *Bezpieczeństwo prawne państw demokratycznych w procesie integracji europejskiej: Polska – Słowacja – Ukraina*, edited by Józef Krukowski, Jadwiga Potrzeszcz, and Mirosław Sitarz, 219–233. Lublin: Towarzystwo Naukowe KUL.
- Wenz, Wiesław. 2013. „Kancelaria parafialna. Quaestiones Selectae”. In *Parafia w prawie kanonicznym i w prawie polskim*, edited by Sławoj Leszek Głódź, Józef Krukowski, and Mirosław Sitarz, 217–262. Lublin: Towarzystwo Naukowe KUL.

#### ZABEZPIECZENIE DANYCH OSOBOWYCH PRZETWARZANYCH PRZEZ KOŚCIÓŁ KATOLICKI W POLSCE

**Streszczenie.** Przetwarzanie danych osobowych członków Kościoła jest niezbędne do realizacji zadań związanych z administrowaniem sprawami Kościoła. Z prawem przetwarzania danych – pomimo pewnych ograniczeń ingerencji ze strony Generalnego Inspektora Ochrony Danych Osobowych – korelatywnie związany jest obowiązek należytego i starannego zabezpieczenia danych osobowych. Artykuł prezentuje sposoby zabezpieczenia danych osobowych przetwarzanych przez Kościół Katolicki w Polsce wynikające przede wszystkim z Kodeksu Prawa Kanonicznego z 1983 r., ustawy *o ochronie danych osobowych* oraz *Instrukcji dotyczącej ochrony danych osobowych w działalności Kościoła Katolickiego w Polsce*.

**Słowa kluczowe:** dane wrażliwe, zbiór danych, przetwarzanie danych, archiwum, biskup diecezjalny, proboszcz