



National Assembly Issues Criminal Record Law

By Holland & Knight

By means of *Official Gazette* No. 6.712 of July 20, 2022, the National Assembly of Venezuela issued the Law of Registration of Criminal Records (hereinafter the Law), which regulates in a general manner the registration of criminal records, establishing its content, the entity in charge of its administration, and the citizens' rights associated to it in order to guarantee its suitability and veracity.

It establishes the general principles and rights that must be respected within the registry, among which are equality and nondiscrimination, gender equality approach, rights to information and habeas data, and right to confidentiality. Specifically, with respect to the contents of the registry, Article 10 provides the basic data that must be included for each person and all the details related to the crime, process and penalty. The registry consists of only those crimes for which the person has been convicted. It will not contain information related to ongoing criminal proceedings.

The registry will be both physical and virtual. It is the responsibility of the Ministry of Popular Power, with competence in the interior, justice and peace matters, to maintain the registry and define its organization and operation. Additionally, the Law includes a general prohibition for legal and natural persons that are employers to demand the presentation of a criminal record as a requirement to apply for a job offer.

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