

**NATIONAL SUPERVISORY
AUTHORITY FOR PERSONAL
DATA PROCESSING**

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DATA PROCESSING**



**Schengen Information
Guide**

**The National Supervisory Authority
for the Processing of Personal Data is
a public central authority,
independent and autonomus.**

Purpose:

**- controlling the lawfulness of data
processing within National SIS**

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National Schengen Information System (SINS)

The National Schengen Information System – **National Informatics System for Alerts** represents the information system created at national level which, when Romania adheres at the Convention for implementing the Schengen Agreement, According to the European regulations, will provide SIS (Schengen Information System) with the data.

SINS allows the competent authorities, with the help of an automated search procedure, to have access to the signals-alerts concerning persons and goods with the purpose of carrying out the specific attributions within the trespassing border control, respecting the customs regime, issuing visas and residence permits area and also for the other types of controls and specific activities performed by police or other authorities within the purpose of ensuring public order and security.

The Ministry of Interior and Administration Reform (MIAR) is the central public authority which administrates and responds for the well functioning of SINS, for the integrity of the signals contained in it and also for supplying SIS with signals, according to the Schengen acquis exigency.

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The National Supervisory Authority for Personal Data Processing (DPA) is the independent national authority which controls the legitimacy of the personal data processing contained in SINS and also the transmission of these data from the Romanian territory, including the exchange and the onward processing of additional information.

Which are the persons of whose data are introduced in SINS?

- The persons which are subject to some extradition procedure or handing over according to an European arresting mandate;
- The foreign persons who are not allow to enter/exit;
- The foreign persons who are to be expelled, returned or who are subject to move away from the Romanian territory;
- The missing persons or the persons who in the interest of their own protection or for preventing the threats, must be placed, temporary, in a safe place, at the request of the competent authority or of the competent judiciary authority;
- The persons quoted to present their selves to the judiciary authority, within a criminal procedure which draws the responsibility concerning the acts for which are prosecuted, within the purpose of communicating the place of their residence or domicile;
- The persons who must be informed about a criminal decision or a request of presenting their selves to carry on a privative of freedom penalty, of whose data are being introduced in the system, at the competent judiciary request, within the purpose of communicating the place of their residence or domicile.

Which are the data introduced in SINS?

- Surname and first name, the pseudonyms registered separately;
- Particular physical signs, objective and permanent too;
- Date and place of birth;
- Sex;
- Citizenship;
- The mention that the persons are armed, violent or fugitive;
- The signal-alert reason;
- The measure that must be taken.

Note!

It is prohibited to process personal data linked to ethnic or racial origin, political, religious or philosophical opinions, trade-union membership adhesion and also personal data referring to state of health and sexual life.

Which are your rights?

According to data protection principles, the specific rights of the data subjects, are recognized also by the Schengen Convention.

The right of access to the data stored in SINS (once per year, free of charge)

- any person may ask the competent authority (police, gendarmerie, customs etc.), upon request, to obtain the information concerning his/her personal data stored in SINS;
- the competent authorities may deny the communication of the solicited information in the case in which this aspect is essential for carrying out a legal task concerning the signal or for the protection of third parties rights and freedoms;
- the competent authority involved is obliged to communicate the solicited information within 15 days of the petition's arrival.

The right to rectify and to erase the inaccurate or unlawfully stored data

- the data subject may demand the competent authorities the rectification of his/her inaccurate data, the erasure of the data stored unlawfully and to redress the caused prejudice;
- the competent authority involved is obliged to answer the request within 15 days of the petition's arrival.

The right to address to the court of law (free of charge)

- any person may address to a competent court of law in order to have access, to rectify or to erase the data, to ask for information or to redress the prejudice referring to a signal-alert concerning him/her.