

LEGAL FRAMEWORK OF SIS

The legal basis for the establishment, operation and use of the Schengen Information System primarily consists of the following three regulations of the European Parliament and of the Council of 28 November 2018:

- Regulation (EU) 2018/1860 – on the use of SIS for the return of illegally staying third-country nationals
- Regulation (EU) 2018/1861 – on the use of SIS in the field of border checks
- Regulation (EU) 2018/1862 – on the use of SIS in the field of police cooperation and judicial cooperation in criminal matters



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More information about the SIS and how to proceed when exercising the data subject's rights (including relevant contact forms) can be found in the Schengen section on the official website of The Office for Personal Data Protection.

The procedure of exercising data subject's rights may differ in individual member states. To help in this endeavor the website of the Office also contains a guide which summarizes the basic information needed to exercise these rights in different member states and the contact details of competent national authorities.



Office for Personal
Data Protection

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Office for Personal
Data Protection



**SCHENGEN
INFORMATION
SYSTEM**

WHAT IS THE SCHENGEN INFORMATION SYSTEM?

The Schengen Information System (SIS) is a large international database, created to help guarantee a high standard of public security in the Schengen area. The SIS is used to facilitate a more effective external border control and to support international police and judicial co-operation.

Competent national authorities enter information on individuals into the system (e.g. information about persons who have an entry ban in the Schengen area, or persons who are wanted or went missing) as well as information on certain types of objects (such as banknotes, motor vehicles, ships, planes, firearms, or documents, that may have been stolen, misappropriated or lost).

The SIS is used to exercise border, police and customs checks and to combat terrorism and other serious criminal offences, as well as to help facilitate the processing of visa and long-term stay requests and other tasks.

DATA SUBJECT'S RIGHTS

- **Right to access personal data**

Every data subject has the right to request information on whether and what data concerning them were entered into the SIS, for what reason are their data processed and which member state entered the data into the system.

- **Right to rectification of personal data**

Every data subject has the right to have any factually incorrect data (inaccurately entered) concerning them corrected.

- **Right to erasure of personal data**

Every data subject has the right to have any unlawfully processed data concerning them completely removed from the SIS.

LIMITATIONS TO THE RIGHT TO ACCESS

In some cases, the right to access personal data processed in the SIS may not be fully granted if it were to pose a risk to other important tasks, such as national security or criminal prosecution. The data subject is however entitled to always receive an official response to their request from the competent authority.

EXERCISING THE RIGHTS IN THE CZECH REPUBLIC

In the Czech Republic the data subject's rights should be exercised via a written request submitted to the data controller – **The Police of the Czech Republic**. The request can be sent using postal service, or through e-mail, data mailbox, or submitted in person.

Contact details:

Police Presidium of the Czech Republic
P. O. Box 62/K-SOU
Strojnická 27
170 89 Praha 7
Czech Republic

ID DS: gs9ai55
E-mail: epodatelna.policie@pcr.cz
Web: www.policie.cz

The request must include:

- full name
- date of birth
- up-to-date postal address
- copy of a valid identification document
- letter of authorization where applicable

It is recommended to use the official contact forms which are available both on the website of the Police and of the Office for Personal Data Protection.

FILING A COMPLAINT TO THE OFFICE FOR PERSONAL DATA PROTECTION

Everyone has the right to file a complaint to the Office for Personal Data Protection related to the processing of their personal data in the SIS.

A complaint can be submitted via postal service, through e-mail, data mailbox, or in person at the Office. It is recommended to use the official contact form which is available at the official website of the Office as well as in a physical form at the Office itself. The minimum requirements on what the complaint must contain are identical with the minimum requirements for filing a request to the Police of the Czech Republic. The complaint should also include a description of the problem for which the applicant reached out to the Office.

JUDICIAL REMEDY

Everyone has the right to file a lawsuit to access their personal data or to get them rectified or erased, or to obtain compensation in connection with processing of their personal data in the SIS. Filing a complaint to the Office and filing a lawsuit to the competent court are not mutually exclusive.