

## **Information on the protection of individuals with reference to the processing of personal data for the issuance of an entry visa in Italy and in the Schengen area (General Data Protection Regulation/GDPR (EU) 2016/679, art. 13)**

The processing of personal data required for issuing an entry visa in Italy and in the Schengen area will conform to the principles of lawfulness, correctness and transparency in order to protect the fundamental rights and freedoms of natural persons.

To this end, the following information is provided in accordance to article 13 of the GDPR:

### 1. Data Controller

The Data Controller is the Ministry of Foreign Affairs and International Cooperation (MFAIC) of the Italian Republic which, in this specific case, operates via the Embassy of Italy in Warsaw (*mailing address*: Plac Jana Henryka Dąbrowskiego 6, 00-055 Warsaw; *telephone*: 0048228263471/0048228263472 (switchboard); *e-mail*: [consolare.varsavia@esteri.it](mailto:consolare.varsavia@esteri.it); *certified e-mail*: [amb.varsavia@cert.esteri.it](mailto:amb.varsavia@cert.esteri.it)).

### 2. Data Protection Officer

For inquiries or complaints on privacy, the data subject may contact the MFAIC Data Protection Officer (DPO), (*mailing address*: Ministry of Foreign Affairs and International Cooperation, Piazzale della Farnesina 1, 00135 ROMA; *telephone*: 0039 06 36911 (switchboard); *e-mail*: [rpd@esteri.it](mailto:rpd@esteri.it); *certified e-mail*: [rpd@cert.esteri.it](mailto:rpd@cert.esteri.it)).

### 3. Personal data

The Visa Office processes the personal data included in the visa application form, in the Visa Information System (VIS) and in the national visa archive.

### 4. Processing purposes

The requested personal data are needed to assess the entry visa application for Italy or the Schengen Area lodged by a non-EU Member State citizen subject to the visa obligation.

### 5. Legal framework

The legal framework applicable to the processing of personal data is the following:

- Regulation (EC) No 767/2008 of the European Parliament and of the Council of 9 July 2008 concerning the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas (VIS Regulation);
- Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code);
- Legislative Decree n. 286, 25 July 1998;
- Presidential Decree n. 394, 31 August 1999;
- Interministerial Decree on visas n. 850, 11 May 2011.

According to said Decrees, provision of this data is mandatory for the assessment of the visa application and any refusal to provide the requested data makes it inadmissible.

#### 6. Processing methods

Data processing, performed by specially appointed personnel, is carried out through manual and automated procedures. With regard to short-stay visas, data is inputted into the Visa Information System (VIS); for other types of visas, data is inserted in the national visa archive.

#### 7. Communication of personal data to external authorities

In application of the European legislation on the "Schengen" area (in particular, Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code), the data required for the issuance of short-stay visas are made available to the competent Italian security authorities as well as to the competent authorities of the European Union and of other Member States.

#### 8. Data retention

Data is retained into the VIS for a maximum period of five years. As this period expires, the personal data linked to Schengen visas applications processed by Italy are transferred into the national visa archive. Data may be indefinitely retained in the said archive for national security reasons, for potential controversies and for research or study motives.

#### 9. The data subject's rights

The data subject may request the access to and the correction of his personal data. Within the limits established by the current legislation and without prejudice to any consequences on the outcome of the visa application, he may also request the deletion of such data, as well as the restriction of or the objection to data processing. Furthermore, the data subject may request the deletion of his personal data from the VIS if he acquires the citizenship of a EU Member State within five years since the visa issuance or refusal or if the competent administrative or jurisdictional decides for the definitive annulment of the visa refusal.

In these cases, the data subject shall submit a specific request to the Embassy of Italy in Warsaw and notify the MFAIC DPO.

If the data subject believes that his privacy rights have been violated, he may file a complaint with the MFAIC DPO. Otherwise, he may contact the Italian Data Supervisory Authority (*mailing address*: Piazza Venezia 11, 00187 ROMA; *telephone*: 0039 06 696771 (switchboard); *e-mail*: [garante@gpdp.it](mailto:garante@gpdp.it); *certified e-mail*: [protocollo@pec.gpdp.it](mailto:protocollo@pec.gpdp.it)).

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