

2024

ROMANIA
MINISTRY OF INTERNAL AFFAIRS
GENERAL INSPECTORATE OF THE BORDER POLICE



GUIDELINES FOR THE EXERCISE OF THE RIGHTS BY PERSONS WHOSE PERSONAL DATA ARE PROCESSED BY THE ROMANIAN BORDER POLICE

This guide provides essential information about the rights of data subjects and the procedures for exercising these rights (right of access, rectification, deletion, opposition and restriction of data processing), according to the General Data Protection Regulation (GDPR) and Law no. 363/2018, as well as information about the National Supervisory Authority for the Processing of Personal Data (NSAPDP).

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1. GENERAL CONSIDERATIONS

On 4 May 4 2016, the legislative package regulating the protection of personal data was published in the Official Journal of the European Union:

➤ [Regulation \(EU\) 2016/679](#) of the European Parliament and of the Council of 27 April 2016 *on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation - GDPR)*;

Regulation (EU) 2016/679 entered into force on 25 May 2016 and is applicable from 25 May 2018. The provisions of GDPR are directly applicable in the territories of the EU Member States, without, in principle, the need for transposition or implementation measures. However, GDPR provides that, in certain situations, national implementing provisions are required or Member States are empowered to adopt certain legal provisions.

Thus, on 31 July 2018, [Law no. 190/2018](#) *on measures to implement Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC* entered into force.

➤ [Directive \(EU\) 2016/680](#) of the European Parliament and of the Council of 27 April 2016 *on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA (OJ EU L 119, 4.5.2016, p. 89)*.

Directive (EU) 2016/680 entered into force on 5 May 2016 and was transposed into national law by [Law no. 363/2018](#) *on the protection of individuals with regard to the processing of personal data by the competent authorities for the purposes of preventing, discovering, investigating, prosecuting and combating criminal offences or the execution of criminal penalties, educational and security measures, as well as on the free movement of such data*.

Regarding the scope of the two legal instruments, we specify that they are complementary, the GDPR having general applicability except:

- activities not covered by Union law;
- activities carried out by Member States falling within the scope of Chapter 2 of Title V of the EU Treaty;
- activities carried out by a natural person in the course of a purely personal or household activity;
- activities carried out by the competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences, or the execution of criminal penalties, including the protection against and the prevention of threats to public security (area regulated by Directive (EU) 2016/680).

Organizations and individuals that process personal data have the obligation to keep them so as to ensure their confidentiality and security. These obligations are subsumed to the right to the protection of personal data, regulated by Regulation (EU) 2016/679.

2. INFORMATION ON THE PROCESSING OF PERSONAL DATA BY THE ROMANIAN BORDER POLICE

2.1. Identity of data controllers within the Romanian Border Police

This guide aims to provide general information about the processing of your personal data and the rights you have under Regulation (EU) 2016/679 and the national legislation on the protection and security of personal data in force.

In accordance with the national and European legislation in force, the General Inspectorate of the Border Police, in its capacity as personal data controller, is constantly concerned with ensuring the protection of individuals with regard to the processing of personal data carried out according to the legal framework in force.

The Romanian Border Police (RBP) is part of the Ministry of Internal Affairs and is the specialized institution of the state exercising its attributions regarding the supervision and control of the crossing of the state border, preventing and combating illegal migration and acts specific to cross-border crime committed in the area of competence, respecting the legal regime of the state border, passports and foreigners, ensuring the interests of the Romanian state on the inner Danube, including the Macin arm and the Sulina canal located outside the border area, in the contiguous area and in the exclusive economic zone, respecting public order and tranquility in the area of competence, according to the law.

In accordance with the provisions of [GEO no. 104/2001](#) *on the organization and functioning of the Romanian Border Police*, as subsequently amended and supplemented, RBP's activity constitutes a public service and is carried out in the interest of the person, the community and in support of state institutions, exclusively on the basis and in the execution of the law.

The Romanian Border Police has in its [structure](#) the central unit, territorial units and educational units that process personal data. Thus, within RBP there are distinct data controllers: General Inspectorate of the Border Police (GIBP), Territorial Inspectorates of the Border Police at Iași, Giurgiu, Timișoara, Oradea and Sighetu Marmației and also Coast Guard from Constanța.

2.2. General information about the General Inspectorate of the Border Police

The General Inspectorate of the Border Police (GIBP) is the central unit of the RBP, with legal personality and territorial competence for the entire area of responsibility of the border police, which exercises the management and is responsible for the entire activity of the border police, carries out activities of investigation of particularly serious crimes circumscribed to organized crime, illegal migration and cross-border crime committed in the area of territorial competence of RBP, as well as any other powers given to it by law.

GIBP is a personal data controller, in accordance with art. 4 point 7 of [Regulation \(EU\) 2016/679 of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC \(GDPR\)](#).

2.3. Purposes of processing

In art. 1 of [GEO no. 104/2001](#) *on the organization and functioning of the Romanian Border Police*, are stated both the general attributions and the general competence of this institution.

Thus, RBP is part of the Ministry of Internal Affairs and is the specialized institution of the state that exercises its attributions regarding the *supervision and control of the state border crossing, the prevention and combating of illegal migration and the acts specific to cross-border crime committed in the area of competence, the observance of the legal regime of the state border, passports and foreigners, the assurance of the interests of the Romanian state on the inner*

Danube, including the Macin arm and the Sulina canal located outside the border area, in the contiguous area and in the exclusive economic zone, the observance of public order and tranquility in the area of competence, under the law.

The regulations regarding the activity of RBP, sequentially included in other laws on the organization and functioning of state institutions, were provided for in special laws aimed at combating a certain type of crime.

GIBP processes your personal data in accordance with the provisions of GDPR, as controller, by automated/manual means, for the following purposes:

- supporting surveillance and control actions of the state border crossing;
- preventing and combating illegal migration and acts specific to cross-border crime committed in the area of competence;
- compliance with the legal regime of the state border, passports and foreigners;
- ensuring other legitimate interests of the Romanian State in the areas where the Romanian Border Police carries out its duties provided by law;
- carrying out informative-operative, investigation and prosecution activities;
- cross-border cooperation to prevent and combat acts of terrorism, related crimes and crimes against national security, as well as to prevent and eliminate threats to national security;
- prevention, finding and sanctioning of contraventions;
- maintaining and ensuring public order and tranquility;
- transmission of additional information on persons and property related to alerts in the Schengen Information System
- monitoring/security of persons, spaces;
- monitoring/security of public/private goods;
- carrying out specific human resources activities;
- carrying out specific activities on the financial line;
- carrying out specific public relations activities;
- solving petitions and other requests made by persons;
- solving the requests for the exercise of the rights recognized to natural persons by art. 15-22 of GDPR;
- solving the requests for the exercise of the rights recognized to natural persons by art. 16 and 18 of Law no. 363/2018;
- solving the requests for the exercise of the rights recognized to natural persons by art. 52 of Regulation (EU) 2017/2226 (EES Regulation);
- issuance of recreational/sport fishing permit in border waters;
- emergency management;
- filing actions and representation in court;
- organizing/conducting events;
- carrying out the legal control duties;
- logistic-administrative management;
- public procurement;
- triage of persons for access to RBP's buildings.

GIBP also processes the personal data of its own employees for purposes provided by law, circumscribed to the organization of the activity and the performance of the institution's duties.

2.4 The period for which the personal data will be stored

As a general rule, the data is stored only for the period necessary to achieve the purpose for which they are collected, but maximum retention periods may also be established by normative acts, regulations and internal provisions.

For more details on how the Romanian Border Police collects, uses and protects personal data, in accordance with the provisions of GDPR and Law no. 363/2018, please access [the Information Note on the processing of personal data by GIBP on our website - section: Useful Information/Protection of personal data.](#)

3. RIGHTS OF THE DATA SUBJECT

3.1. Rights of data subjects under Regulation (EU) 2016/679

According to GDPR, the rights of the data subject are expressly provided for:

- the right to be informed: art. 13 and art.14 of GDPR;
- the right of access to data: art. 15 of GDPR;
- the right to rectification: art. 16 of GDPR;
- the right to erasure: article 17 of GDPR;
- the right to restriction of processing: art. 18 of GDPR;
- the right to data portability: art. 20 of GDPR;
- the right to object: art. 21 of the GDPR;
- the right not to be subject to a decision based solely on automatic processing, including profiling: article 22 of GDPR;
- the right to address the supervisory authority: art. 78 of GDPR
- the right to address the court: art. 79 of GDPR.

3.1.1. The right to information (art. 13-14 of GDPR)

According to the **art. 13 of GDPR**, where personal data relating to a data subject are collected from the data subject, the controller shall, at the time when personal data are obtained, provide the data subject with all of the following information, **unless that person already has that information**:

- the identity and contact details of the controller and, where applicable, of his representative;
- the contact details of the data protection officer (**DPO**), where applicable;
- the purposes for which the personal data are processed, as well as the legal basis for the processing;
- the recipients or categories of recipients of the personal data;
- additional information, such as: the period for which the personal data will be stored; the existence of the right to request from the controller, with regard to the personal data relating to the data subject, access to, rectification or erasure of, or restriction of processing; the right to lodge a complaint with a supervisory authority; if the provision of personal data is a legal obligation, as well as if the data subject is obliged to provide such personal data, the existence of automated decision-making, including profiling. If the controller intends to further process the personal data for a purpose other than that for which they were obtained, the controller shall provide the data subject, prior to such further processing, with information on that secondary purpose.

Also, according to **art. 14 of GDPR**, if the personal data have not been obtained from the data subject, the controller shall provide the data subject with the following information:

- the identity and contact details of the controller and, where applicable, of his representative;
- the contact details of the data protection officer (**DPO**), where applicable;
- the purposes for which the personal data are processed, as well as the legal basis for the processing;
- the categories of personal data concerned;
- the recipients or categories of recipients of the personal data;
- where applicable, the intention of the controller to transfer the personal data to a recipient in a third country.

This information shall not be transmitted in the following situations:

- the data subject already has the information;
- providing such information proves impossible and requires disproportionate effort;
- **obtaining or disclosure of data is expressly provided for by Union or national law;**
- where the personal data must remain confidential pursuant to a statutory obligation of professional secrecy governed by Union or national law, including a legal obligation of secrecy.

3.1.2. The right of access to data (art. 15 of GDPR)

The data subject shall have the right to obtain from the controller **confirmation as to whether or not personal data concerning him or her** are being processed and, if so, **access to that data** and to the following information:

- the purposes of the processing;
- the categories of personal data concerned;
- the recipients or categories of recipients to whom the personal data have been or are to be disclosed, in particular recipients in third countries or international organisations;
- the period for which the personal data will be stored or, if this is not possible, the criteria used to establish this period;
- the existence of the right to request from the controller rectification or erasure of personal data or restriction of processing of personal data concerning the data subject;
- the right to lodge a complaint with a supervisory authority;
- if the personal data are not collected from the data subject, any available information on their source.

3.1.3. The right to rectification (art. 16 of GDPR)

The data subject has the right to obtain from the controller, without undue delay:

- **rectification** of inaccurate personal data concerning him/her;
- **filling in** data that are incomplete, including by providing a supplementary statement, taking into account the purposes for which the data were processed.

3.1.4. The right to erasure (art. 17 of GDPR)

The right to delete the data named also the right to be forgotten, provided by **art. 17 of GDPR**, provides that the data subject has the right to obtain from the controller the erasure of personal data concerning him/her without undue delay and the controller has the obligation to erase the personal data if one of the following reasons applies:

- personal data are no longer necessary for the purposes for which they were collected or processed;
- the data subject withdraws consent on the basis of which the processing takes place, in accordance with art. 6 paragraph (1) (a) or art. 9 paragraph (2) (a) of GDPR and there is no other legal basis for the processing;
- the data subject objects to the processing pursuant to art. 21 paragraph (1) of GDPR and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing pursuant to art. 21 paragraph (2) of GDPR;
- personal data has been processed unlawfully;
- the personal data have to be erased for compliance with a legal obligation in Union or Member State law to which the controller is subject;
- the personal data have been collected in relation to the offer of information society services referred to in art. 8 paragraph (1) of GDPR.

If the controller has made public the personal data and is obliged under art. 17 paragraph (1) of GDPR to delete them, the controller, taking into account the available technology and the cost of implementation, shall take reasonable measures, including technical measures to inform the controllers processing the personal data that the data subject has requested the deletion by these controllers of any links to those data or any copies or replicas of those personal data.

Art. 17 paragraphs (1) and (2) of GDPR shall not apply to the extent that processing is necessary:

- to exercise the right to freedom of expression and information;
- to comply with a legal obligation providing for processing under Union or national law applicable to the controller or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;
- for reasons of public interest in the field of public health;
- for archiving purposes in the public interest, scientific or historical research or statistical purposes;
- for the establishment, exercise or defense of a right in court.

3.1.5. The right to restriction of processing (art. 18 of GDPR)

The right to restriction of processing is regulated by **art. 18 of GDPR**. The data subject shall have the right to obtain from the controller the restriction of processing where one of the following applies:

- the data subject disputes the accuracy of the data for a period which allows the controller to verify the accuracy of the data;
- the processing is unlawful and the data subject opposes the deletion of personal data, requesting instead the restriction of their use;
- the controller no longer needs the personal data for the purposes of processing, but the data subject requests them for the establishment, exercise or defence of a right in court;
- the data subject has objected to processing pursuant to art. 21 paragraph (1) of GDPR pending the verification whether the legitimate grounds of the controller override those of the data subject.

Where processing has been restricted, such personal data may, with the exception of storage, only be processed with the consent of the data subject or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or another Member State.

A data subject who has obtained restriction of processing shall be informed by the controller before the restriction of processing is lifted.

3.1.6. Notification obligation regarding the rectification or erasure of personal data or restriction of processing (art. 19 of GDPR)

The controller shall communicate to each recipient to whom the personal data have been disclosed any rectification or erasure of the personal data or restriction of processing carried out in accordance with art. 16, 17 paragraph (1) and 18 of GDPR, unless this proves impossible or involves disproportionate efforts. The controller shall inform the data subject of those recipients if the data subject so requests.

3.1.7. The right to object (art. 21 of GDPR)

The data subject has the right to object, on grounds relating to his or her particular situation, at any time to processing of personal data concerning him or her pursuant to art. 6 paragraph (1) of GDPR, including the creation of profiles based on those provisions.

The data subject has the right to object at any time to the processing of data concerning him or her for direct marketing purposes, including profiling, insofar as it is related to that direct

marketing. Where the data subject objects to processing for the purposes of direct marketing, the personal data shall no longer be processed for that purpose.

The data subject has the right to object to the processing of personal data by automated means using technical specifications.

Where personal data are processed for scientific, historical research or statistical purposes, the data subject, on grounds relating to his or her particular situation, has the right to object to the processing of personal data concerning him or her, unless the processing is necessary for the performance of a task carried out for reasons of public interest.

3.1.8. The right not to be subject to a decision based solely on automatic processing, including profiling (art. 22 of GDPR)

The data subject shall have the right not to be the subject of a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her or similarly significantly affects him or her.

This right does not apply if the decision:

- a) is necessary for the conclusion or performance of a contract between the data subject and a data controller;
- b) is authorised by Union or national law applicable to the controller and which also provides for appropriate measures to protect the data subject's rights, freedoms and legitimate interests; or
- c) is based on the explicit consent of the data subject.

In the cases specified in letters a) and c), the data controller shall implement appropriate measures to protect the rights, freedoms and legitimate interests of the data subject. These exceptions are not based on the special categories of personal data referred to in art. 9 paragraph (1) of GDPR, unless art. 9 paragraph (2) (a) or (g) applies and appropriate measures have been put in place to protect the data subject's rights, freedoms and legitimate interests.

3.1.9. The right to lodge a complaint with a supervisory authority (art. 77 of GDPR)

Without prejudice to any other administrative or judicial remedy, any data subject shall have the right to lodge a complaint with a supervisory authority, in particular in the Member State of his or her habitual residence, place of work or place of the alleged infringement, if he or she considers that the processing of personal data relating to him or her infringes legal provisions.

The supervisory authority with which the complaint has been lodged shall inform the complainant of the progress and outcome of the complaint, including the possibility of a judicial remedy pursuant to art. 78 of GDPR.

3.1.10. The right to address the court (art. 79 of GDPR.)

Without prejudice to any available administrative or non-judicial remedy, including the right to lodge a complaint with a supervisory authority pursuant to art. 77 of GDPR, each data subject shall have the right to an effective judicial remedy if he or she considers that his or her rights have been infringed.

Proceedings against a controller or a processor shall be brought before the courts of the Member State where the controller or processor has an establishment. Alternatively, such action may be brought before the courts of the Member State in which the data subject has his or her habitual residence, unless the controller or processor is a public authority of a Member State acting in the exercise of its public powers.

3.1.11. Informing the data subject of the personal data breach (art. 34 of GDPR)

Where the personal data breach is likely to result in a high risk to the rights and freedoms of natural persons, the controller shall inform the data subject without undue delay about that breach.

The communication to the data subject shall include a description in clear and plain language of the nature of the personal data breach, as well as at least the information and measures referred to in art. 33 paragraph (3) (b), (c) and (d) of GDPR.

Informing the data subject is not required if any of the following conditions are met:

- the controller has implemented appropriate technical and organisational safeguards and these measures have been applied to personal data affected by the personal data breach, in particular measures ensuring that personal data becomes unintelligible to any person who is not authorised to access it, such as encryption;
- the controller has taken subsequent measures ensuring that the high risk to the rights and freedoms of data subjects is no longer likely to materialise;
- would require disproportionate effort. In this situation, public information or a similar measure is carried out instead whereby data subjects are informed in an equally effective manner.

Where the controller has not already communicated the personal data breach to the data subject, the supervisory authority, having considered the likelihood that the personal data breach would result in a high risk, may require it to do so or may decide that any of the conditions referred to in art. 34 paragraph (3) of GDPR are fulfilled.

3.1.12. Restrictions (art. 23 of GDPR)

Union or Member State law to which the data controller or processor is subject may restrict by way of a legislative measure the scope of the obligations and rights provided for in Articles 12 to 22 and art. 34 of GDPR, as well as art. 5 in so far as its provisions correspond to the rights and obligations provided for in Articles 12 to 22 of GDPR, when such a restriction respects the essence of the fundamental rights and freedoms and is a necessary and proportionate measure in a democratic society to safeguard:

- a) national security;
- b) defence;
- c) public security;
- d) the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including the safeguarding against and the prevention of threats to public security;
- e) other important objectives of general public interest of the Union or of a Member State, in particular an important economic or financial interest of the Union or of a Member State, including monetary, budgetary and fiscal matters and matters of public health and social security;
- f) the protection of judicial independence and judicial proceedings;
- g) the prevention, investigation, detection and prosecution of breaches of ethics in regulated professions;
- h) a monitoring, inspection or regulatory function connected, even occasionally, to the exercise of official authority in the cases referred to in points (a) to (e) and (g);
- i) the protection of the data subject or the rights and freedoms of others;
- j) the enforcement of civil law claims.

3.2. The rights of the data subjects according to Law no. 363/2018

According to Law no. 363/2018, the rights of the data subject are expressly provided for:

- the right to be informed : Articles 12, 13 and 14 of Law no. 363/2018;
- the right of access to data: art. 16 of Law no. 363/2018;
- the right to rectification: art. 18 paragraph (1) of Law no. 363/2018;
- the right to erasure: art. 18 paragraph (3) of Law no. 363/2018;
- the right to restriction of processing: art. 18 paragraph (4) of Law no. 363/2018;
- the right to address the supervisory authority: art. 20 of Law no. 363/2018;
- the right to address the court.

3.2.1. The right to information (Articles 12, 13 and 14 of Law no. 363/2018)

Article 12 of Law no. 363/2018

(1) The controllers are obliged to establish the organizational, technical and procedural measures to provide the data subject with the necessary information according to the provisions of Articles 13 and 16-21 of Law no. 363/2018 and to ensure the transmission of a response in connection with the processing carried out under the conditions provided for in art. 11 of Law no. 363/2018 or in connection with the notification of data subjects in the event of a security incident, under the provisions of art. 39 of Law no. 363/2018.

(2) The answer must be formulated in a concise, intelligible and easily accessible form, using clear and simple language.

(3) The information shall be communicated under the conditions set out in paragraph (2) in the same format as the request, with the following exceptions:

- a) the identity of the applicant cannot be established accurately, under the conditions provided for in paragraph 10.
- b) the format chosen for submitting the request involves risks of unauthorized or illegal processing or accidental loss, destruction or damage, in relation to the amount of personal data, the degree of sensitivity of the information, especially in the case of the categories of data provided for in art. 10 or of the data relating to minors.

(4) The controller is obliged to establish organizational and procedural measures in order to facilitate the exercise of the rights of the data subject under the provisions of Articles 11 and 16-21.

(5) The controller has the obligation to inform the data subject, in writing, on how to solve the requests made under this law. The answer shall be sent free of charge, within a maximum of 60 calendar days.

(6) Where requests from a data subject are manifestly unfounded or excessive, in particular because of their repetitive character, the controller may:

- a) charge a reasonable fee that takes into account the administrative costs of transmitting or communicating the information or taking the requested measures; or
- b) refuse to comply with the request.

(7) The amount of the fee referred to in paragraph (6) (a) shall be established, respectively updated by an administrative act issued at the level of the controller.

(8) The unfounded or excessive nature of the request shall be determined on a case-by-case basis, according to the following criteria:

- a) the subject of the request;
- b) the repetitive nature of the request;
- c) the existence of additional processing of personal data, in relation to those carried out at the time of the previous request.

(9) The unfounded or excessive character of the request, under the conditions provided in paragraph (6), must be demonstrated by the controller.

(10) If the identity of the person making a request under the provisions of art. 16 or 18 could not be established accurately, the controller asks the person for additional information necessary to confirm his/her identity.

(11) Additional information collected under paragraph (10) may not be processed for any purpose other than to confirm identity and shall be destroyed within 3 years of collection. The controller may set shorter retention periods.

Article 13 of Law no. 363/2018

The controllers are required to put in place organizational, technical and procedural measures in order to make available to interested persons the following categories of information:

- a) the identity and contact details of the controller;
- b) the contact details of the Data Protection Officer, as appropriate;
- c) the purposes of the processing of personal data;
- d) the right to lodge a complaint with the supervisory authority and its contact details;
- e) the right to request from the controller access to personal data relating to the data subject or the rectification or erasure of such data or the restriction of their processing.

Article 14 of Law no. 363/2018

Upon request, when the law does not provide otherwise, the controller shall communicate to the data subject the information provided for in art. 13, as well as the following additional information:

- a) the legal basis for the processing;
- b) the period for which the personal data are stored or, if this is not possible, the criteria used to determine that period;
- c) if applicable, the categories of recipients of personal data, including from third countries or international organizations;
- d) any other additional information, depending on the specifics of the processing activities, in particular when the personal data are collected without the knowledge of the data subject.

3.2.2. The right of access (art. 16 of Law no. 363/2018)

The data subject has the right to obtain from the controller, upon request and free of charge, confirmation as to whether or not personal data concerning him or her are processed by it.

The controller is obliged, if it processes personal data relating to the data subject, to communicate that fact to the data subject, within a maximum of **60 calendar days from the registration of the request**, under the conditions provided for in art. 12 paragraphs (2) and (3) of Law no. 363/2018 and, in addition to the confirmation of processing, also the personal data undergoing processing, as well as the following information:

- a) the purposes and legal basis of the processing;
- b) the categories of personal data concerned;
- c) the recipients or categories of recipients to whom the personal data have been disclosed, in particular recipients in third countries or international organizations;
- d) the period for which the personal data will be stored or, if this is not possible, the criteria used to establish this period;
- e) the right to request from the controller the rectification or erasure of personal data or restriction of processing of personal data relating to the data subject;
- f) the right to lodge a complaint with the supervisory authority and its contact details;
- g) communication of personal data that are being processed and of any available information on the origin of personal data.

3.2.3. The right to rectification (art. 18 paragraphs (1) and (2) of Law no. 363/2018)

The data subject has the right to obtain from the controller, upon request and free of charge, the rectification of inaccurate personal data concerning him/her.

The data subject has the right to request the completion of personal data concerning him/her, including by providing a supplementary statement.

3.2.4. The right to erasure (art. 18 paragraph (3) of Law no. 363/2018)

The controller has the obligation to delete, by irreversible procedures, ex officio or at the request of the data subject, personal data whose processing does not comply with the provisions of art. 1 paragraph (2) and art. 5 or 10 of Law no. 363/2018 or which must be deleted by virtue of fulfilling an obligation provided by law.

3.2.5. The right to restriction of processing (art. 18 paragraph (4) of Law no. 363/2018)

The controller has the obligation to restrict the processing of personal data, and not to delete them, if one of the following situations occurs:

- a) the accuracy of the personal data is contested by the data subject and the accuracy or inaccuracy of those data cannot be established with certainty;
- b) personal data must be kept as evidence.

3.2.6. The right to lodge a complaint with a supervisory authority (art. 20 of Law no. 363/2018)

If the data subject considers that the processing of personal data concerning him/her violates the provisions of this law, he/she has the right to lodge a complaint with the supervisory authority. The provisions of GDPR shall apply accordingly.

3.2.7. The right to address the court

Without prejudice to the possibility of lodging a complaint with the supervisory authority, data subjects have the right to address the court to defend any rights guaranteed by this law that have been violated.

3.2.8. Exceptions regarding the exercise of rights guaranteed by Law no. 363/2018;

Exceptions provided by Law no. 363/2018 are:

- A. postponement, restriction or omission of the provision of information at the request of the data subject;**
- B. limitations to the right of access.**

A. The measure of postponing, restricting or omitting the provision of information to the data subject (art. 15 of Law no. 363/2018)

The controller may dispose, as the case may be, the measure of postponing, restricting or omitting the provision of information to the data subject under the conditions provided for in art. 14 of Law no. 363/2018 only if, taking into account the fundamental rights and legitimate interests of the data subject, such measure is necessary and proportionate in a democratic society to:

- a) avoid obstructing the proper conduct of the criminal proceedings;
- b) avoiding prejudice to the prevention, discovery, investigation, prosecution and combating of crimes or the execution of penalties;
- c) protect the public order and safety;
- d) protect national security;
- e) protect the rights and freedoms of others.

The measure of postponing the provision of information shall be disposed **for a period that may not exceed one year**, if the incidence of conditions that make communication impossible is limited in time.

The deferral measure may be extended within the period of one year. Upon the expiry of the term for which the measure of delaying the provision of information was disposed, the controller shall submit the information provided for by law.

The data subject shall be informed, in writing, no later than 60 calendar days after the registration of the request, about the extent of the deferral of providing the information and the reason for this measure, about the period for which this measure was disposed, as well as about the fact that he/she may lodge a complaint with the supervisory authority against the decision of the controller or may appeal against the decision of the controller in court.

The measure of restricting the provision of information is disposed if the incidence of conditions that make communication impossible is not limited in time. If the provision of information is restricted, the controller shall send a reply to the data subject. The form and content of the response are determined by each controller.

The measure of failure to provide information is disposed if even the mere information of the data subject on one or more processing operations is likely to affect one of the activities provided for in art. 15 paragraph (1) a)-d) of Law 363/2018.

The omission to provide information may be partial or total. In the event of partial omission, the data subject shall be informed, no later than **60 calendar days from** the registration of the request, of the categories of processing that are not likely to affect the activities. In the event of total omission, the controller shall send a response to the data subject. The form and content of the response are determined by each controller.

The controller is obliged to keep records of the situations in which the measure of omitting to provide information was disposed and to document the adoption of this measure.

In January of each year, the controller has the obligation to inform the supervisory authority about the statistical situation of the omission measures to provide information adopted in the previous year, broken down for each of the activities provided in art. 15 paragraph (1) a)-d) of Law no. 363/2018.

B. Limitation of the right of access (art. 17 of Law no. 363/2018)

The provisions of art. 16 of Law no. 363/2018 shall not apply if, taking into account the rights of legitimate interests of the natural person, such a measure is necessary and proportional in a democratic society for:

- a) avoiding obstruction of the proper conduct of the criminal trial;
- b) avoiding prejudice to prevention, discovery, investigation, prosecution and combating crimes or the execution of sentences;
- c) protecting public order and safety;
- d) protecting national security;
- e) protecting the rights and freedoms of others.

The measure of limitation of the right of access may be total or partial and shall be disposed with regard to one or more processing operations in which disclosure is likely to affect one of the activities provided for in art. 17 paragraph (1) of Law no. 363/2018.

In the situation provided for in art. 17 paragraph (2) of Law no. 363/2018, the data subject may be informed about the categories of processing that are not likely to affect the activities provided for in paragraph (1), the reason for the adoption of this measure, as well as the possibility of lodging a complaint with the supervisory authority or address the court.

By way of exception, the reason for the adoption of the measure of limitation of the right of access shall not be communicated in the situation in which its disclosure is likely to affect one of the activities provided for in art. 17 paragraph (1) letters a)-d) of Law no. 363/2018.

The controller is obliged to keep records of the cases in which it was adopted the measure of limitation of the right of access and to document the adoption of this measure.

In January of each year, the controller has the obligation to inform the supervisory authority on the statistical situation of the cases in which it was adopted the measure of limitation of the right of access, in the previous year, broken down for each of the activities provided for in art. 17 paragraph (1) of Law no. 363/2018.

According to art. 20 of Law no. 363/2018, in the situations provided for in art. 15, art. 17 paragraph (3) or art. 19 paragraph (6) of Law no. 363/2018, the data subject may contact the supervisory authority in order to exercise the rights provided for by law.

The controller is obliged to inform the data subject about the possibility provided for in art. 20 paragraph (1) of Law no. 363/2018.

In the situation provided for in art. 20 paragraph (1) of Law no. 363/2018, the supervisory authority takes the necessary measures in accordance with its legal powers. Supervisory authority informs the data subject of the issues found, as well as of the the possibility of addressing the court.

4. DATA PROTECTION RIGHTS OF THE FOREIGN NATIONALS

According to Articles 18 and 26 of The Constitution of Romania, republished, foreign citizens and stateless persons who live in Romania enjoy the general protection of persons and assets, guaranteed by the Constitution and other laws. The public authorities respect and protect the intimate, family and private life without distinguishing between Romanian and foreign citizens.

5. THE PROCEDURE FOR EXERCISING THE DATA PROTECTION RIGHTS

In order to exercise the rights provided for by Regulation (EU) 2016/679 or by Law no. 363/2018, you can send a **written request, dated and signed** to address Bucharest, 42C Geniului Avenue, district 6, postal code 060117, by mail, fax: 021.312.11.89 or using the e-mail address: pfr@igpf.ro.

You can also submit the request in person, at the public relations desk at the headquarters of The General Inspectorate of the Border Police or directly to the data protection officer within GIBP at the address: dataprotection.igpf@igpf.ro or sergiu.malita@igpf.ro. If you submit the application electronically, the information is provided for in electronic format, where possible, unless you request another format.

The requests must be drafted, dated and signed by the person whose data were processed and are considered valid only if you provide proof of identity (with a copy of an identity document or, when the request is submitted in person, an identification document).

The verification of the applicant's identity is necessary for the purpose of:

- obtaining reasonable proof of the applicant's identity/obtaining certain evidence of the relationship between applicant and the data subject, where the request is made on behalf of the data subject;
- protecting personal data against unauthorised or unlawful access;
- assuring the data subject that GIBP takes all technical and organizational measures to ensure the security and confidentiality of personal data.

The additional information collected may not be processed for any purpose other than for identity confirmation.

For the processing carried out by another controller within GIBP (The Teritorial Inspectorates of the Romanian Border Police/The Coast Guard from Constanța), we recommend you to contact it directly.

5.1. Exercising the data subject rights by representation

According to art. 80 of GDPR, the data subject has the right to mandate a non-profit body, organization or association, which have been properly constituted in accordance with domestic law, whose statutory objectives are of public interest, which are active in the field of the protection of the rights and freedoms of the data subjects with regard to the protection of their personal data, to submit the complaint in his/her name, to exercise in his/her name the rights mentioned in Articles 77, 78 and 79 of GDPR and also to exercise the right to receive compensation referred to in Article 82 of GDPR on behalf of the data subject, if this is provided for in domestic law.

Member States may provide that any body, organization or association referred to in art. 80 paragraph (1) of GDPR, independently of the mandate of a data subject, has the right to submit a complaint in the respective member state to the supervisory authority that is competent under Article 77 of GDPR and to exercise the rights referred to in Articles 78 and 79 of 15 of GDPR, if it considers that the rights of a data subject under this regulation have been violated as a result of the processing.

Also, according to art. 59 of Law no. 363/2018, for the purpose of defending his/her rights, the data subject has the right to mandate a body, an organization or an association, which does not have a profit-making purpose, established under the terms of the law, whose statutory objectives are of public interest and which is active in the field of protection of the rights and freedoms of the persons concerned with regard to the protection of personal data, to submit the complaint in his name and to exercise in his name the rights provided by this law.

6. TERMS

GIBP is obliged to communicate to the data subject information regarding the actions taken following a request submitted pursuant to Articles 16 and 18 of Law no. 363/2018, respectively Articles 15-22 of GDPR, without unjustified delays and within the terms provided by these normative acts, respectively:

- within 60 calendar days at most - according to Law no. 363/2018 (this period can be extended by up to 60 calendar days, to the extent that the resolution of requests requires complex procedures, in particular the consultation of competent authorities from abroad);
- at most one month after receiving the request (this period can be extended by two months when necessary, taking into account the complexity and number of requests; the controller informs the data subject of any such extension, within a month from the receipt of the request, also presenting the reasons for the delay) - according to GDPR.

If it does not take action regarding the data subject's request, the controller informs the data subject, without delay and within a maximum of one month after receiving the request, about the reasons why it does not take action and about the possibility of lodging a complaint with a supervisory authority and to file a judicial appeal (according to GDPR).

7. THE NATIONAL SUPERVISORY AUTHORITY FOR PERSONAL DATA PROCESSING (NSAPDP)

According to the law on establishment, organization and operation (Law no. 102/2005), NSAPDP is the public authority with legal personality, autonomous and independent from any other public administration authority, as well as from any natural or legal person in the private sector.

The main objective of NSAPDP is to protect the fundamental rights and freedoms of natural persons, especially the right to intimate, family and private life in relation to the processing of personal data and the free movement of such data. This right has a complex content, of great importance for the freedom and personality of the citizen, in our country being guaranteed by the Constitution (art. 26).

The legality of personal data processing that falls under Regulation (EU) 2016/679 and the legislation transposing Directive (EU) 2016/680 is monitored and controlled by NSAPDP. For this purpose, the supervisory authority has the following tasks (art. 57 of GDPR):

- monitors and ensures the application of GDPR;
- promotes actions to raise awareness and understanding among the public of risks, rules, guarantees and rights in terms of processing - special attention is paid to activities that are specifically aimed at children;
- provides advice, in accordance with domestic law, to the national parliament, the government and other institutions and bodies regarding legislative and administrative measures related to the protection of the rights and freedoms of natural persons with regard to processing;
- promotes actions to raise awareness of controllers and the persons empowered by them regarding their obligations under GDPR;
- upon request, provides information to any data subject in relation to the exercise of his/her rights in accordance with the regulation and, if necessary, cooperates with the supervisory authorities in other member states for this purpose;
- handles complaints submitted by a data subject, body, organization or association in accordance with art. 80 of GDPR and investigates to an adequate extent the subject of the complaint and informs the complainant about the progress and result of the investigation, within a reasonable time, in particular if a more thorough investigation or coordination with another supervisory authority is required;
- cooperates, including by exchanging information, with other supervisory authorities and provides mutual assistance to ensure the consistency of the application and compliance with GDPR;
- carries out investigations regarding the application of GDPR, including on the basis of information received from another supervisory authority or from another public authority;
- monitors relevant developments, insofar as they have an impact on the protection of personal data, especially the evolution of information and communication technologies and commercial practices;
- adopts standard contractual clauses mentioned in art. 28 paragraph (8) and art. 46 paragraph (2) letter (d) of GDPR;
- draws up and keeps up to date a list in relation to the requirements regarding the impact assessment on data protection, in accordance with art. 35 paragraph (4) of GDPR;
- provides advice on the processing operations referred to in art. 36 paragraph (2) of GDPR;
- encourages the development of codes of conduct in accordance with art. 40 paragraph (1), gives its opinion on them and approves those that offer sufficient guarantees, in accordance with art. 40 paragraph (5) of GDPR;
- encourages the establishment of certification mechanisms as well as seals and marks in the field of data protection in accordance with art. 42 paragraph (1) and approves the certification criteria in accordance with art. 42 paragraph (5) of GDPR;
- where appropriate, carries out a periodic review of the certifications granted, in accordance with art. 42 paragraph (7) of GDPR;
- elaborates and publishes the accreditation criteria of a code of conduct monitoring body in accordance with art. 41 and of a certification body in accordance with art. 43 of GDPR;
- coordinates the accreditation procedure of a code of conduct monitoring body in accordance with art. 41 and of a certification body in accordance with art. 43 of GDPR;

- authorizes the contractual clauses and provisions mentioned in art. 46 paragraph (3) of GDPR;
- approves the mandatory corporate rules in accordance with art. 47 of GDPR;
- contributes to the activities of the committee;
- keeps up-to-date internal records regarding the violations of GDPR and the measures taken, in particular the warnings issued and the sanctions imposed in accordance with art. 58 paragraph (2) of GDPR;
- performs any other tasks related to the protection of personal data.

NSAPDP facilitates the submission of complaints referred to in art. 57 paragraph (1) (f) of GDPR through measures such as making available a complaint submission form that can be completed including in electronic format, without excluding other means of communication.

The fulfillment of the tasks of the supervisory authority is free for the data subject. In case which requests are manifestly unfounded or excessive, in particular because of their nature repetitively, the supervisory authority may charge a reasonable administrative cost-based fee or may refuse to treat them.

Without prejudice to any other administrative or judicial remedies, any data subject has the right to lodge a complaint with a supervisory authority, in particular in the Member State where he has his habitual residence, where his place of work is located or where it took place the alleged violation, if it considers that the processing of personal data which it targets violates GDPR.

In order to defend the rights provided by Regulation (EU) 2016/679 and/or Law no. 363/2018, the persons whose personal data are the subject of processing carried out within GIBP can submit a complaint to NSAPDP at its headquarters in 28-30 G-ral Gheorghe Magheru Avenue, district 1, Bucharest, postal code: 010336, by mail, fax: 031.805.96.02, on website: www.dataprotection.ro or using e-mail: anspdcg@dataprotection.ro.

To file a complaint with NSAPDP [click here](#).

8. CONTACT DETAILS

The General Inspectorate of the Border Police (GIBP)

headquarters: Bucharest, 42C Geniului Avenue, district 6, postal code 060117;
 e-mail: pfr@igpf.ro;
 phone number: 021.316.25.98, 021.318.25.92;
 fax: 021.312.11.89;
 information phone: (+4)0219590.

The Data Protection Officer

Within GIBP exists the [Personal Data Protection Department](#):

headquarters: Bucharest, 42C Geniului Avenue, district 6, postal code 060117;
 e-mail: dataprotection.igpf@igpf.ro / sergiu.malita@igpf.ro;
 phone number: 021.316.25.98 / interior 19.270;
 fax: 021.316.35.11.

The National Supervisory Authority for Personal Data Processing (NSAPDP)

headquarters: Bucharest, 28-30 G-ral Gheorghe Magheru Avenue, district 1, postal code 010336;
 website: www.dataprotection.ro;
 e-mail: anspdcg@dataprotection.ro;
 phone number: 031.805.92.11;

fax: 031.805.96.02;

To file a complaint with NSAPDP [click here](#).

The Teritorial Inspectorate of the Border Police from SIGHETU MARMAȚIEI

headquarters: Sighetu Marmatei, 38 Dragoș Vodă Street, postal code 435500, Maramureș County;

e-mail: itpf.sighetu.marmariei@mai.gov.ro;

phone number: 0262 314 528;

fax: 0262 316 446.

The Teritorial Inspectorate of the Border Police from ORADEA

headquarters: Oradea, 2 Calea Aradului Street, postal code 410223, Bihor County;

e-mail: ijpf.bihor@mai.gov.ro;

phone number: 0259 401 400;

fax: 0259 418 924.

The Teritorial Inspectorate of the Border Police from TIMIȘOARA

headquarters: Timișoara, 49 Sever Bocu Street, postal code 300278, Timiș County;

e-mail: itpf.timisoara@mai.gov.ro;

phone number: 0257 306 340;

fax: 0256 306 355.

The Teritorial Inspectorate of the Border Police from GIURGIU

headquarters: Giurgiu, 36 Mircea cel Bătrân Street, postal code 080036, Giurgiu County;

e-mail: itpf.giurgiu@mai.gov.ro;

phone number: 0246 213 640;

fax: 0246 211 785.

The Teritorial Inspectorate of the Border Police from IAȘI

headquarters: Iași, 3-5 George Coșbuc Street, postal code 700469, Iași County;

e-mail: itpf.iasi@mai.gov.ro;

phone number: 0232 272 220;

fax: 0232 460 094.

The Coast Guard from CONSTANȚA

headquarters: Constanța, 3 Zmeurei Alley, postal code 900433, Constanța County;

e-mail: gardadecoasta.igpf@mai.gov.ro;

phone number: 0241 641 188;

fax: 0241 698 668.

9. DEFINITIONS

‘personal data’ - any information relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;

‘processing’ - any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure

by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;

'controller' - the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law;

'processor' - a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller;

'supervisory authority' - an independent public authority which is established by a Member State pursuant to art. 51 of GDPR;

'supervisory authority concerned' means a supervisory authority which is concerned by the processing of personal data because:

- the controller or processor is established on the territory of the Member State of that supervisory authority;
- data subjects residing in the Member State of that supervisory authority are substantially affected or likely to be substantially affected by the processing;
- or
- a complaint has been lodged with that supervisory authority;

'personal data breach' - a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of or access to personal data transmitted, stored or otherwise processed.

10. TEMPLATES FOR EXERCISING THE DATA SUBJECT RIGHTS

10.1. Application for exercising the right of access

To

**MINISTRY OF INTERNAL AFFAIRS
GENERAL INSPECTORATE OF THE BORDER POLICE
42 C Geniului Avenue, district 6, Bucharest**

I, the undersigned (*name and surname*) _____, Personal Identification Number/Identity Document no. _____, with domicile/residence in _____, street _____, no. __, building __, apartment __, county/district _____, phone no. _____ (*optional*), _____ (*optional e-mail address*), pursuant to **Article 15 of Regulation (EU) 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation)**, I request you to let me know if **the personal data concerning me have been processed by your institution during the period/date**

_____.

Additional clarifications: _____

_____ (*optional*)
The application is submitted through the representative _____ (*mention his/her identity data*), for which purpose he/she submits the power of attorney/notarial power of attorney for representation (*mention the appropriate variant*).

Pursuant to Article 12 paragraph (6) of Regulation (EU) 2016/679, in order to verify my identity as a data subject making the request for access to his/her personal data, **I enclose a copy of the identity document.**

I request that the answer be communicated to me:

a) at the postal address _____
_____ (*specify the mailing address at which the person will be found for the personal delivery of the answer*);

b) by e-mail, to: _____.

In view of the above, please dispose the legal measures to receive the information required under Regulation (EU) 2016/679 of the European Parliament and of the Council *on the protection of natural persons with regard to the processing of personal data and on the free movement of such data*.

I declare, under my own responsibility, that the data filled in this application is true and correct.

DATE

SIGNATURE

10.2. Application for exercising the right to rectification/completion

| | |
|--|------------------|
| <p>To</p> <p>MINISTRY OF INTERNAL AFFAIRS GENERAL INSPECTORATE OF THE BORDER POLICE 42 C Geniului Avenue, district 6, Bucharest</p> | |
| <p>I, the undersigned (<i>name and surname</i>) _____, Personal Identification Number/Identity Document no. _____, with domicile/residence in _____, street _____, no. __, building __, apartment __, county/district _____, phone no. _____ (<i>optional</i>), _____ (<i>optional</i> e-mail address), pursuant to Article 16 of Regulation (EU)2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation), I inform you that the data concerning me, processed by the General Inspectorate of the Border Police, are:</p> <p><input type="checkbox"/> incomplete <input type="checkbox"/> inaccurate <input type="checkbox"/> other cases (description) _____</p> <p>Reason for requesting:</p> <p><input type="checkbox"/> Rectification <input type="checkbox"/> updating/supplementing</p> <p>In support of my request, I attach to this request, in copy, the following supporting documents _____ (<i>optional</i>).</p> <p>The application is submitted through the representative _____ (<i>mention his/her identity data</i>), for which purpose he/she submits the power of attorney/notarial power of attorney for representation (<i>mention the appropriate variant</i>).</p> <p>Pursuant to Article 12 paragraph (6) of Regulation (EU) 2016/679, in order to verify my identity as a data subject making the request for rectification of his/her personal data, I enclose a copy of the identity document.</p> <p>I request that the answer be communicated to me:</p> <p>a) at the postal address _____ (<i>specify the mailing address at which the person will be found for the personal delivery of the answer</i>);</p> <p>b) by e-mail, to: _____.</p> <p>In view of the above, please dispose the legal measures to receive the information required under Regulation (EU) 2016/679 of the European Parliament and of the Council <i>on the protection of natural persons with regard to the processing of personal data and on the free movement of such data</i>.</p> <p>I declare, under my own responsibility, that the data filled in this application is true and correct.</p> | |
| DATE | SIGNATURE |

10.3. Request for exercising the right to erasure

To

**MINISTRY OF INTERNAL AFFAIRS
GENERAL INSPECTORATE OF THE BORDER POLICE
42 C Geniului Avenue, district 6, Bucharest**

I, the undersigned (*name and surname*) _____, Personal Identification Number/Identity Document no. _____, with domicile/residence in _____, street _____, no. __, building __, apartment __, county/district _____, phone no. _____ (*optional*), _____ (*optional e-mail address*), pursuant to **Article 17 of Regulation (EU) 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation)**, please **dispose the legal measures to delete the following personal data concerning me** (*list the data*) _____

_____, for the following reasons:

- ☐ are no longer necessary for the purpose for which they were collected or processed;
- ☐ I withdraw my consent;
- ☐ have been processed unlawfully;
- ☐ complying with a legal obligation incumbent on you;
- ☐ other reasons, in accordance with Regulation (EU) 2016/679 (*description*) _____ (*optional*).

The application is submitted through the representative _____ (*mention his/her identity data*), for which purpose *he/she submits the power of attorney/notarial power of attorney for representation (mention the appropriate variant)*.

Pursuant to Article 12 paragraph (6) of Regulation (EU) 2016/679, in order to verify my identity as a data subject making the request for rectification of his/her personal data, **I enclose a copy of the identity document.**

I request that the answer be communicated to me:

- a) at the postal address _____ (*specify the mailing address at which the person will be found for the personal delivery of the answer*);
- b) by e-mail, to: _____.

In view of the above, please dispose the legal measures to receive the information required under Regulation (EU) 2016/679 of the European Parliament and of the Council *on the protection of natural persons with regard to the processing of personal data and on the free movement of such data*.

I declare, under my own responsibility, that the data filled in this application is true and correct.

DATE

SIGNATURE

10.4. Request for exercising the right to restriction of processing

To

**MINISTRY OF INTERNAL AFFAIRS
GENERAL INSPECTORATE OF THE BORDER POLICE
42 C Geniului Avenue, district 6, Bucharest**

I, the undersigned (*name and surname*) _____, Personal Identification Number/Identity Document no. _____, with domicile/residence in _____, street _____, no. __, building __, apartment __, county/district _____, phone no. _____ (*optional*), _____ (*optional e-mail address*), pursuant to **Article 18 of Regulation (EU) 2016/679 on the protection of individuals with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation)**, please take appropriate measures to **restrict the processing of personal data concerning me** (*list those data*)

_____ processed by your institution for the following reasons:

- ☐ contest the accuracy of the data;
- ☐ have been processed unlawfully and I oppose the deletion of the data;
- ☐ the controller no longer needs my data and I request them for the establishment, exercise or defense of a right in court;
- ☐ I objected to the processing, in accordance with Article 21 paragraph (1) of Regulation (EU) 2016/679;
- ☐ other reasons, in accordance with Regulation (EU) 2016/679 (*description*) _____

In support of my request, I attach to this request, in copy, the following supporting documents _____ (*optional*).

The application is submitted through the representative _____ (*mention his/her identity data*), for which purpose he/she submits the power of attorney/notarial power of attorney for representation (*mention the appropriate variant*).

Pursuant to Article 12 paragraph (6) of Regulation (EU) 2016/679, in order to verify my identity as a data subject making the request for rectification of his/her personal data, **I enclose a copy of the identity document.**

I request that the answer be communicated to me:

- a) at the postal address _____ (*specify the mailing address at which the person will be found for the personal delivery of the answer*);
- b) by e-mail, to: _____.

In view of the above, please dispose the legal measures to receive the information required under Regulation (EU) 2016/679 of the European Parliament and of the Council *on the protection of natural persons with regard to the processing of personal data and on the free movement of such data*.

I declare, under my own responsibility, that the data filled in this application is true and correct.

DATE

SIGNATURE

10.5. Request for exercising the right to object

To

**MINISTRY OF INTERNAL AFFAIRS
GENERAL INSPECTORATE OF THE BORDER POLICE
42 C Geniului Avenue, district 6, Bucharest**

I, the undersigned (*name and surname*) _____, Personal Identification Number/Identity Document no. _____, with domicile/residence in _____, street _____, no. __, building __, apartment __, county/district _____, phone no. _____ (*optional*), _____ (*optional e-mail address*), pursuant to **Article 21 of Regulation (EU) 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation)**, I hereby inform you that I am exercising my **right to object to processing of my personal data by the General Inspectorate of the Border Police** for the following justified and legitimate reasons: _____

_____, including profiling, for reasons related to my particular situation: _____ (*optional*).

The application is submitted through the representative _____ (*mention his/her identity data*), for which purpose he/she submits the power of attorney/notarial power of attorney for representation (*mention the appropriate variant*).

Pursuant to Article 12 paragraph (6) of Regulation (EU) 2016/679, in order to verify my identity as a data subject making the request for rectification of his/her personal data, **I enclose a copy of the identity document.**

I request that the answer be communicated to me:

- a) at the postal address _____ (*specify the mailing address at which the person will be found for the personal delivery of the answer*);
- b) by e-mail, to: _____.

In view of the above, please dispose the legal measures to receive the information required under Regulation (EU) 2016/679 of the European Parliament and of the Council *on the protection of natural persons with regard to the processing of personal data and on the free movement of such data*.

I declare, under my own responsibility, that the data filled in this application is true and correct.

DATE

SIGNATURE

** The duration of filling in an application for the exercise of rights may vary depending on the additional information that the data subject wishes to mention. The standard application information can be completed in approximately 5 minutes.*

This section was updated on 16.12.2024.