

Serviço de Estrangeiros e Fronteiras - Privacy Policy

Index

1.	Name and contact details of the Organization Responsible for processing the Personal Data..	2
2.	What Data do we collect.....	2
3.	What do we do with your data (purposes and legal basis).....	2
4.	Data recipients	3
5.	How long do we store your data	3
6.	Data disclosure.....	3
7.	Transfers to third countries	4
8.	What measures do we implement to protect your data against unauthorized access, alteration or destruction?	4
9.	Your rights.....	4
10.	Contact us.....	6
11.	Reviews and amendments.....	6

1. Name and contact details of the Organization Responsible for processing the Personal Data

The Controller is each Member State of the Schengen Agreement, and Serviço de Estrangeiros e Fronteiras, hereinafter “SEF” is responsible for the proper functioning and security of the system, pursuant to Article 7 of Regulation 2018/1861 and pursuant to Article 2, paragraph 1 point q) of Decree-Law 240/2012.

Contact: 214236200

Email: griarp.cc@sef.pt

Address: Avenida do Casal de Cabanas, Urbanização Cabanas Golf N° 1, 2734-506 Barcarena, Oeiras

Contact of the Data Protection Officer: epd@sef.pt

2. What Data do we collect

We collect data in accordance with the provisions of Law 23/2007, 04 July, in its updated version which approved the Legal Regime for the entry, stay, exit and removal of foreign citizens from the national territory, hereinafter “REPSAE”, as well as in terms of Regulations EU 2018/1861 of the Parliament and of the Council, Regulation (EU) 2018/1862 of the European Parliament and of the Council and Regulation (EU) 2018/1860 of the European Parliament and of the Council for the purpose of compliance with a legal obligation and in the context of the exercise of functions of public interest.

The provision of the personal data is compulsory for the purposes of entry, stay, exit and return of foreign citizens, and the failure to provide this data implies that no authorisation will be granted.

3. What do we do with your data (purposes and legal basis)

The collection of data in the cases where such data is necessary for entry and/or stay in national territory, is made in compliance with the legal obligation of the Controller, under the principle of the pursuit of public interest.

The collection of personal data in the case of a Schengen visa application, is made in compliance with the Controller’s legal obligation.

4. Data recipients

As regards to the European systems SIS, VIS and Eurodac EES (Entry/Exit System), ETIAS (European Travel Information and Authorisation System) and Ecris-TCN (European Criminal Records Information System), the recipients of data are Europol and Interpol, when applicable.

5. How long do we store your data

Personal data shall only be processed and stored during the period seen as necessary to achieve the purposes for which they were collected, or for the further processing legally authorised. After that period of time, they shall be erased, without prejudice to their pseudonymization, as long and for the legally allowed purposes.

Thus, SEF will keep personal data:

For the SIS system:

- 3 years from the date of entry of the alerts into SIS, without prejudice to a longer period laid down by law.

For the VIS system: maximum 5 years, counting down:

- the date of expiry of the visa, if a visa has been issued;
- the new expiry date of the visa, in case of an extension of a visa;
- from the date of the creation of the application file in the VIS, if the application has been withdrawn, closed or discontinued;
- the date on which the visa authority took the decision to refuse, annul, shorten or revoke the visa.

Regarding the SII/SEF:

- 10 years after the last issue of the documents concerning the holder, after which they may be kept in a historical file for 20 years after the date of that document.

6. Data disclosure

SEF does not disclose the collected personal data, unless required by law or by competent authorities.

7. Transfers to third countries

No data is transferred to third countries or international organizations, as provided for in Article 50 of the above-mentioned Regulation.

8. What measures do we implement to protect your data against unauthorized access, alteration or destruction?

SEF takes the necessary and legally required measures to ensure the protection of the information collected from its users.

Among others, the following technical and organizational measures are implemented to ensure the security and confidentiality of personal data: physical security (through access control), logical separation of records, access passwords and access levels, firewalls and antivirus programmes, business continuity plan.

9. Your rights

All personal data is processed in accordance with the terms of the envisaged Regulation EU 2016/679 of the European Parliament and of the Council, Act 59/2019 of 8.8, Act 58/2019 of 8.8, REPSAE, as well as under Regulations EU 2018/1861 of the Parliament and of the Council, Regulation (EU) 2018/1862 of the European Parliament and of the Council and Regulation (EU) 2018/1860 of the European Parliament and of the Council.

The data subjects have the following rights:

➤ Right of access to the respective personal data;

Note: The controller may refuse or restrict the data subject's right of access as long as such a restriction constitutes a necessary and proportionate measure to:

- a) Avoid prejudice to ongoing investigations, enquiries or judicial proceedings;
- b) Avoid prejudicing the prevention, detection, investigation or prosecution of criminal offences or the execution of criminal penalties;
- c) Protect public safety;
- d) Protect national security; or
- e) Protect the rights, freedoms and guarantees of third party(ies)

➤ Right of rectification of incomplete or inaccurate data;

➤ Right to erasure and restrict data processing. When the processing is illegal.

The data subject shall be informed, in writing, of the decision to refuse a request for rectification, erasure or processing restriction, and of the reasons of such decision.

In these cases, SEF shall inform the data subject of his or her right to submit a request for verification of that decision to the supervisory authority, or to take appropriate legal action.

➤ Right not to be subject to any decision taken solely on the basis of automated processing, including profiling, when that decision produces legal effects concerning his/her rights or significantly affects his/her rights in a similar manner;

The data subject also has the right to file a complaint with the National Commission for Data Protection, “CNPD”, or any other supervisory authority.

Holders' Rights:

a. Concerning the SIS (Schengen Information System):

The right to access, rectify or delete personal data may be exercised at the National SIRENE Bureau, in accordance with Article 3(1)(i) of Decree-Law 122/2021 of 30 December.

To find out how you can submit a request to exercise your rights and what documents are required, please consult the respective website of the National SIRENE Bureau, housed in the PUC-CPI.

If there is a restriction on their rights, Article 16 and Article 17 (6) to (8) of Law No. 59/2019 of 8 August shall apply.

b. Concerning the VIS (Visa Information System)

You can address your request to one of the following competent national authorities, using the template appropriate to your request:

DCID - SEF
Avenida do Casal de Cabanas, 1
2734-506 Barcarena, Portugal
dcid.ucipd@sef.pt

DGACCP - MNE
Av. Infante Santo, 42, 5.º
1300-179 Lisboa, Portugal
epd@mne.pt

- c. Regarding national systems (Borders, SIPEP - Portuguese Electronic Passport Information System and issuance of Documents)

You can address your request to the competent national authority, using the template appropriate to your request:

DCID - SEF
Avenida do Casal de Cabanas, 1
2734-506 Barcarena, Portugal
dcid.ucipd@sef.pt

10. Contact us

For any questions related to the processing of your personal data, please email epd@sef.pt

11. Reviews and amendments

This Policy was created in 12 January 2023.

SEF reserves the right to change the privacy policy at any time, which will be disclosed on its website or by any other appropriate means.