

Information on the processing of personal data in consular files

In accordance with Article 13 of 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 (GDPR), we inform you that:

1. Within the meaning of Article 4(7) of the GDPR, of your personal data, the Minister of Foreign Affairs with its registered office in Poland, in Warsaw (00-580), Al. J. Ch. Szucha 23 is the administrator of your personal data.
2. The Consul of the Republic of Poland in Kuala Lumpur with its registered office in Kuala Lumpur performs the duties of the administrator in relation to the data contained in the consular files kept by him.
3. The Minister of Foreign Affairs has appointed a Data Protection Officer (DPO) who performs his duties in relation to data processed in the Ministry of Foreign Affairs and foreign missions. This function is performed by Mr. Daniel Szczęsny.

Contact details of the DPO:

registered office address: Al. J. Ch. Szucha 23, 00-580 Warsaw

Email address: iod@msz.gov.pl

4. Only persons authorized by the Administrator have access to the data.
5. The data contained in the consular files are processed on the basis of the premises contained in Article 6(1)(c) of the GDPR in order for the consul of the Republic of Poland to fulfil its obligations under separate provisions of law (indicated in the table below).
6. The data is protected under the provisions of the GDPR and may not be made available to third parties who are not authorized to access this data, and will not be transferred to a third country that does not meet the guarantee of protection at least equivalent to that provided for in the provisions of the GDPR. The data may be transferred to a third country only if such an obligation is specified in the Polish law or the law of the European Union, in accordance with the provisions of Articles 44 - 46 of the GDPR.
7. Your data may be made available to relevant entities, including public authorities, on the basis of legal provisions.
8. Providing your personal data is a statutory requirement and is necessary for the consideration of the case.
9. Unless specific provisions provide otherwise, you have the rights to control the processing of your data, as set out in Articles 15-19 of the GDPR, in particular the right to access your data and to rectify, delete or limit processing (if Articles 17 and 18 of the GDPR apply).
10. Your data will not be processed in an automated manner that will affect the decision-making process that may have legal effects or significantly affect it in a similar way. The data will not be subject to profiling.
11. You have the right to lodge a complaint with the supervisory authority at the following address:

President of the Office for Personal Data Protection

Stawki 2

00-193 Warsaw.

Detailed information on the legal basis, purpose and period of personal data processing in relation to individual activities performed by the Polish Consul

	LEGAL BASIS	PURPOSE	PERIOD
Cases regarding lost documents and the transfer of founds documents	Act of 25 June 2015 – Consular Law, Act of 6 August 2010 on Identity Cards	Processing the notification of loss or damage to the ID card and for the issuance of a certificate of loss or damage to the ID card. Transfer of registration certificates and driving licenses to Polish.	5 years
Visa cases	The Act of 12 December 2013 on Foreigners, 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 Act of 14 July 2006. on entry, stay and departure from the territory of the Republic of Poland of citizens of EU Member States and their family members, Act of 25 June 2015 – Consular Law	Issuance or refusal of a Schengen visa or national visa, revocation or cancellation of visas, and decision on an application for reconsideration of a visa application.	1 year (counting from the date of the decision)
Translation cases	Act of 25 June 2015 – Consular Law	Preparation of the translation of documents, certification of the translation, issuance of a multilingual standard form	5 years
Consular assistance cases	Act of 25 June 2015 – Consular Law and in connection with Article 6(1)(c) and (d) and Article 9(2)(c) of the GDPR	Provision of consular assistance	5 years (except for personal data related to the return of accepted deposits or the return of lost and found items, which are processed indefinitely)
Legal aid cases	Act of 25 June 2015. – Consular law	Service of documents, hearings, forwarding of information to the competent authority, court or prosecutor in accordance with the request for legal aid	5 years
Cases concerning marital status and the Act on the change of names and surnames	The Act of 28 November 2014 – The Law on Civil Status Records, the Act of 17 October 2008 on the Change of Name and Surname and the Act of 25 June 2015. – Consular law	Implementation of the request to take action provided for in the relevant provisions of law	50 years (marriage before the Consul of the Republic of Poland) 10 years (change of name and surname, recognition of paternity, births, deaths, marriages abroad, transcription of civil status records in the Republic of Poland, other civil status matters)
Notary public cases	Act of 14 February 1991 – Notary Public Law, Act of 25 June 2015 – Consular Law	Implementation of the request for the performance of notarial acts provided for in the relevant provisions of law.	10 years (data related to the issuance of a notarial deed) 2 years (other notarial acts)

Cases for the issuance of a temporary travel document	Decision of the Representatives of the Governments of the Member States meeting within the Council of 25 June 1996 on the establishment of a temporary travel document, the Law of 12 December 2013 on foreign nationals and the Law of 25 June 2015 – Consular Law	Issuance of a temporary travel document or a Polish temporary travel document for a foreigner.	10 years
Matters concerning the Polish Card cases	The Act of 7 September 2007 on the Pole's Card and the Act of 25 June 2015 – Consular Law	Granting, refusal to grant, cancel or extend the validity of the Pole's Card	10 years 2 years in the case of reporting the loss, destruction or finding of the Pole's Card
School ID's	Act of 25 June 2015 – Consular Law	Issuance of a school ID card	5 years
Certificate issued pursuant to Article 11aa(4) the Act of 7 October 1999 on the Polish Language	The Act of 7 October 1999 on the Polish Language.	Issuance of a certificate of the Polish diaspora.	5 years
Cases concerning the legalization of documents and the extraction of documents from abroad	Act of 25 June 2015 – Consular Law	Legalisation of an authentic document drawn up or authenticated in the host country	2 years
Local border traffic cases	Regulation No 1931/2006 of the European Parliament and of the Council laying down rules on local border traffic at the external land borders of the Member States and amending the provisions of the Schengen Convention and the Act of 25 June 2015 on the Schengen Convention. – Consular law	Issuance, refusal to issue, cancellation of a permit to cross the border as part of local border traffic	2 years
Passport matters	Act of 27 January 2022 on passport documents and Act of 25 June 2015 – Consular Law	Issuance of a passport document, notification of loss, destruction, refusal to issue, declaration of invalidity and cancellation of a passport document.	60 years in the case of issuing a passport document, in other cases 10 years
Cases related to repatriation	The Act of 7 September 2007 on Repatriation and the Act of 25 June 2015. – Consular law	Recognition as a person of Polish origin, granting a repatriation visa, providing assistance to repatriates from the state budget	25 years
Cases related to inheritance	Act of 25 June 2015 – Consular Law	Exercising the rights to the inheritance vested in the State Treasury	Indefinitely
Cases concerning Polish citizenship	The Act of 2 April 2009 on Polish Citizenship and the Act of 25 June 2015 – Consular Law	Implementation of the application for: granting Polish citizenship by the President of the Republic of Poland, consent by the President of the Republic of Poland to renounce Polish citizenship, restoration of Polish citizenship, confirmation of Polish citizenship, acceptance of a declaration of consent to acquire Polish citizenship, renunciation of Polish citizenship, recognition as a Polish citizen.	20 years (for the recognition of citizenship, acquisition, granting, restoration of citizenship and loss of citizenship) 5 years (for other correspondence on civil matters)
Cases related to obtaining information	Act of 25 June 2015 – Consular Law	Providing information	2 years
Cases related to the issuance of certificates	Act of 25 June 2015 – Consular Law	Issuance of a certificate serving the implementation of the party's legal interest or an obligation resulting from a legal provision.	10 years, and in the case of issuance of a certificate in the case of import or transport through the territory of the Republic of Poland of weapons and ammunition, transport of corpses, - exhumation - 5 years.
Cases related to providing support to Poles abroad	Act of 25 June 2015 – Consular Law and on the basis of the prerequisites of Article 6(1)(d) and Article 9(2)(c) of the GDPR	Protection of the interests of Polish citizens and Polish legal persons temporarily residing abroad, including information on emergency and crisis situations	5 years
National elections and referendums	Act of 25 June 2015 – Consular Law and Act of 5 January 2011 – Electoral Code	Voting in the elections of the President of the Republic of Poland, to the Sejm of the Republic of Poland and the Senate of the Republic of Poland, to the European Parliament and in a national referendum.	5 years
Matters concerning seaman's books and other maritime matters	Act of 25 June 2015 – Consular Law, Act of 29 June 2020 – Maritime Code, Act of 18 August 2011 on Maritime Safety, Act of 16 March 1995 on the Prevention of Marine Pollution from Ships, Act of 5 August 2015 on Maritime Labour	Issuance of a seaman's book, issuance of a temporary certificate of Polish ownership of the ship, ship safety certificate	10 years in cases concerning seaman's books, in the remaining 5 years
EPUAP	Act of 17 February 2005 on computerization of the activities of entities performing public tasks	Trusted profile confirmation	20 years
Cases concerning applications for permission to serve in a foreign army, access to documents in the resources of the Institute of National Remembrance	Act of 25 June 2015 – Consular Law	Forwarding to the competent authority an application for permission to serve in a foreign army or a foreign military organization, forwarding to the Institute of National Remembrance a request for access to documents in the resources of the Institute of National Remembrance	10 years