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From : Council Secretariat
To : Delegations

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Subject : Council Decision on the exchange of information extracted from criminal records
– Manual of Procedure

MANUAL OF PROCEDURE

The Council Decision on the exchange of information extracted from the criminal record aims at facilitating the transmission of information retained in the national criminal records of the Member States of the European Union.

Information will be forwarded using the Form provided for in the Annex to the Council Decision. The competent authority in the Member State should, in filling out the Form for requesting information extracted from the criminal record, take note of the Manual of Procedure. The Manual is intended to be a factual document to assist practitioners in making requests for information extracted from the criminal record of another Member State.

Delegations will find attached in the Annex, the Manual of Procedure, consisting of the replies submitted by the Member States and containing practical information for completing their request, as updated by the Member States since the previous issue of the manual (doc. 11620/2/08 REV 2 COPEN 137 EJM 51 EUROJUST 68).

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Belgium comments on manual on procedure

MEMBER STATE FICHE FOR THE MANUAL OF PROCEDURE

To assist requesting authorities in the completion and submission of the request form annexed to the Council Decision on the exchange of information extracted from the criminal record

MEMBER STATE: Belgium

Central Authority designated to receive requests for information extracted from the criminal record (as specified in Article 1 of the Council Decision):

Authority Name / Title: Casier judiciaire central / Centraal Strafregister

Postal address:

Avenue de la Porte de Hal, 5/8

1060 Bruxelles

Belgique

Telephone number: 00 32 2 542 72 86

Fax number: 00 32 2 542 72 97

Email address: cjc-csr@just.fgov.be

Information, if available, that the requested authority would find useful in order to identify the person concerned and the format in which it should be provided, including details of the documents which might be attached to the request:

(This is in addition to the information on the person's name, sex, nationality and date and place of birth that is required by request form annexed to the Council Decision)

- Father's name ~~Yes~~ / No*

Format:

- Mother's name ~~Yes~~ / No*

Format:

- Residence or known address Yes / ~~No~~*

Format:

- Fingerprints ~~Yes~~ / No*

Format

- Other

- national register number Yes / ~~No~~*

Format:

- social security number ~~Yes~~ / No*

Format:

- other (please specify) ~~Yes~~ / No*

Format:

Documents or their copies to be attached to the request (please specify):

none

PURPOSE OF THE REQUEST (OTHER THAN CRIMINAL PROCEEDINGS)

REQUEST FROM A JUDICIAL AUTHORITY OUTSIDE THE CONTEXT OF CRIMINAL PROCEEDINGS

Requests should specify the purpose for which the information is sought: Yes / ~~No~~*

If yes, the request should include details of: reason of the request

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? ~~Yes~~/ No*

Request from a competent administrative authority

Requests should specify the purpose for which the information is sought Yes / ~~No~~*

If yes, the request should include details of: reason for the request

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? ~~Yes~~/ No*

REQUEST FROM THE PERSON CONCERNED

Requests should specify the purpose for which the information is sought Yes / ~~No~~*

If yes, the request should include details of: reason for the request

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? Yes/ No*

Requests can be accepted in the following languages in addition to the official languages of Belgium: none

Any other information about the national law, regulations or practice of Belgium which would assist a requesting authority in making a request for information extracted from a criminal record.

* delete as appropriate

Czech comments on manual on procedure

MEMBER STATE: Czech Republic

Central Authority designated to receive requests for information extracted from the criminal record (as specified in Article 1 of the Council Decision):

Authority Name / Title: *Rejstřík trestů / Penal Register*

Postal address: *Soudní 1, 140 66 Praha 4, Czech Republic*

Telephone number: *+420 244 006 111*

Fax number: *+420 244 006 260*

Email address: rejstrik@rejtr.justice.cz

Furthermore, the Penal Register is also competent to send and receive the notifications on convictions as specified in Art. 2 and reply upon requests according to Art. 3 of the Council Decision.

Information, if available, that the requested authority would find useful in order to identify the person concerned and the format in which it should be provided, including details of the documents which might be attached to the request:

(This is in addition to the information on the person's name, sex, nationality and date and place of birth that is required by request form annexed to the Council Decision)

- Father's name Yes

Format: FIRST NAME / SURNAME

- Mother's name Yes

Format: FIRST NAME / SURNAME / BIRTH NAME

- Residence or known address Yes

Format: SREET NAME / STREET NUMBER / CITY / POSTAL CODE

- Fingerprints OPTIONAL

Format

- Other

- national register number Yes, if available

Format:

- social security number OPTIONAL

Format:

- other (please specify) OPTIONAL

Format:

Documents or their copies to be attached to the request (please specify): DOCUMENTS
OR THEIR COPIES NOT REQUESTED

PURPOSE OF THE REQUEST (OTHER THAN CRIMINAL PROCEEDINGS)

REQUEST FROM A JUDICIAL AUTHORITY OUTSIDE THE CONTEXT OF CRIMINAL PROCEEDINGS

Information from criminal records can be provided solely for the purpose of the criminal proceedings.

Requests should specify the purpose for which the information is sought:

If yes, the request should include details of:

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases?

Request from a competent administrative authority

Information from criminal records can be provided solely for the purpose of the criminal proceedings.

Requests should specify the purpose for which the information is sought.

If yes, the request should include details of:

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases?

REQUEST FROM THE PERSON CONCERNED

Czech Republic does not provide information from the criminal records made on behalf of an individual, referring to Article 3, paragraph 1, subparagraph 2.

Requests should specify the purpose for which the information is sought.

If yes, the request should include details of:

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases?

Requests can be accepted in the following languages in addition to the official language(s) of *Czech Republic*:

The Czech Republic accepts the following language regime stemming from the bilateral agreements with these respective countries, provided the principle of reciprocity is granted:

Slovak language in relation to Slovakia

German language in relation to Austria

Romanian language in relation to Romania

Bulgarian language in relation to Bulgaria

Any other information about the national law, regulations or practice of *Czech Republic* which would assist a requesting authority in making a request for information extracted from a criminal record.

Danish comments on manual on procedure

MEMBER STATE FICHE FOR THE MANUAL OF PROCEDURE

To assist requesting authorities in the completion and submission of the request form annexed to the Council Decision on the exchange of information extracted from the criminal record

MEMBER STATE: Denmark

Central Authority designated to receive requests for information extracted from the criminal record (as specified in Article 1 of the Council Decision):

Authority Name / Title: Rigspolitchefen

Postal address: Politiafdelingen (Kommunikationscenter),

Anker Heegaards Gade 5, 4. th., 1572 København V

Telephone number: + 45 33 43 06 00

Fax number: + 45 33 32 27 71

Email address: nec@politi.dk

Information, if available, that the requested authority would find useful in order to identify the person concerned and the format in which it should be provided, including details of the documents which might be attached to the request:

(This is in addition to the information on the person's name, sex, nationality and date and place of birth that is required by request form annexed to the Council Decision)

- Father's name No

Format:

- Mother's name No

Format:

- Residence or known address Yes

Format:

- Fingerprints No

Format

- Other

- national register number Yes

Format:

- social security number No

Format:

- other (please specify) No

Format:

Documents or their copies to be attached to the request (please specify):

Copy of identity documents when the request is from the person concerned.

PURPOSE OF THE REQUEST (OTHER THAN CRIMINAL PROCEEDINGS)

REQUEST FROM A JUDICIAL AUTHORITY OUTSIDE THE CONTEXT OF CRIMINAL PROCEEDINGS

Requests should specify the purpose for which the information is sought: Yes

If yes, the request should include details of:

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? Yes

Request from a competent administrative authority

Requests should specify the purpose for which the information is sought Yes

If yes, the request should include details of:

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? Yes

REQUEST FROM THE PERSON CONCERNED

Requests should specify the purpose for which the information is sought No

If yes, the request should include details of:

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? Yes

Requests can be accepted in the following languages in addition to the official language(s) of *Denmark*:

English

Any other information about the national law, regulations or practice of *Denmark* which would assist a requesting authority in making a request for information extracted from a criminal record.

Own-initiative information on convictions according to Article 2 will be forwarded and received by Det Centrale Kriminalregister, Postboks 93, 2650 Hvidovre, Phone: +45 46 33 14 78, fax: +45 46 33 14 76, mail: rpchd-kr@politi.dk

* delete as appropriate

German comments on manual on procedure

MEMBER STATE FICHE FOR THE MANUAL OF PROCEDURE

To assist requesting authorities in the completion and submission of the request form annexed to the Council Decision on the exchange of information extracted from the criminal record

MEMBER STATE: Federal Republic of Germany

Central Authority designated to receive requests for information extracted from the criminal record (as specified in Article 1 of the Council Decision):

Authority Name / Title: Bundesamt für Justiz
- Bundeszentralregister -

Postal address: Adenauerallee 99-103
53113 Bonn
Germany

Telephone number: + 49 1888 410 40

Fax number: + 49 1888 410 5050

Email address: poststelle@bzt.bund.de

Information, if available, that the requested authority would find useful in order to identify the person concerned and the format in which it should be provided, including details of the documents which might be attached to the request:

(This is in addition to the information on the person's name, sex, nationality and date and place of birth that is required by request form annexed to the Council Decision)

- Father's name ~~Yes~~ / No*

Format:

- Mother's name ~~Yes~~ / No*

Format:

- Residence or known address Yes / ~~No~~*

Format: Street, house number, postal code, town, state

- Fingerprints ~~Yes~~ / No*

Format

- Other

- national register number ~~Yes~~ / No*

Format:

- social security number ~~Yes~~ / No*

Format:

- other (please specify) ~~Yes~~ / No*

Format:

Documents or their copies to be attached to the request (please specify):

None

PURPOSE OF THE REQUEST (OTHER THAN CRIMINAL PROCEEDINGS)

REQUEST FROM A JUDICIAL AUTHORITY OUTSIDE THE CONTEXT OF CRIMINAL PROCEEDINGS

Requests should specify the purpose for which the information is sought: Yes / ~~No~~*

If yes, the request should include details of:

The purpose must be described clearly. For example: For use in civil proceedings.

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? ~~Yes~~/ No*

Request from a competent administrative authority

Requests should specify the purpose for which the information is sought Yes / ~~No~~*

If yes, the request should include details of:

The purpose must be described clearly. For example: For a naturalization procedure; for the granting of a gun license. Requests from a competent administrative authority can be answered only in certain cases. Usually this is the case, where rights of the person concerned are to be interfered with. In all other cases the certificate of good conduct (for official purposes) is to be requested by the person concerned (see under “Any other information....”).

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? ~~Yes~~/ No*

REQUEST FROM THE PERSON CONCERNED

Requests should specify the purpose for which the information is sought ~~Yes~~ / No*

If yes, the request should include details of:

Requests from the person concerned cannot be answered (see under “Any other information....”).

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? ~~Yes~~/ No*

Requests can be accepted in the following languages in addition to the official language(s) of Germany:

English

Any other information about the national law, regulations or practice of Germany which would assist a requesting authority in making a request for information extracted from a criminal record.

Local competence and form of application

Anyone resident **outside the Federal Republic of Germany** who has reached the age of 14 can make a **written** application - (**no special form is required**) - for a (private) certificate of good conduct or a certificate of good conduct (for official purposes). The application can be made with the registration authority direct and should be sent to the following address:

Bundesamt für Justiz

- Bundeszentralregister -

Sachgebiet IV 21

53094 Bonn

Germany

The applicant is required to furnish proof of his/her identity and, if he/she is acting as a legal representative, to furnish proof of his/her authority to represent. The person to whom the application refers may neither be represented by an attorney-in-fact nor by an attorney at law (§ 30 subsection 2 BZRG - Law on the Federal Central Register). The application must contain the full personal details of the person to whom it refers and be signed by him/her personally. The address to which the certificate of good conduct is to be sent is to be named. Personal details and signature must be confirmed **officially**. Such official confirmation can be provided by a German embassy or consulate, or by a foreign public authority or a notary public. Submission of an **officially certified** photocopy of official identity papers showing the personal details of the person to whom the application refers will also suffice. The copy is to be signed by the applicant prior to certification. A note is to be made if the name at birth is not the same as the family name.

Charges

The charge for each certificate of good conduct is € 13. Payment can be made by cheque or transfer to the following account of the Bundesamt für Justiz:

Deutsche Bundesbank - Filiale Bonn -

Bank code 380 000 00

Account No.: 380 010 05

IBAN-Nr.: DE24 3800 0000 0038 001005

BIC/swift-Nr.: MARKDEF1380

Purpose: (reference number - if known -, or first and last names of the applicant)

Cheques from European countries must be made out in Euro. Cheques from non-European countries must be made out in Euro and drawn on a German bank.

Cheques from Denmark, the United Kingdom, the Czech Republic and Israel can be made out in the respective domestic currency or in Euro. They must be drawn on a German bank if they are made out in Euro.

In the case of a transfer of the sum in question, the copy of the transfer order is - if possible - to be sent to the registration authority - together with the application for a certificate of good conduct.

The certificate of good conduct will not be issued until receipt of the charge or of proof of payment (§ 7 subsection 2 JVKostO - Cost Ordinance of Justice Agencies).

General information

A (private) certificate of good conduct can only be sent to the applicant personally at his/her private address. A certificate of good conduct that has been applied for official purposes for submission to a German public authority will be sent to the authority in question direct. For this reason, the address of the authority as well as the purpose of use and/or reference number of the recipient authority is to be indicated on an application for a certificate of good conduct for official purposes. Certificates of good conduct are issued in the German language only. The applicant must arrange for any translation required himself/herself. The contents of the certificate of good conduct are based on the provisions of the Law on the Federal Central Register (BZRG). The application form as a Word-document or a PDF-file can be downloaded on

<http://www.bundesjustizamt.de>

and may be used to make an application.

* delete as appropriate

Estonian comments on manual on procedure

MEMBER STATE: Estonia

Central Authority designated to receive requests for information extracted from the criminal record (as specified in Article 1 of the Council Decision):

Authority Name / Title: **Ministry of Justice**

Postal address: **Tõnismägi 5a; 15191 Tallinn, ESTONIA**

Telephone number: **+372 620 81 90/81 00**

Fax number: **+372 620 81 09/91**

Email address: **central.authority@just.ee**

Information, if available, that the requested authority would find useful in order to identify the person concerned and the format in which it should be provided, including details of the documents which might be attached to the request:

(This is in addition to the information on the person's name, sex, nationality and date and place of birth that is required by request form annexed to the Council Decision)

- Father's name Yes

Format: *no special format*

- Mother's name No

Format:

- * Residence or known address Yes

Format:

- Fingerprints No

Format

- Other
- national register number Yes (if known)

Format:

- social security number Yes (if known)

Format:

- other (please specify) No

Format:

Documents or their copies to be attached to the request (please specify):

depends on concrete case

PURPOSE OF THE REQUEST (OTHER THAN CRIMINAL PROCEEDINGS)

REQUEST FROM A JUDICIAL AUTHORITY OUTSIDE THE CONTEXT OF CRIMINAL PROCEEDINGS

Requests should specify the purpose for which the information is sought: **Yes**

If yes, the request should include details of: **short description of the case**

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? **No**

Request from a competent administrative authority

Requests should specify the purpose for which the information is sought: **Yes**

If yes, the request should include details of: **short description of the case**

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? **No**

REQUEST FROM THE PERSON CONCERNED

Requests should specify the purpose for which the information is sought: **Yes**

If yes, the request should include details of: **short description, why such information is needed.**

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases?

Requests can be accepted in the following languages in addition to the official language(s) of Estonia: Estonian or/and English

Any other information about the national law, regulations or practice of *Estonia* which would assist a requesting authority in making a request for information extracted from a criminal record.

Greek comments on manual on procedure

MEMBER STATE FICHE FOR THE MANUAL OF PROCEDURE

To assist requesting authorities in the completion and submission of the request form annexed to the Council Decision on the exchange of information extracted from the criminal record

MEMBER STATE: Greece

Central Authority designated to receive requests for information extracted from the criminal record (as specified in Article 1 of the Council Decision):

Authority Name / Title: *Department of Criminal Records of Ministry of Justice¹*

Postal address: *96, Messogion Avenue, 11527 Athens*

Telephone number: *++30210 7787428*

Fax number: *++30210 7483326*

Email address:

¹ The department in question keeps criminal records for the individuals born abroad. At the time of transposition of the Council Decision into national legislation our country intends to designate this department as Central Authority for the purposes of the Council Decision.

Information, if available, that the requested authority would find useful in order to identify the person concerned and the format in which it should be provided, including details of the documents which might be attached to the request:

(This is in addition to the information on the person's name, sex, nationality and date and place of birth that is required by request form annexed to the Council Decision)

- Father's name Yes

Format:

- Mother's name Yes

Format:

- Residence or known address No

Format:

- Fingerprints No

Format

- Other

- national register number No

Format:

- social security number No

Format:

- other (please specify) No

Format:

Documents or their copies to be attached to the request (please specify):

PURPOSE OF THE REQUEST (OTHER THAN CRIMINAL PROCEEDINGS)

REQUEST FROM A JUDICIAL AUTHORITY OUTSIDE THE CONTEXT OF CRIMINAL PROCEEDINGS

Requests should specify the purpose for which the information is sought: Yes / No*

If yes, the request should include details of:

It should be noticed that in the Greek legal system there is no such provision. Extracts from criminal records cannot therefore be provided in these cases.

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? Yes/ No*

Request from a competent administrative authority

Requests should specify the purpose for which the information is sought :Yes

If yes, the request should include details of:

In the Greek legal system extracts from criminal records are issued to the competent administrative authorities only in cases expressly permitted by law In such case the purpose for which the information is sought, as well as the relevant law, must be specified.

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? No, *in most cases*

REQUEST FROM THE PERSON CONCERNED

Requests should specify the purpose for which the information is sought Yes

If yes, the request should include details of:

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? Yes

Requests can be accepted in the following languages in addition to the official language(s) of *Greece*:

Any other information about the national law, regulations or practice of *Greece* which would assist a requesting authority in making a request for information extracted from a criminal record.

The requesting authority should be responsible for the verification of the identity of the person concerned.

* delete as appropriate

Spanish comments on manual on procedure

MEMBER STATE: Spain

Central Authority designated to receive requests for information extracted from the criminal record (as specified in Article 1 of the Council Decision):

Authority Name / Title: Registro Central de Penados y Rebeldes, Ministerio de Justicia

Postal address: San Bernardo 19 Madrid 28071

Telephone number: 913904248

Fax number: 915594810

Email address: rcpr.oficinacoordinacion@mju.es

Information, if available, that the requested authority would find useful in order to identify the person concerned and the format in which it should be provided, including details of the documents which might be attached to the request:

(This is in addition to the information on the person's name, sex, nationality and date and place of birth that is required by request form annexed to the Council Decision)

- Father's name Yes

Format:

- Mother's name Yes

Format:

- Residence or known address No

Format:

- Fingerprints No*

Format

- Other
 - national register number Yes

Format:

- social security number No

Format:

- other (please specify) Yes Second birth name

Format:

Documents or their copies to be attached to the request (please specify):

PURPOSE OF THE REQUEST (OTHER THAN CRIMINAL PROCEEDINGS)

REQUEST FROM A JUDICIAL AUTHORITY OUTSIDE THE CONTEXT OF CRIMINAL PROCEEDINGS

Requests should specify the purpose for which the information is sought: Yes

If yes, the request should include details of: name of the requesting authority, procedure and reason for the request

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? No

Request from a competent administrative authority

Requests should specify the purpose for which the information is sought Yes

If yes, the request should include details of: name of the requesting authority, procedure and reason for the request

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? Yes

REQUEST FROM THE PERSON CONCERNED

Requests should specify the purpose for which the information is sought Yes

If yes, the request should include details of: name of the administrative procedure and reason for the request

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? Yes

Requests can be accepted in the following languages in addition to the official language(s) of Spain:

none

Any other information about the national law, regulations or practice of *Spain* which would assist a requesting authority in making a request for information extracted from a criminal record.

* delete as appropriate

French comments on manual on procedure

MEMBER STATE: France

Central Authority designated to receive requests for information extracted from the criminal record (as specified in Article 1 of the Council Decision) :

Authority Name / Title : Casier judiciaire national

Postal address : 107, rue du Landreau – 44317 Nantes Cedex 3

Telephone number : (00) (33) 2.51.89.89.51

Fax number : (00) (33) 2.40.50.52.63

Email address : cjn@justice.gouv.fr

Information, if available, that the requested authority would find useful in order to identify the person concerned and the format in which it should be provided, including details of the documents which might be attached to the request :

(This is in addition to the information on the person's name, sex, nationality and date and place of birth that is required by request form annexed to the Council Decision)

- Father's name ~~Yes~~/ No*(')

Format:

- Mother's name ~~Yes~~/ No*(')

Format:

- Residence or known address ~~Yes~~/ No*

Format:

- Fingerprints ~~Yes~~/ No*

Format

- Other
 - national register number ~~Yes~~/ No*

Format:

- social security number ~~Yes~~/ No*

Format:

- other (please specify) ~~Yes~~/ No*

Format:

(') Subject to information included in the section entitled "any information about the national law, regulations or practice of France which would assist a requesting authority in making a request for information extracted from a criminal record".

Documents or their copies to be attached to the request (please specify) : none

PURPOSE OF THE REQUEST (OTHER THAN CRIMINAL PROCEEDINGS)

REQUEST FROM A JUDICIAL AUTHORITY OUTSIDE THE CONTEXT OF CRIMINAL PROCEEDINGS

Requests should specify the purpose for which the information is sought : Yes / ~~No~~*

If yes, the request should include details of :

The specific reason for the request in order to establish whether the requesting authority is entitled to make the request for the reason in question, in accordance with the provisions of Article 13(2) of the 1959 Convention, on the understanding that the record issued in those circumstances is more restricted than that issued for criminal proceedings.

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? ~~Yes~~/ No*

Request from a competent administrative authority

Requests should specify the purpose for which the information is sought Yes / ~~No~~*

If yes, the request should include details of :

The specific reason for the request is order to establish whether the requesting authority is entitled to make the request for the reason in question in accordance with the provisions of Article 13(2) of the 1959 Convention.

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? ~~Yes~~/ No*

REQUEST FROM THE PERSON CONCERNED

Requests should specify the purpose for which the information is sought ~~Yes~~/ No*

If yes, the request should include details of :

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? Yes/ No*

The question has no relevance in France insofar as the request may come only from the person concerned and the information may be issued only to that person (it is in fact a criminal offence for an individual to request information concerning the criminal convictions of another person).

Requests can be accepted in the following languages in addition to the official language(s) of *France* : none

Any other information about the national law, regulations or practice of *France* which would assist a requesting authority in making a request for information extracted from a criminal record.

For French nationals born outside French territory, information on the parents should be supplied (father's and mother's surnames and given names). There are separate criminal registers for French nationals born in the Overseas Territories and Collectivities: French Polynesia, New Caledonia, Wallis and Futuna, St Pierre and Miquelon and Mayotte; extra time should be allowed for processing requests sent to the central authority concerning such people.

Irish comments on manual on procedure

MEMBER STATE: Ireland

Central Authority designated to receive requests for information extracted from the criminal record (as specified in Article 1 of the Council Decision):

Authority Name / Title:

Central Authority for Mutual Assistance

Postal address:

Mutual Assistance and Extradition Division

Department of Justice, Equality and Law Reform

St. Stephen's Green

Dublin 2

IRELAND

Telephone number: **00 353 1 602 8548 / 00 353 1 602 8605**

Fax number: **00 353 1 602 8606**

Email address: **mutual@justice.ie**

Information, if available, that the requested authority would find useful in order to identify the person concerned and the format in which it should be provided, including details of the documents which might be attached to the request:

(This is in addition to the information on the person's name, sex, nationality and date and place of birth that is required by request form annexed to the Council Decision)

- Father's name Yes / ~~No~~*

Format: **Last Name/First Name/Date of Birth**

- Mother's name Yes / ~~No~~*

Format: **Last Name/First Name/Date of Birth**

- Residence or known address Yes / ~~No~~*

Format: **House (Number)/Street/Town or City/County**

- Fingerprints Yes / ~~No~~* **In some instances.**

Format

- Other

- national register number ~~Yes~~ / No*

Format:

- social security number ~~Yes~~ / No*

Format:

- other (please specify) Yes / ~~No~~* **Photograph, in some instances.**

Format: **Electronic**

Documents or their copies to be attached to the request (please specify):

Copy of original report from requesting Authority.

Copy of reasons for which request is sought.

PURPOSE OF THE REQUEST (OTHER THAN CRIMINAL PROCEEDINGS)

REQUEST FROM A JUDICIAL AUTHORITY OUTSIDE THE CONTEXT OF CRIMINAL PROCEEDINGS

Requests should specify the purpose for which the information is sought: Yes / ~~No~~*

If yes, the request should include details of:

- **The title of the judicial authority making the request.**
- **The basis for making the request.**
- **An undertaking that the information will be used only for the purpose set out in the request.**
- **Information regarding data protection rules.**
- **Information concerning the date, location and type of event(s) giving rise to the record and the date of recording of the event(s).**

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? ~~Yes~~/ No*

Permission is not necessary where the information is provided to a foreign police force for transmission to the relevant judicial authority in accordance with the scheme for mutual legal assistance.

Request from a competent administrative authority

Requests should specify the purpose for which the information is sought Yes / ~~No~~*

If yes, the request should include details of:

- **The title of the authority making the request.**
- **The basis for making the request.**
- **An undertaking that the information will be used only for the purpose set out in the request.**
- **Information regarding data protection rules.**
- **Information concerning the date, location and type of event(s) giving rise to the record and the date of recording of the event(s).**

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? ~~Yes~~/ No*

Permission is not necessary where the information is provided to a foreign police

force for transmission to the relevant authority in accordance with the scheme for mutual legal assistance.

REQUEST FROM THE PERSON CONCERNED

Requests should specify the purpose for which the information is sought ~~Yes~~ / No*

However,

- **There should be sufficient information provided to enable the Central Authority and An Garda Siochana (National Police Force) to be satisfied that the requester is the person to whom the record relates.**
- **Information concerning the date, location and type of event(s) giving rise to the record and the date of recording of the event(s) should be provided where possible.**

If yes, the request should include details of:

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? Yes/ ~~No~~*

Requests can be accepted in the following languages in addition to the official language(s) of *Ireland*:

Requests may be in English or Irish

Any other information about the national law, regulations or practice of *Ireland* which would assist a requesting authority in making a request for information extracted from a criminal record.

At the time of ratification of the Council of Europe Convention on Mutual Assistance in Criminal Matters (Strasbourg, 1959) Ireland entered a reservation with respect to Article 22. This reservation stated:

“The Government of Ireland will not notify criminal convictions or subsequent measures under Article 22 except insofar as the organisation of its judicial records

allows of so doing.”

THE COUNCIL DECISION ALLOWS MEMBER STATES TO MAINTAIN THEIR RESERVATIONS ON ARTICLE 22, BUT REQUIRES THEM TO LIFT THEIR RESERVATIONS ON ARTICLE 13 AT LEAST IN THEIR DEALINGS WITH EACH OTHER.

ARTICLE 2 OF THE COUNCIL DECISION REQUIRES EACH CENTRAL AUTHORITY, WITHOUT DELAY, TO INFORM OTHER CENTRAL AUTHORITIES OF CONVICTIONS AND SUBSEQUENT MEASURES RECORDED AGAINST NATIONALS OF THOSE MEMBER STATES.

ARTICLE 3 ALLOWS A CENTRAL AUTHORITY TO REQUEST INFORMATION, FROM THE CRIMINAL RECORD OF ANOTHER MEMBER STATE. IT ALSO PERMITS AN INDIVIDUAL TO REQUEST INFORMATION ON HIS OR HER OWN CRIMINAL RECORD.

Because the organization of its judicial records does not yet allow Ireland to remove its reservation on Article 22 of the 1959 Convention, Ireland will not be in a position to provide the information referred to in Article 2, nor to respond to requests made under Article 3.

Accordingly, where Ireland does receive a request under Article 3 of the Council Decision it is very likely that the information will not be available. It is possible that partial replies, based on enquiries to An Garda Siochana (National Police Force), could be provided. But these could probably not be certified as representing the full record related to any particular individual. In addition, the deadlines set out for providing the information may be too short.

* delete as appropriate

Italian comments on manual on procedure

MEMBER STATE: Italy

Central Authority designated to receive requests for information extracted from the criminal record (as specified in Article 1 of the Council Decision):

Authority Name / Title: Ministero della Giustizia – Ufficio del casellario centrale

Postal address: Piazza di Firenze 27 Roma

Telephone number: (+00 39)6 681891

Fax number: (+00 39) 6 68807558

Email address: casellario.centrale@giustizia.it

daniela.piccioniò@giustizia.it

Information, if available, that the requested authority would find useful in order to identify the person concerned and the format in which it should be provided, including details of the documents which might be attached to the request:

Identification code (if Italian, tax code):

Surname: max 35 characters

Forename: max 35 characters

Date of birth: DD/MM/YYYY

Place of birth: for those born in Italy, name of the commune in Italian

Country of birth: max 35 characters

Sex: M=male F=female

(This is in addition to the information on the person's name, sex, nationality and date and place of birth that is required by request form annexed to the Council Decision)

- Father's name Yes / No* **YES**
Format:
- Mother's name Yes / No* **YES**
Format:
- Residence or known address Yes / No* **NO**
Format:
- Fingerprints Yes / No **YES** but not yet, until 2007
- Format : alphanumeric
- Other
 - national register number Yes / No* **NO**
Format:
 - social security number Yes / No* **NO**
Format:
 - other (please specify) Yes / No* **NO**
Format:

Documents or their copies to be attached to the request (please specify):

passport or equivalent document

PURPOSE OF THE REQUEST (OTHER THAN CRIMINAL PROCEEDINGS)

REQUEST FROM A JUDICIAL AUTHORITY OUTSIDE THE CONTEXT OF CRIMINAL PROCEEDINGS

Requests should specify the purpose for which the information is sought: Yes / No* **YES**

If yes, the request should include details of:

The specific reason for the request in order to establish whether the requesting authority is entitled to make the request for the reason in question, in accordance with the provisions of Article 13(2) of the 1959 Convention.

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? Yes/ No* **NO**

Request from a competent administrative authority

Requests should specify the purpose for which the information is sought Yes / No* **YES**

If yes, the request should include details of:

The specific reason for the request in order to establish whether the requesting authority is entitled to make the request for the reason in question, in accordance with the provisions of Article 13(2) of the 1959 Convention, and in accordance with the provisions of Articles 28 and 39 of DPR 313/2002 (T.U. concerning criminal records in Italy) in order to release criminal record certificate to the Italian administrative authority.

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? Yes/ No* **NO**

REQUEST FROM THE PERSON CONCERNED

Requests should specify the purpose for which the information is sought Yes / No* **NO**

Note: it is not compulsory to give reasons for the request

If yes, the request should include details of:

If the request comes from the person concerned, there is the problem of payment of the stamp duty and fees

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? Yes/ No* **NO**

Requests can be accepted in the following languages in addition to the official language(s) of *Italy*: English and French

Any other information about the national law, regulations or practice of *Italy* which would assist a requesting authority in making a request for information extracted from a criminal record.

* delete as appropriate

Cyprus comments on manual on procedure

MEMBER STATE: Cyprus

Central Authority designated to receive requests for information extracted from the criminal record (as specified in Article 1 of the Council Decision):

Authority Name / Title: Criminal Registry Office
Postal address: Criminal Investigation Department
Police Headquarters
Nicosia, 1478
Cyprus

Telephone number: 22808386
Fax number: 22808653
E-mail address: ekoutsofti@police.gov.cy

Information, if available, that the requested authority would find useful in order to identify the person concerned and the format it which is should be provided, including details of the documents which might be attached to the request:

(This is in addition to the information on the person's name, sex, nationality and date and place of birth that is required by request form annexed to the Council Decision)

* **Father's name** No
Format: Birth name Surname

* **Mother's name** No
Format: Birth name Surname

* **Residence or known address** No
Format:

* **Fingerprints** No
Format:

* **Other**
- **national register number** Yes
Format: Six Digit Number

- **social security number** No
Format: Six Digit Number

- **other (please specify)** No
Format:

<p>Documents or their copies to be attached to the request (please specify):</p> <p>Documents or copies including articles of national law of the requesting state which specify the legitimate purpose for which the information is sought.</p>
<p>PURPOSE OF THE REQUEST (other than criminal proceedings)</p>
<p>Request from a judicial authority outside the context of criminal proceedings</p> <p>Requests should specify the purpose for which the information is sought: Yes</p> <p>If yes, the request should include details of:</p> <p>A specific, explicit and legitimate purpose for which the information is sought according to the national legislation of the requesting Member State.</p> <p>Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? Yes</p>
<p>Request from a competent administrative authority</p> <p>Requests should specify the purpose for which the information is sought Yes</p> <p>If yes, the request should include details of:</p> <p>A specific, explicit and legitimate purpose for which the information is sought according to the national legislation of the requesting Member State.</p> <p>Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? Yes</p>

Request from the person concerned

Requests should specify the purpose for which the information is sought No

If yes, the request should include details of:

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases?

Yes/No Not applicable since it is the person concerned that is making the request

Requests can be accepted in the following languages in addition to the official language(s) of (name of Member State):

English

Any other information about the national law, regulations or practice of (name of Member State) which would assist a requesting authority in making a requests for information extracted from a criminal record.

Please find attached

- (a) The Rehabilitation of Convicted Persons Law 70/81
- (b) Article 6 & Article 12 of the Processing of Personal Data (Protection of Individuals) Law 138(I)2001

Latvian comments on manual on procedure

MEMBER STATE: Latvia

Central Authority designated to receive requests for information extracted from the criminal record (as specified in Article 1 of the Council Decision):

Authority name/title: **The Information Centre of Ministry of Interior of the Republic of Latvia**

Postal address: **Bruninieku street 72b, Riga, LV-1009**

Telephone number: **(+371) 7208218**

Fax number: **(+371) 7208219**

Email address: kanceleja@ic.iem.gov.lv

Information, if available, that the requested authority would find useful in order to identify the person concerned and the format in which it should be provided, including details of the documents which might be attached to the request:

(This is in addition to the information on the person's name, sex, nationality and date and place of birth that is required by request form annexed to the Council Decision)

- Father's name: **Yes**

Format: CHAR (50)

- Mother's name: **No**

Format:

- Residence or known address: **Yes**

Format: State – **codicator (state code)** and address – text

- Fingerprints: **No**

Format:

- Other
 - national register number (**personal code**): **Yes**

Format:

- social security number: **No**

Format:

- other (please specify):

Format :

Documents or their copies to be attached to the request (please specify):

If request is from the person concerned: copy of the passport (data page)

PURPOSE OF THE REQUEST (other than criminal proceedings)

Request from a judicial authority outside the context of criminal proceedings

Requests should specify the purpose for which the information is sought: **Yes**
 If yes, the request should include details of: **Purpose of information usage (necessity of obtaining), statement of reasons (reference to laws or regulations (including the article) which define the right to obtain the information and the amount of data to obtain), reference to the state (country) and institution where the information (the certificate) will be submitted.**

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? **No (because the right of the authority to obtain the information (regarding all possible cases) is defined in the relevant legal act and the consent of the person concerned follows from the relevant legal act)**

Request from a competent administrative authority

Requests should specify the purpose for which the information is sought: **Yes**

If yes, the request should include details of: **Purpose of information usage (necessity of obtaining), statement of reasons (reference to laws or regulations (including the article) which define the right to obtain the information and the amount of data to obtain), reference to the state (country) and institution where the information (the certificate) will be submitted.**

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? **No (because the right of the authority to obtain the information (regarding all possible cases) is defined in the relevant legal act and the consent of the person concerned follows from the relevant legal act)**

Request from the person concerned

Requests should specify the purpose for which the information is sought: **Yes**

If yes, the request should include details of: **Purpose of information usage (necessity of obtaining), reference to the necessary amount of information (i.e., how much information is needed), reference to the state (country) and institution where the information (the certificate) will be submitted.**

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? **No**

Requests can be accepted in the following languages in addition to the official language(s) of *Latvia* (**Latvian**): *de facto* **English, Russian**

Any other information about the national law, regulations or practice of *Latvia* which would assist a requesting authority in making a request for information extracted from a criminal record.

Border Guard Law, Investigatory Operations Law, Law „On police”, Law On the Handling of Weapons, Fire Safety and Fire-fighting Law, Law On State Security Establishments, Law „ On Official Secrets”, Office of the Prosecutor Law, Immigration Law, Law On State Security Establishments, Law „On the Insolvency of Undertakings and Companies”, Citizenship Law, State Probation Service Law , Law „ On Judicial Power”, Law „On the State Revenue Service”, Customs Convention on the International Transport of Goods under Cover of TIR Carnets, Law On Bailiffs, Mandatory Military Service Law, Military Service Law, Social Services and Social Assistance Law, Law „ On the National Guard of the Republic of Latvia”, The Saeima Election Law, The Election Law On City and Town Councils, District Councils and Councils.

Lithuanian comments on manual on procedure

MEMBER STATE: Lithuania

Central authority designated to receive requests for information extracted from the criminal records:

1) Information technology and communications department under the Ministry of the Interior;

Authority Name/Title: Information technology and communications department under the Ministry of the Interior.

Postal address: Sventaragio str. 2, LT- 01510, Vilnius, Lithuania

Telephone number: +(370) 5 2717177

Fax number: +(370) 5 2718921

E-mail: ird@vrm.lt

- Father's name : Yes
- Mother's name : No
- Residence or known address : Yes
- Fingerprints : Yes
- Other
 - national register number : Yes
 - social security number : No
 - other : No

Purpose of the request is only to submit information about criminal proceedings.

Request from a judicial authority outside the context of criminal proceedings

Requests should specify the purpose for which the information is sought: Yes.

Information can be released only to the country in which the legal proceedings take place, to ensure law and order.

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? No.

Request from a competent administrative authority

Request should specify the purpose for which the information is sought : Yes

It depends who asks for information: public institution or private institution. Such0 information is submitted only for public, not private institutions

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? Yes.

The person should state in writing that he agrees to the release of information concerning him to the Central Authority.

Request from the person

If the person asks for information about himself, he must submit a certified notarised copy of his passport.

Requests can be accepted in the following languages in addition to the official language(s) of *Lithuania* : Lithuanian, English, German.

Luxembourg comments on manual on procedure

MEMBER STATE FICHE FOR THE MANUAL OF PROCEDURE

To assist requesting authorities in the completion and submission of the request form annexed to the Council Decision on the exchange of information extracted from the criminal record

MEMBER STATE: Luxembourg

Central Authority designated to receive requests for information extracted from the criminal record (as specified in Article 1 of the Council Decision):

Authority Name / Title: Procureur Général d'Etat

Postal address: B.P. 15

L-2010 LUXEMBOURG

Telephone number: (00352) 475981 346

Fax number: 475981 248

Email address: Pgcaj@justice.etat.lu

Information, if available, that the requested authority would find useful in order to identify the person concerned and the format in which it should be provided, including details of the documents which might be attached to the request:

(This is in addition to the information on the person's name, sex, nationality and date and place of birth that is required by request form annexed to the Council Decision)

- Father's name (Yes) / No

Format:

- Mother's name (Yes) / No

Format:

- Residence or known address Yes / (No)

Format:

- Fingerprints (Yes) / No

Format

- Other

- national register number (Yes) / No

Format:

- social security number Yes / (No)

Format:

- other (please specify) (Yes) / No

Format:

Documents or their copies to be attached to the request (please specify): none

PURPOSE OF THE REQUEST (OTHER THAN CRIMINAL PROCEEDINGS)

REQUEST FROM A JUDICIAL AUTHORITY OUTSIDE THE CONTEXT OF CRIMINAL PROCEEDINGS

Requests should specify the purpose for which the information is sought: Yes / (No)

If yes, the request should include details of: reason of the request

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? (Yes)/ No

Request from a competent administrative authority

Requests should specify the purpose for which the information is sought Yes / No

If yes, the request should include details of: reason of the request

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? (Yes)/ No

REQUEST FROM THE PERSON CONCERNED

Requests should specify the purpose for which the information is sought (Yes) / No

If yes, the request should include details of:

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? Yes/ No *

* The question has no relevance in Luxembourg since the request may only be introduced by the concerned person and the information may only be issued to that person.

Requests can be accepted in the following languages in addition to the official languages of *Luxembourg*: French, German

Any other information about the national law, regulations or practice of *Luxembourg* which would assist a requesting authority in making a request for information extracted from a criminal record: none

Hungarian comments on manual on procedure

MEMBER STATE: Hungary

Central Authority designated to receive requests for information extracted from the criminal record (as specified in Article 1 of the Council Decision):

Authority Name / Title: Ministry of the Interior Central Data Processing, Registration and Election Office, Criminal Registration

Postal address: Hungary, 1097, Budapest, Vaskapu street 30/A.,

Telephone number: +36/1/455-2102

Fax number: +36/1/455-2103

Email address: bunugyinyil.osztaly@mail.ahiv.hu

Information, if available, that the requested authority would find useful in order to identify the person concerned and the format in which it should be provided, including details of the documents which might be attached to the request:

(This is in addition to the information on the person's name, sex, nationality and date and place of birth that is required by request form annexed to the Council Decision)

- Father's name Yes / No*

Format:

- Mother's name Yes / No*

Format: birth surname, birth forename(s)

- Residence or known address Yes / No* if available

Format: country, postcode, name of the town or village, name and type of public place (road, street, square, etc.), number

- Fingerprints Yes / No*

Format :

- Other

- national register number Yes / No* if available

Format:

- social security number Yes / No*

Format:

- other (please specify) Yes / No*

Format:

Documents or their copies to be attached to the request (please specify):

If available, the copy of the passport or identification card should be provided and be attached.

PURPOSE OF THE REQUEST (OTHER THAN CRIMINAL PROCEEDINGS)

REQUEST FROM A JUDICIAL AUTHORITY OUTSIDE THE CONTEXT OF CRIMINAL PROCEEDINGS

Requests should specify the purpose for which the information is sought: Yes / No*

If yes, the request should include details of:

The request should include the name of the requesting Authority, the aim and legal basis for transmitting the requested data handled in the criminal record.

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? Yes/ No*

Request from a competent administrative authority

The provisions of Act LXXXV of 1999 on the Criminal Records and Certificates on Criminal Record do not enable the administrative authorities to obtain the data handled in the criminal record.

REQUEST FROM THE PERSON CONCERNED

Requests should specify the purpose for which the information is sought Yes / No*

If yes, the request should include details of:

The request should include the identification data of the person concerned (birth surname and forename(s), marital name, sex, place and date of birth, mother's birth surname and forename(s)), signature, postal address, date of the application.

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? Yes/ No*

Requests can be accepted in the following languages in addition to the official language(s) of *Hungary*: English

Any other information about the national law, regulations or practice of *Hungary* which would assist a requesting authority in making a request for information extracted from a criminal record.

The following are entitled to have access to the information on the criminal database – containing the data of the person who has committed a crime and therefore has already been convicted (*res judicata*) :

- a) Minister of Justice, for arranging the request for judicial assistance (legal aid) in criminal matters, and for fulfilment of the obligation in accordance with the legal instruments (Acts) on legal aid and other relevant international conventions and agreements.
- b) Foreign investigating authorities, prosecutor's offices (state attorneys), courts, and international judicial and criminal investigation bodies, according to the obligations arising from the legal Acts on international cooperation of the law enforcement agencies and from other relevant international conventions and agreements.

- c) Providing and forwarding (transmitting) data for bodies under point b), the International Criminal Co-operation Centre, and other bodies of the Republic of Hungary authorized by international conventions.

The following are entitled to have access to the information on the coercive measures database – containing preliminary arrest; temporary, involuntary treatment in a mental institution; house arrest; ban on leaving the residence:

- a) Minister of Justice, for arranging the request for judicial assistance (legal aid) in criminal matters, and for fulfilment of the obligation in accordance with the legal instruments (Acts) on legal aid and with other relevant international conventions and agreements.
- b) Foreign investigating authorities, prosecutor's offices (state attorneys), courts, and international judicial and criminal investigation bodies, according to the obligations arising from the legal Acts on international cooperation of the law enforcement agencies and from other respective international conventions and agreements.
- c) Providing and forwarding (transmitting) data for bodies under point b), the International Criminal Co-operation Centre, and other bodies of the Republic of Hungary authorized by international conventions.

Being entitled to access to the information on the prosecution database – containing the data of the person investigated by the police and the prosecutor's office– are the followings:

- a) Minister of Justice for arranging the request of judicial assistance (legal aid) in criminal matters, and for the fulfillment of the obligation in accordance with the legal instruments (Acts) on legal aid and with other respective international conventions and agreements.
- b) Foreign investigating authorities, prosecutor's offices (state attorneys), courts, and international juridical and criminal investigation bodies, according to the obligations derived from the legal Acts on international cooperation of the law enforcement agencies and from other respective international conventions and agreements.
- c) Providing and forwarding (transmitting) data for bodies under point b), the International Criminal Co-operation Centre, and other bodies of the Republic of Hungary authorized by international conventions.

The following are entitled to have access to the information on the dactyloscopy – fingerprint – and photograph database:

- a) Foreign investigating authorities, prosecutor's offices (state attorneys), courts, and international judicial and criminal investigation bodies, according to the obligations derived from the legal Acts on international cooperation of the law enforcement agencies and from other relevant international conventions and

agreements.

- b) Providing and forwarding (transmitting) data for bodies under point a), the International Criminal Co-operation Centre, and other bodies of the Republic of Hungary authorized by international conventions.

The following are entitled to have access to the information on the DNA database:

- a) Foreign investigating authorities, prosecutor's offices (state attorneys), courts, and international judicial and criminal investigation bodies, according to the obligations arising from the legal Acts on international cooperation of the law enforcement agencies and from other relevant international conventions and agreements.
- b) Providing and forwarding (transmitting) data for bodies under point a), the International Criminal Co-operation Centre, and other bodies of the Republic of Hungary authorized by international conventions.

* delete as appropriate

Maltese comments on manual on procedure

MEMBER STATE: Malta

Central Authority designated to receive requests for information extracted from the criminal record (as specified in Article 1 of the Council Decision):

Authority Name / Title: *Criminal Investigation Department*

Postal address: *Police General Headquarters, Floriana CMR 02, Malta*

Telephone number: +356 21 22 4001; +356 2294 2042

Fax number: +356 21 247 794

Email address: cid.police@gov.mt

Information, **if available**, that the requested authority would find useful in order to identify the person concerned and the format in which it should be provided, including details of the documents which might be attached to the request:

(This is in addition to the information on the person's name, sex, nationality and date and place of birth that is required by request form annexed to the Council Decision)

- Father's name *Yes*

Format: *Xxxxxxx*

- Mother's name *Yes*

Format: *Xxxxxxx*

Residence or known address *Yes*

Format: *N/A.*

- Fingerprints *Yes*

Format: *N/A.*

- Other

- national register number *Yes*

Format: *N/A.*

- social security number *Yes*

Format: *N/A.*

- other (please specify) *Yes*

Format: *, Previous known addresses, Passport Number, nicknames, Aliases*

Documents or their copies to be attached to the request (please specify): *N/A.*

PURPOSE OF THE REQUEST (OTHER THAN CRIMINAL PROCEEDINGS)

REQUEST FROM A JUDICIAL AUTHORITY OUTSIDE THE CONTEXT OF CRIMINAL PROCEEDINGS

Requests should specify the purpose for which the information is sought: *Yes*

If yes, the request should include details of: *The Authority concerned, and reasons for the request.*

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? *If it is possible then yes. If the Authority is by law authorised to make such requests, then a reference to the legal instrument authorising the Authority to make such requests is required.*

Request from a competent administrative authority

Requests should specify the purpose for which the information is sought. *Yes.*

If yes, the request should include details of: *Other Competent Administrative Authority falling outside the Law Enforcement Agency and or the Judicial authorities, are requested to supply a copy of the relative legal instrument authorising them access to such information.*

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? *No.*

1. REQUEST FROM THE PERSON CONCERNED

Requests should specify the purpose for which the information is sought *No*.

If yes, the request should include details of: *N/A*.

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? *Yes*.

Requests can be accepted in the following languages in addition to the official language(s) of *Malta*: (*official languages are Maltese and/or English*).

Any other information about the national law, regulations or practice of *Malta* which would assist a requesting authority in making a request for information extracted from a criminal record.

The Maltese laws are found on the following website:

<http://www.gov.mt/frame.asp?l=1&url=http://www2.justice.gov.mt/lom/home.asp>

Dutch comments on manual on procedure

MEMBER STATE: The Netherlands

Central Authority designated to receive requests for information extracted from the criminal record (as specified in Article 1 of the Council Decision):

Authority Name / Title: Centrale Justitiële Documentatie

Postal address: Postbus 337
7600 AH Almelo
the Netherlands

Telephone number: + 31.546 834100

Fax number: + 31.546 814961

Email address: servicedesk@cjd.nl

Information, if available, that the requested authority would find useful in order to identify the person concerned and the format in which it should be provided, including details of the documents which might be attached to the request:

(This is in addition to the information on the person's name, sex, nationality and date and place of birth that is required by request form annexed to the Council Decision)

- Father's name ~~Yes~~/ No*

Format:

- Mother's name ~~Yes~~ / No*

Format:

- Residence or known address Yes / ~~No~~*

Format:

- Fingerprints ~~Yes~~ / No*

Format

- Other

- national register number ~~Yes~~/ No*

Format:

- social security number ~~Yes~~ / No*

Format:

- other (please specify) ~~Yes~~/ No*

Format:

Documents or their copies to be attached to the request (please specify):

PURPOSE OF THE REQUEST (OTHER THAN CRIMINAL PROCEEDINGS)

Request from a competent administrative authority

Requests should specify the purpose for which the information is sought ~~Yes~~ / No*

If yes, the request should include details of:

- name of authority which issued the request for information
- description of the purpose for which the information is sought
- provisions of the national law on which the request is based (if possible)

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? ~~Yes~~/ No* *but only in the following cases:*

if the request is made for the following purposes:

- screening of applicants for certain sensitive posts within the central government
- screening of employees working for administrative authorities who want to obtain certain investigative powers
- screening of applicants who want to become a judge or public prosecutor
- screening of prison visitors
- screening of applicants who want to work for financial institutions

REQUEST FROM THE PERSON CONCERNED

Requests should specify the purpose for which the information is sought Yes/ No*

If yes, the request should include details of:

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? Yes/ No*

Please note the following:

Under Dutch law requests made by the person concerned have to be filed in person. This means that such a request cannot be made on his behalf by somebody else except in the case of representation at law. The person concerned can only request *access* to the criminal records in order to inspect his own record. In such a case the person concerned should go tot the local court or the National Criminal Record office in Almelo. He is not entitled to receive a written statement concerning his registration for reasons of privacy protection..

Requests can be accepted in the following languages in addition to the official language(s) of the *Netherlands*: English

Any other information about the national law, regulations or practice of the *Netherlands* which would assist a requesting authority in making a request for information extracted from a criminal record.

Statement of good behaviour

In the Netherlands we work in general with statements of good behaviour for applicants. Every employer can require the submission of a statement of good behaviour. Such a statement can be requested at the local government office of the person concerned and for persons who do not live in the Netherlands a special desk exists in Almelo. Such requests are therefore not submitted directly to the National Criminal Record office. Usually the statement is requested by the applicant, but employers may request such a statement as well (in certain cases the consent of the applicant is required).

* delete as appropriate

Austrian comments on manual on procedure

MEMBER STATE: Austria

Central Authority designated to receive requests for information extracted from the criminal record (as specified in Article 1 of the Council Decision):

Authority Name / Title: Strafregisteramt der Bundespolizeidirektion Wien

Postal address: Wasagasse 22, 1090 Wien

Telephone number: ++431/31310-79231, 79200 or 79201

Fax number: ++431/31310-79209

Email address: bpd-w-strafregisteramt@polizei.gv.at

Information, if available, that the requested authority would find useful in order to identify the person concerned and the format in which it should be provided, including details of the documents which might be attached to the request:

(This is in addition to the information on the person's name, sex, nationality and date and place of birth that is required by request form annexed to the Council Decision)

- Father's name Yes

Format:

- Mother's name Yes

- Residence or known address Yes

Format:

- Fingerprints No

Format

- Other

- national register number No

- Format:

- social security number No

- Format:

- other (please specify) Yes; The name should consist of first name and last name; previous names should also be indicated; the father's and the mother's name should include the first names; it would be helpful to indicate also the **State** of birth.

- Format: ?

Documents or their copies to be attached to the request (please specify):

PURPOSE OF THE REQUEST (OTHER THAN CRIMINAL PROCEEDINGS)

REQUEST FROM A JUDICIAL AUTHORITY OUTSIDE THE CONTEXT OF CRIMINAL PROCEEDINGS

Requests should specify the purpose for which the information is sought: Yes

If yes, the request should include details of:

Authority making the request;

Proceedings in connection with which the request is being made.

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? No.

Request from a competent administrative authority

Requests should specify the purpose for which the information is sought Yes

If yes, the request should include details of:

Authority making the request;

Proceedings in connection with which the request is being made.

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? No.

REQUEST FROM THE PERSON CONCERNED

It should be noted that requests of the person concerned under Article 3 para. 1, second paragraph, of the Council Decision to the central authority are not yet provided for under Austrian law. However, the person concerned may ask the Austrian Embassy/Representation of his or her State of nationality or State of residence for an information from his or her criminal record.

Requests should specify the purpose for which the information is sought Yes

If yes, the request should include details of:

The purpose of the request.

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? No

Is implicit in the case of a request from the person concerned. However, the person has to prove his or her identity.

Requests can be accepted in the following languages in addition to the official language(s) of *Austria*
English

Any other information about the national law, regulations or practice of *Austria* which would assist a requesting authority in making a request for information extracted from a criminal record.

Polish comments on manual on procedure

MEMBER STATE: Poland

Central Authority designated to receive requests for information extracted from the criminal record (as specified in Article 1 of the Council Decision):

1) Authority Name / Title:

Ministerstwo Sprawiedliwości

Biuro Informacyjne Krajowego Rejestru Karnego

Postal address: **00-454 Warszawa, ul. Czerniakowska 100**

Telephone number: **+48 22 3976200,**

Fax number: **+48 22 3976205**

Email address: **krk@ms.gov.pl**

Information, if available, that the requested authority would find useful in order to identify the person concerned and the format in which it should be provided, including details of the documents which might be attached to the request:

(This is in addition to the information on the person's name, sex, nationality and date and place of birth that is required by request form annexed to the Council Decision)

- Father's name **Yes**

Format: **IMIĘ OJCA**

- Mother's name **Yes**

Format: **IMIĘ I NAZWISKO RODOWE MATKI**

- Residence or known address **Yes**

Format: **MIEJSCOWOŚĆ (town), ULICA (street), NR DOMU (number), PAŃSTWO (state)**

- Fingerprints **No**

Format

- Other

- national register number **No**

Format:

- social security number **No**

Format:

- other (please specify) **Yes**

Numer Ewidencyjny Powszechnego Elektronicznego Systemu Ewidencji Ludności PESEL (personal identification number)

Format: **11 cyfr (11 digits)**

Documents or their copies to be attached to the request (please specify): **not required**

PURPOSE OF THE REQUEST (OTHER THAN CRIMINAL PROCEEDINGS)

REQUEST FROM A JUDICIAL AUTHORITY OUTSIDE THE CONTEXT OF CRIMINAL PROCEEDINGS

Requests should specify the purpose for which the information is sought: **Yes**

If yes, the request should include details of:

Indication of the proceedings in relation to which there is a need to obtain personal data

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? **No**

Request from a competent administrative authority

Requests should specify the purpose for which the information is sought **Yes**

If yes, the request should include details of:

Indication of the proceedings in relation to which there is a need to obtain personal data

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? **No**

REQUEST FROM THE PERSON CONCERNED

Requests should specify the purpose for which the information is sought **No**

If yes, the request should include details of:

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases?

Please note the following:

In accordance with Polish law a natural person may only ask for his/her own entries in the criminal record .

Requests can be accepted in the following languages in addition to the official language(s) of *Poland*:

POLISH ONLY

Any other information about the national law, regulations or practice of *Poland* which would assist a requesting authority in making a request for information extracted from a criminal record.

USTAWA Z 24 MAJA 2000 R. O KRAJOWYM REJESTRZE KARNYM

(Law of 24 May 2000 on National Criminal Register)

* delete as appropriate

Portuguese comments on manual on procedure

MEMBER STATE: Portugal

Central Authority designated to receive requests for information extracted from the criminal record (as specified in Article 1 of the Council Decision):

Authority Name / Title: *Direcção de Serviços de Identificação Criminal*

Postal address: *Av. 5 de Outubro, n° 125, 1069-044 Lisboa, Portugal*

Telephone number: *(351) 21 790 36 00*

Fax number: *(351) 21 790 36 98*

Email address: *correio@dgaj.mj.pt*

Information, if available, that the requested authority would find useful in order to identify the person concerned and the format in which it should be provided, including details of the documents which might be attached to the request:

(This is in addition to the information on the person's name, sex, nationality and date and place of birth that is required by request form annexed to the Council Decision)

- Father's name *Yes*¹
Format: *Surname(s)*
Name(s)
- Mother's name *Yes*²
Format: *Surname(s)*
Name(s)
- Residence or known address *Yes*
Format: *Unimportant*
- Fingerprints *Yes*
Format: *Unimportant*
- Other
 - national register number *Yes*
Format: *Unimportant*
 - social security number *No*
Format: -----
 - other (please specify) *Yes: Passport; Foreigner's residence permit*
Format: *Unimportant*

Documents or their copies to be attached to the request (please specify): *None*

¹ As complete as possible; i.e. all surnames and all names should be given.

² As complete as possible; i.e. all surnames and all names should be given.

<p>PURPOSE OF THE REQUEST (OTHER THAN CRIMINAL PROCEEDINGS)</p>
<p>REQUEST FROM A JUDICIAL AUTHORITY OUTSIDE THE CONTEXT OF CRIMINAL PROCEEDINGS</p> <p>Requests should specify the purpose for which the information is sought: <i>Not applicable</i>¹</p> <p>If yes, the request should include details of:</p> <p>Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? Yes/ No*</p>
<p>Request from a competent administrative authority</p> <p>Requests should specify the purpose for which the information is sought: <i>Not applicable</i>²</p> <p>If yes, the request should include details of:</p> <p>Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? Yes/ No*</p>
<p>REQUEST FROM THE PERSON CONCERNED</p> <p>Requests should specify the purpose for which the information is sought <i>Not applicable</i>³</p> <p>If yes, the request should include details of:</p> <p>Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? Yes/ No*</p>

¹ Under Portuguese law, only requests from judicial authorities in the context of criminal proceedings may be satisfied.

² Under Portuguese law, only requests from judicial authorities in the context of criminal proceedings may be satisfied.

³ Under Portuguese law, only requests from judicial authorities in the context of criminal proceedings may be satisfied.

Requests can be accepted in the following languages in addition to the official language(s) of *Portugal*:

none

Any other information about the national law, regulations or practice of *Portugal* which would assist a requesting authority in making a request for information extracted from a criminal record.

Requests to Portugal must indicate the number of the criminal proceeding in the requesting state and the requesting authority.

- delete as appropriate
-

Slovenian comments on manual on procedure

MEMBER STATE: Republic of Slovenia

Central Authority designated to receive requests for information extracted from the criminal record (as specified in Article 1 of the Council Decision):

Authority Name / Title:

Ministry of Justice,

The Directorate for Justice Administration

sector for Execution of Penal Sanctions

Department for criminal records and records on correctional measures

Župančičeva 3

Postal address: SI- 1000 Ljubljana

Telephone number: +386 1 369 52 00 or +386 1 369 54 85

Fax number: +386 1 369 56 25

Email address: gp.mp@gov.si

Information, if available, that the requested authority would find useful in order to identify the person concerned and the format in which it should be provided, including details of the documents which might be attached to the request:

(This is in addition to the information on the person's name, sex, nationality and date and place of birth that is required by request form annexed to the Council Decision)

- Father's name Yes / No*

Format:

- Mother's name Yes / No*

Format:

- Residence or known address Yes / No*

Format:

- Fingerprints Yes / No*

Format

- Other

- national register number Yes / No*

Format:

- social security number Yes / No*

Format:

- other (please specify) Yes / No*

Format:

Documents or their copies to be attached to the request (please specify):

PURPOSE OF THE REQUEST (OTHER THAN CRIMINAL PROCEEDINGS)

REQUEST FROM A JUDICIAL AUTHORITY OUTSIDE THE CONTEXT OF CRIMINAL PROCEEDINGS

Requests should specify the purpose for which the information is sought: Yes / No*

If yes, the request should include details of:

Only the purpose.

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? Yes/ No*

Request from a competent administrative authority

Requests should specify the purpose for which the information is sought Yes / No*

If yes, the request should include details of:

Only the purpose.

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? Yes/ No*

REQUEST FROM THE PERSON CONCERNED

Requests should specify the purpose for which the information is sought Yes / No*

If yes, the request should include details of:

Only the purpose.

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? Yes/ No*

Requests can be accepted in the following languages in addition to the official language(s) of *Slovenia*:

Any other information about the national law, regulations or practice of *Slovenia* which would assist a requesting authority in making a request for information extracted from a criminal record.

* delete as appropriate

Slovakian comments on manual on procedure

MEMBER STATE: Slovakia

Central Authority designated to receive requests for information extracted from the criminal record (as specified in Article 1 of the Council Decision):

Authority Name / Title: GENERAL PROSECUTOR'S OFFICE OF THE SLOVAK
REPUBLIC

Postal address: ŠTÚROVA 2, 812 85 BRATISLAVA

Telephone number: +421-2-55410817, +421-2-55425649

Fax number: +421-2-50216249, +421-2-50216259

Email address: jan.stanko@genpro.gov.sk

Information, if available, that the requested authority would find useful in order to identify the person concerned and the format in which it should be provided, including details of the documents which might be attached to the request:

(This is in addition to the information on the person's name, sex, nationality and date and place of birth that is required by request form annexed to the Council Decision)

- Father's name Yes

Format: FIRST NAME / SURNAME

- Mother's name Yes

Format: FIRST NAME / SURNAME / BIRTH NAME

- Residence or known address Yes

Format: STREET NAME / STREET NUMBER / CITY / POSTAL CODE

- Fingerprints OPTIONAL

Format

- Other

- national register number Yes, if available

Format:

- social security number OPTIONAL

Format:

- other (please specify) OPTIONAL

Format:

Documents or their copies to be attached to the request (please specify): DOCUMENTS
OR THEIR COPIES NOT REQUESTED

PURPOSE OF THE REQUEST (OTHER THAN CRIMINAL PROCEEDINGS)

REQUEST FROM A JUDICIAL AUTHORITY OUTSIDE THE CONTEXT OF CRIMINAL PROCEEDINGS

Requests should specify the purpose for which the information is sought: Yes

If yes, the request should include details of: NOT SPECIFIED

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? Yes

Request from a competent administrative authority

Requests should specify the purpose for which the information is sought Yes

If yes, the request should include details of: NOT SPECIFIED

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? Yes

REQUEST FROM THE PERSON CONCERNED

Requests should specify the purpose for which the information is sought Yes

If yes, the request should include details of: NOT SPECIFIED

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? Yes

Requests can be accepted in the following languages in addition to the official language(s) of Slovak Republic: *Czech Language*

Any other information about the national law, regulations or practice of *Slovak Republic* which would assist a requesting authority in making a request for information extracted from a criminal record.

* delete as appropriate

Finnish comments on manual on procedure

MEMBER STATE: Finland

Central Authority designated to receive requests for information extracted from the criminal record (as specified in Article 1 of the Council Decision):

Authority Name / Title: Ministry of Justice/Legal Register Centre

Postal address: Linnankatu 3 b

P.O.Box 157

FI – 13101 Hämeenlinna

Finland

Telephone number: +358 103664600

Fax number: +358 10366570

Email address: oikeusrekisterikeskus@om.fi

Information, if available, that the requested authority would find useful in order to identify the person concerned and the format in which it should be provided, including details of the documents which might be attached to the request:

(This is in addition to the information on the person's name, sex, nationality and date and place of birth that is required by request form annexed to the Council Decision)

- Father's name No

Format:

- Mother's name No

Format:

- Residence or known address No

Format:

- Fingerprints No

Format

- Other
 - national register number No

Format:

- social security number No

Format:

- other (please specify) **Yes**

Format: Personal identity number

Documents or their copies to be attached to the request (please specify):

Data from the criminal records will be delivered in the form of **an extract**, containing data on a person entered in the records, or stating that the criminal records contain no entries on that person. An extract with equivalent contents will be delivered to a corporation.

PURPOSE OF THE REQUEST (OTHER THAN CRIMINAL PROCEEDINGS)

REQUEST FROM A JUDICIAL AUTHORITY OUTSIDE THE CONTEXT OF CRIMINAL PROCEEDINGS

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? No

Information from the criminal records shall be delivered to the authorities of a foreign state only for dealing with criminal matters as provided for in Article 13 of the European Convention on Mutual Assistance in Criminal Matters (TrS 30/1981)

[Criminal Records Act (770/1993), Section 4, Paragraph 3]

Request from a competent administrative authority

Requests should specify the purpose for which the information is sought Yes

If yes, the request should include details of:

- to whom and for what purpose the information is sought

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? No

Information from the criminal records shall be delivered to the authorities of a foreign state only for dealing with criminal matters as provided for in Article 13 of the European Convention on Mutual Assistance in Criminal Matters (TrS 30/1981)

[Criminal Records Act (770/1993), Section 4, Paragraph 3]

REQUEST FROM THE PERSON CONCERNED

Requests should specify the purpose for which the information is sought Yes

If yes, the request should include details of:

- the purpose for which the information is sought

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? No - with the exception of foreigners (the person concerned)

Information from the criminal records shall be delivered to the authorities of a foreign state only for dealing with criminal matters as provided for in Article 13 of the European Convention on Mutual Assistance in Criminal Matters (TrS 30/1981)

[Criminal Records Act (770/1993), Section 4, Paragraph3]

[Criminal Records Act lays down provisions on delivery of information from the criminal records

Criminal Records Act:

Section 6

- (1) A private individual may obtain an extract of his or her own entries in the criminal records for purposes of acquiring a visa, work permit or residence permit, or for an equivalent reason.**
- (2) In addition to what has been provided in paragraph (1), a private individual may obtain an extract on his or her own entries in the criminal records for taking on a job which regularly and to a substantial degree involves working with minors and for which an extract, in accordance with the Act on the Investigation of the Criminal History of Persons Working with Children (504/2002), is to be presented to the employer or authority. Such an extract shall contain data on decisions whereby the person has been convicted of an act of sexual indecency, referred to in chapter 17, section 18 or 19, of the Penal Code; a sex offence, referred to in chapter 20; homicide, referred to in chapter 21, section 1; murder, referred to in chapter 21, section 2; killing, referred to in chapter 21, section 3; aggravated assault, referred to in chapter 21, section 6; aggravated robbery, referred to in chapter 31, section 2; or a narcotics offence referred to in chapter 50 of the Penal Code. The extract shall contain data also on decisions whereby a person has been convicted of an equivalent offence under the legislation previously in force. The extract shall be delivered free of charge.**
- (3) When requesting an extract referred to in paragraphs (1) and (2), the person shall indicate the purpose for which it is to be used. An extract referred to in paragraph (2) may only be delivered to the person concerned.**
- (4) What has been provided for the protection of personal data applies to a person's right to inspect his or her personal data in the criminal records. Furthermore, a person on whom there are entries in the criminal records is entitled to know, on request, to whom and for what purpose data about him or her has been delivered from the computerised records in the course of the past year. A person competent to sign the name of a corporation is similarly entitled, irrespective of the method by which the records are kept, to inspect and obtain information on behalf of the corporation, and the right to obtain an extract from the records regarding the corporation.**

Requests can be accepted in the following languages in addition to the official languages of *Finland*: English

Any other information about the national law, regulations or practice of *Finland* which would assist a requesting authority in making a request for information extracted from a criminal record.

Swedish comments on manual on procedure

General Remarks: The Swedish Government is currently working on the necessary changes for the implementation of the Council Decision 2005/876/JHA of 21 November 2005 on the exchange of information extracted from the criminal record. Until the implementation is completed, which is expected in the near future, the existing judicial cooperation in this area, i.e. the mechanisms according to articles 13 and 22 of the European Convention on Mutual Legal Assistance in Criminal Matters of 20 April 1959, will continue.

MEMBER STATE: Sweden

Central Authority designated to receive requests for information extracted from the criminal record (as specified in Article 1 of the Council Decision):

Authority Name / Title: **Rikspolisstyrelsen, Kirunaenheten**

Postal address: **S-981 81 KIRUNA, Sweden**

Telephone number: **+46-8-504 45 104**

Fax number: **+46-8-504 45 110**

Email address: www.mrbr@rps.polisen.se

Information, if available, that the requested authority would find useful in order to identify the person concerned and the format in which it should be provided, including details of the documents which might be attached to the request:

(This is in addition to the information on the person's name, sex, nationality and date and place of birth that is required by request form annexed to the Council Decision)

- Father's name **No**

Format:

- Mother's name **No**

Format:

- Residence or known address **No**

Format:

- Fingerprints **No**

Format

- Other

- national register number **Yes**

Format: **yyyymmdd-xxxx**

- social security number **No**

Format:

- other (please specify) **No**

Format:

Documents or their copies to be attached to the request (please specify):

PURPOSE OF THE REQUEST (OTHER THAN CRIMINAL PROCEEDINGS)

REQUEST FROM A JUDICIAL AUTHORITY OUTSIDE THE CONTEXT OF CRIMINAL PROCEEDINGS

Requests should specify the purpose for which the information is sought: **Yes**

If yes, the request should include details of: **Purpose and legal basis for the request**

(special reasons required)

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? **No**

Request from a competent administrative authority

Requests should specify the purpose for which the information is sought **Yes**

If yes, the request should include details of: **Purpose and legal basis for the request (special reasons required)**

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? **No**

REQUEST FROM THE PERSON CONCERNED

Requests should specify the purpose for which the information is sought **Yes and No**

If yes, the request should include details of:

A request based on the general right to know what information is registered about oneself does not need a specified purpose.

In three specific cases the purpose must be specified because the record has to be delivered in a special format, stating only convictions for certain crimes:

- 1. Criminal records extract for the purpose of employment in school or childcare**
- 2. Criminal records extract for the purpose of immigration or employment abroad**
- 3. Criminal records extract for the purpose of occupation as an insurance broker**

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? **No (Would be considered as implied in the request, coming from the person concerned)**

Requests can be accepted in the following languages in addition to the official language(s) of *Sweden*: **English**

Any other information about the national law, regulations or practice of *Sweden* which would assist a requesting authority in making a request for information extracted from a criminal record.

MEMBER STATE: [United Kingdom](#)

Central Authority designated to receive requests for information extracted from the criminal record (as specified in Article 1 of the Council Decision):

Authority Name / Title: **UK Central Authority**

Postal address: **PO Box 481, Fareham, PO14 9FS, United Kingdom**

Telephone number: **+44 (0)1489 569805 or +44 (0)1489 569808**

Fax number: **+44 (0) 23 8074 5427**

Email address: UKCA@ACRO.pnn.police.uk

Information, if available, that the requested authority would find useful in order to identify the person concerned and the format in which it should be provided, including details of the documents which might be attached to the request:

(This is in addition to the information on the person's name, sex, nationality and date and place of birth that is required by request form annexed to the Council Decision)

- Father's name **Yes**

Format: **Last Name /First Name**

- Mother's name **Yes**

Format: **Last Name/First Name**

- Residence or known address **Yes**

Format: **House (Name / Number)/Street/Town or City/County/Postal Code**

- Fingerprints **Yes**

Format: **Paper originals; but electronic images to be discussed**

- Other

- national register number **No**

Format:

- social security number **Yes – National insurance number**

Format: **XX YY YY YY X**

- other (please specify) **Yes**

- **Date of Birth: Format: dd/mm/yyyy**
- **Name given at Birth Format: Last Name / First Name**
- **Passport number Format: Copy documents or scanned image**
- **Driving Licence Format: Copy documents or scanned image**

Documents or their copies to be attached to the request (please specify):

As above

PURPOSE OF THE REQUEST (OTHER THAN CRIMINAL PROCEEDINGS)

REQUEST FROM A JUDICIAL AUTHORITY OUTSIDE THE CONTEXT OF CRIMINAL PROCEEDINGS

Requests should specify the purpose for which the information is sought: **Yes**

If yes, the request should include details of:

- 1) The title of the judicial authority making the request.**
- 2) The basis for making the request.**
- 3) An undertaking that the information will be used only for the purpose set out in the request.**

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? **No**

Request from a competent authority

Requests should specify the purpose for which the information is sought **Yes**

If yes, the request should include details of:

- 1) The title of the competent authority making the request.**

2) The basis for making the request.

3) An undertaking that the information will be used only for the purpose set out in the request.

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? **No**

REQUEST FROM THE PERSON CONCERNED

Requests should specify the purpose for which the information is sought **No**

If yes, the request should include details of:

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases?

A Subject Access check may only be conducted by the subject in person under Section 7 of the Data Protection Act 1998. An individual can make a request to discover what information is held on police systems concerning themselves by making a subject access enquiry to the Chief Constable of the police force area within which he or she lives. The person making the application must provide original documentation showing the full name, date of birth and current address.

The costs associated with subject access can be found at www.ico.gov.uk.

Requests can be accepted in the following languages in addition to the official language(s) of the United Kingdom: **None**

Any other information about the national law, regulations or practice of United Kingdom which would assist a requesting authority in making a request for information extracted from a criminal record.

Note:

In the UK, there are different jurisdictions across England & Wales, Northern Ireland and Scotland. Some of the practical effects of the separate jurisdictions are: different offences; differing sanctions; and separate criminal history systems with different weeding policies. Each of the three respective jurisdictions has the ability to respond to requests for conviction information through their own relevant authorities; including the Police Service of Northern Ireland (PSNI) for Northern Ireland and the Scottish Police Services Authority (SPSA) for Scotland. For practical reasons all notifications and requests for information in and out of the UK are co-ordinated and handled by the UK Central Authority for the Exchange of Criminal Records (UKCA-ECR) at the above address.

* delete as appropriate

Romanian comments on manual on procedure

MEMBER STATE: Romania

Central Authority designated to receive requests for information extracted from the criminal record (as specified in Article 1 of the Council Decision):

Authority Name / Title: *Direcția Cazier Judiciar, Statistică și Evidențe Operative*
/Directorate of Criminal Records, Statistics and Operational Registers

Postal address: *13-15 Stefan cel Mare Blvd., District 2, 020123, Bucharest*

Telephone number: *+40 21 316 49 75*

Fax number: *+40.21.317.87.90*

Email address: cazier@politiaromana.ro

Information, if available, that the requested authority would find useful in order to identify the person concerned and the format in which it should be provided, including details of the documents which might be attached to the request:

(This is in addition to the information on the person's name, sex, nationality and date and place of birth that is required by request form annexed to the Council Decision)

- Father's name: *Yes*
Format: *FIRST NAME*
- Mother's name: *Yes*
Format: *FIRST NAME*
- Residence or known address: *Yes*
No special format
- Fingerprints : *Yes (if available, in specific cases)*
Format: *ten fingerprint cards (Interpol format)*
- Other
- national register number: *Yes*

No special format

- social security number: *No*

Format: -

- other (please specify): *Yes (previous name, passport series).*

No special format

Documents or their copies to be attached to the request (please specify): *Copy of passport or equivalent document (page on the legal status of the person)*

PURPOSE OF THE REQUEST (OTHER THAN CRIMINAL PROCEEDINGS)

REQUEST FROM A JUDICIAL AUTHORITY OUTSIDE THE CONTEXT OF CRIMINAL PROCEEDINGS

Requests should specify the purpose for which the information is sought: *Yes*

If yes, the request should include details of:

The specific reason for the request in order to establish whether the requesting authority is entitled to make the request for the reason in question, in accordance with the provisions of Article 13(2) of the 1959 Convention.

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases? *No*

Request from a competent administrative authority

Romania does not provide information from the criminal records at the request made on behalf of an administrative authority.

Requests should specify the purpose for which the information is sought:

If yes, the request should include details of:

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases?

REQUEST FROM THE PERSON CONCERNED

Requests should specify the purpose for which the information is sought. *Yes*

If yes, the request should include details of:

Reason for the request.

Do you require the consent of the person concerned in order to release information about their criminal convictions in such cases?

Not applicable since the consent is implicit - it is the person concerned or their proxy that is making the request.

Requests can be accepted in the following languages in addition to the official language(s) of *Romania*:

English

Any other information about the national law, regulations or practice of *Romania* which would assist a requesting authority in making a request for information extracted from a criminal record.

Directorate of Criminal Records, Statistics and Operational Registers is within the Romanian Police General Inspectorate (Ministry of Interior and Administrative Reform).

BULGARIAN COMMENTS ON MANUAL ON PROCEDURE

MEMBER STATE : REPUBLIC OF BULGARIA

Central Authority designated to receive requests for information extracted from the criminal record (as specified in Article 1 of the Council Decision):

Authority Name/Title: *Central Conviction Records Office/Ministry of Justice*
Централно бюро за съдимост/Министерство на правосъдието

Postal address: 1, „Slavyanska”, str.
1040 Sofia
Republic of Bulgaria

Tel. : (+ 359 2) 9237 355, (+ 359 2) 9237 575

Fax : (+ 359 2) 988 11 42

E-mail : CBCC@justice.government.bg

The Central Conviction Records Office is also competent to send and receive sentences' notifications, as well as it is stated in Art. 2, and to answer the questions according to Art. 3 of the Council's Decision.

Available information that will be of use to the authority requested in connection with the person's identification and the necessary format for the information to be provided, including details of the documents that could be attached to the question:

(In addition to the information about the person's name, gender, nationality, date and place of birth required by a question form attached to the Council's Decision)

- Name of the father : **YES**
Format : FIRST NAME / MIDDLE NAME / FAMILY NAME

- Name of the mother: **YES**

Format : FIRST NAME / MIDDLE NAME / FAMILY NAME

- Permanent and present address: **YES**

Format : TOWN / VILLAGE / STREET / HOUSING ESTATE / BLOCK / NUMBER / ENTRANCE / FLOOR / APARTMENT

- Fingerprints : **NO**

Format :

- Others: **YES**

- personal identification number / foreigner's personal number: **YES**

Format : 10 figures

- date of birth: **YES**

Format : DAY/ MONTH / YEAR

- place of birth: **YES**

Format : TOWN / VILLAGE / COUNTRY

- nationality : **YES**

Documents or their copies enclosed to the question (please specify) :

NO DOCUMENTS OR THEIR COPIES ARE REQUIRED

PURPOSE OF THE QUESTION (DIFFERENT FROM THE CRIMINAL PROCEEDINGS)

A LEGAL AUTHORITY'S QUESTION, NOT IN THE CONTEXT OF THE CRIMINAL PROCEEDINGS

Central Conviction Records Office sends its answer to an information status request when the request is made by a legal authority and is intended for the needs of the criminal, administrative and civil proceedings in the appropriate Member State. In Republic of Bulgaria the courts, the prosecutor's office and the Ministry of justice are considered to be legal authorities.

The questions should clarify the purpose for which information is requested

If there is a question it should include details about:

Is the person's agreement required in order to provide information about their criminal sentences in such cases? **NO**

Competent administrative authority's question

Central Conviction Records Office sends its answer to an information status request when the request it made by a legal authority and is intended for the needs of the criminal, administrative and civil proceedings in the appropriate Member State. In Republic of Bulgaria the courts, the prosecutor's office and the Ministry of justice are considered to be legal authorities.

The questions should clarify the purpose for which information is requested

If there is a question it should include details about:

Format :

Is agreement of the person concerned required in order to provide information about their criminal sentences in such cases? **NO**

QUESTION FROM THE PERSON IT CONCERNS

The questions should clarify the purpose for which information is requested: **YES**

Central Conviction Records Office sends an answer to an information status request accompanied with an issue of convicted status when it is requested by a citizen through another European Union Member State's central authority.

Is agreement of the person concerned required in order to provide information about their criminal sentences in such cases? **NO**

Except from the official languages in Republic of Bulgaria questions can be adopted in one of the following languages:

Except the official language of Republic of Bulgaria, which is Bulgarian, the request can also be received in English.

Any other information concerning the national legislation, regulations or judicial practice of Republic of Bulgaria which will be of use to the asking authority while preparing an informative question according to the Penal Registry.

Court judgment information request should be printed instead of being written by hand.