Rules applicable to Europol analysis files: amendment of 1999 Council Act. Initiative Finland

2007/0802(CNS) - 15/10/2007 - Final act

PURPOSE: to amend the rules applicable to Europol analysis files.

LEGISLATIVE ACT: Council Decision 2007/673/EC amending the Council Act adopting rules applicable to Europol analysis files.

CONTENT: the Council adopted a Decision amending the Council Act of 3 November 1998 adopting rules applicable to Europol analysis files. These rules should be amended following amendments to the provisions of the Europol Convention in terms of the opening of an analysis file and the collection, processing, utilisation and deletion of personal data contained therein.

These rules are amended as follows:

- after receipt of ‘raw’ data, it shall be determined as soon as possible to what extent the data shall be included in an analysis file;
- the issue of whether an analysis file must be retained for a certain period of time is defined by the participants in the analysis. On the basis of this review, a decision shall be taken by the Director on the continuation or closure of the file. The Director shall inform the Management Board of his decision;
- personal data may not be retained for a period longer than that mentioned in Article 12(4) of the Europol Convention. Where, as a consequence of the continuation of the analysis file, data concerning persons are stored in a file for a period exceeding five years, the Joint Supervisory Body shall be informed accordingly;
- analysis activities and the dissemination of analysis results may begin immediately after the analysis file has been opened;
- should the Management Board instruct the Director of Europol to amend an opening order or close the file, data which may not be included or used in the file shall be deleted immediately;
- the retrieval of data by participants of the analysis project shall only be granted after they have been accredited by Europol.

ENTRY INTO FORCE: 21 October 2007.