Europol: transmission of personal data to third States and third bodies. Initiative Sweden

2001/0807(CNS) - 22/05/2001 - Legislative proposal

PURPOSE : to present a Swedish initiative which aims to adopt a Council Act amending the Council Act of 12 March 1999 adopting the rules governing the transmission of personal data by Europol to third states and third bodies. CONTENT : in light of the cooperation of Europol with third bodies, the possibility of onward transmission by the third bodies of personal data received from Europol will contribute positively to the fight against organised crime. In order to safeguard the interests of the Member States concerned and the principles of data protection, appropriate provisions need to be laid down determining the conditions under which onward transmission may take place. Therefore, it is the aim of this initiative to amend the rules governing the transmission of personal data. The initiative aims to amend Council Act of 12 March 1999 in the following way: - by stating that the Director shall inform the management Board and the Joint Supervisory Board without undue delay of any decision to transmit personal data or to allow onward transmission of personal data; - by stating that onward transmission by a third body may take place with the prior consent of Europol, in the case of the third State or body receiving the data has concluded an agreement with Europol on the transmission of personal data which covers data from onward transmission; - or that this transmission may take place exceptionally, after authorisation by the Director of Europol, if he considers onward transmission of data by the third body to be absolutely necessary. Moreover, no onward transmission of data communicated to Europol by a Member State shall be allowed without the consent of the Member State concerned. Lastly, as from 1 January 2005, these rules shall be evaluated under the supervision of the Management Board, which shall obtain the opinion of the Joint Supervisory Body.