Mutual assistance between the Member States for application of the law on customs and agricultural matters

1992/0450(CNS) - 21/12/1992 - Legislative proposal

1) OBJECTIVE To set up a computer system centralizing customs information in order to prosecute and investigate breaches of customs and agricultural legislation more effectively. 2) CONTENTS 1. Among other things, this proposal sets up a customs information system (CIS), i.e. a common computer network set up and maintained by the Member States' customs administrations and the Commission in the form of a central database accessible via terminals in each Member State and at the Commission. 2. The system makes it possible to prevent, investigate and prosecute breaches of customs or agricultural legislation (EAGGF-financed operations are not covered) by speeding up the flow of data and information thereby reinforcing the effectiveness of customs cooperation and checks. 3. The CIS contains data only, including that of a personal character, necessary to achieve the objective specified in point 2. 4. Personal details may only be introduced into the CIS if there are real indications that the person concerned has breached or is breaching customs or agricultural legislation. 5. Some data (goods, means of transport, firms and persons) is introduced into the CIS to ensure the proper application of customs and agricultural legislation and for the purposes of checks on or discreet surveillance of suspect activities. 6. Direct access to CIS data is restricted to the Member States' designated national authorities and the Commission. 7. International or regional organizations may nevertheless consult the database in certain circumstances. Data may also, exceptionally, be transmitted to other national authorities or non-member countries. 8. Each Member State sends the Commission a list of the authorities authorized to consult the system directly, specifying the information to which each may have access and to what purpose. 9. The data in the CIS is confidential and may not be copied, unless the copy is necessary to the information search. 10. Data may, of course, subsequently be used in legal proceedings brought for contravening customs or agricultural legislation. 11. Any person may have inaccurate personal data concerning them corrected or deleted. 12. The Commission and the Member States shall take all measures necessary to prevent the unauthorized reading, copying, modification or deletion of data during the transmission of data and the transport of data media. 13. Interrogation of the CIS is also checked to ensure that searches were authorized and conducted by authorized users. Source : Commission Européenne - Info92 - 12/95