

Information on the processing of personal data

The collection of personal data required by any visa application including the taking of the photograph and the taking of the fingerprints are mandatory for the examination of a visa application. Failure to provide such data will result in the application being inadmissible.

The responsible authorities

Ministère des Affaires étrangères et européennes
Bureau des Passeports, Visas et Légalisations
6 Rue de l'Ancien Athenée
L-1144 Luxembourg
service.visas@mae.etat.lu
Data protection officer: dataprotection.mae@mae.etat.lu

The legal basis

The legal basis for the collection and the processing of personal data is set out in Regulation (EC) 767/2008 (VIS Regulation), Regulation (EU) 2019/1155 amending Regulation (EC) 810/2009 establishing a Community Code on Visas (Visa Code) and Council Decision 2008/633/JHA.

The processing of personal data

The data will be shared with the relevant authorities of the Member States^[1] and processed by those authorities for the purposes of a decision on a visa application.

The data and data concerning the decision taken on an application or a decision whether to annul, revoke, or extend a visa issued will be entered into, and stored in the Visa Information System (VIS) for a maximum period of five years, during which it will be accessible to the visa authorities and the authorities competent for carrying out checks on visas at external borders and within the Member States, immigration and asylum authorities in the Member States for the purposes of verifying whether the conditions for the legal entry into, stay and residence on the territory of the Member States are fulfilled, of identifying persons who do not or who no longer fulfil these conditions, of examining an asylum application and of determining responsibility for such examination.

Under certain conditions the data will be also available to designated authorities of the Member States and to Europol for the purposes of the prevention, detection and investigation of terrorist offences and of other serious criminal offences.

Third Country and international organisations

Personal data might also be transferred to third countries or international organisations for the purpose of proving the identity of third-country nationals, including for the purpose of return. Such transfer only take place under certain conditions^[2]. You can contact the authority responsible for processing the data to obtain further information on these conditions and how they are met in your specific case.

Transparency and rights of the data subject

Under the General Data Protection Regulation^[3] and the VIS Regulation^[4], you are entitled to obtain access to your personal data, including a copy of it, as well as the identity of the Member State which transmitted it to the VIS. You also have the right that your personal data which is inaccurate or incomplete be corrected or completed, that the processing of your personal data be restricted under certain conditions, and that your personal data processed unlawfully be erased.

You may address your request for access, rectification, restriction or erasure directly to the authority responsible for processing the data. Further details on how you may exercise these rights, including the related remedies according to the national law of the State concerned, are available on its website and can be provided upon request.

You may also address your request to any other Member State. The list of competent authorities and their contact details is available at: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/borders-and-visas/visa-policy/how_to_apply/docs/links_to_ms_websites_en.pdf

Lodge a complaint

You are also entitled to lodge at any time a complaint with the national data protection authority of the Member State of the alleged infringement, or of any other member State, if you consider that your data have been unlawfully processed.

The data protection authority of Luxembourg is:

National Commission for Data Protection (CNPD), 15 Boulevard du Jazz, L-4370 Belvaux

Phone: (+352) 26 10 60 - 1

Web contact: <https://cnpd.public.lu/en/support/contact.html>

Website: <https://cnpd.public.lu/en/commission-nationale.html>

^[1] Austria, Belgium, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Malta, The Netherlands, Poland, Portugal, Slovakia, Spain, Sweden, Norway, Iceland, Liechtenstein and Switzerland

^[2] Article 31 of Regulation (EC) 767/2008 (VIS Regulation)

^[3] Article 15 to 19 of Regulation (EU) 2016/679 (GDPR)

^[4] Article 38 of Regulation (EC) 767/2008 (VIS Regulation)