

# Ordinance (2017: 504) on international police cooperation

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## 1 chap. Introductory provisions

### Content of the Regulation

**Section 1** This ordinance contains provisions on police cooperation between Sweden and other states.

The provisions in Chapters 2-8 joins the law (2017: 496) on international police cooperation. The provisions in ch. 9 complements the Eurodac Regulation.

### Expressions in the Regulation

#### § 2 of the Regulation

- Schengen Convention implementing the Schengen Agreement of 14 June 1985
- Agreement with Denmark: Agreement of 6 October 1999 between the Government of Sweden and the Kingdom of Denmark and the Government on police co-operation in the Øresund Region
- Prümrådsbeslutet: Council decision 2008/615 / JHA of 23 June 2008 on enhanced

cross-border cooperation, in particular in the fight against terrorism and cross-border crime,

- Atlas Council Decision: Council Decision 2008/617 / JHA of 23 June 2008 on enhanced cooperation in crisis situations between the specific Member States of the European Union task forces,

- the agreement with Norway: the agreement of 4 September 2018 between the Government of Sweden and the Government of Norway on mutual assistance between the police special

- task forces in crisis situations, - the CBE Directive: Directive (EU) 2015/413 of the European Parliament and of the Council of 11 March 2015 on facilitating cross-border exchange of information on road safety-related offenses, as originally worded,

- VIS Council Decision: Council Decision 2008/633 / JHA of 23 June 2008 on access to the Visa Information System (VIS) for searches by Member States' designated authorities and for Europol in order to prevent, detect and investigate terrorist and other serious crimes,

- the Agreement with the United States of America: the Agreement of 16 December 2011 between the Government of the Kingdom of Sweden and the Government of the United States of America on enhanced cooperation in preventing and combating crime, and

- Eurodac Regulation: Regulation (EU) No 603/2013 of the European Parliament and of the Council of 26 June 2013 establishing Eurodac for the comparison of fingerprints for the effective application of Regulation (EU) No 604/2013 on criteria and mechanisms for determining the Member State is responsible for examining an application for international protection lodged by a third-country national or a stateless person in a Member State and for when Member States' law enforcement authorities request comparisons with Eurodac data for law enforcement purposes, and amending Regulation (EU) No 1077/2011 on establishment of a European Agency for the operational management of major IT systems in the field of freedom, security and justice, as originally worded. Regulation (2020: 82).

## **Chapter 2 Operational cooperation under the Schengen Convention**

**Section 1** The police authority, the Security Police or the Coast Guard shall consult with the relevant prosecutor or other investigation leader before the authority decides on consent to cross-border surveillance in Sweden, if a preliminary investigation is ongoing in Sweden concerning the person who is subject to surveillance.

The police authority, the Security Police or the Coast Guard shall also consult with the Armed Forces before deciding on consent to cross-border surveillance in accordance with Chapter 2. § 1 of the Act (2017: 496) on international police cooperation, if the foreign officials use state vessels or state aircraft. A corresponding obligation applies to the Police Authority prior to a decision on cross-border prosecution in accordance with ch. § 4 of the same law, if the foreign officials use state vessels or state aircraft.

When the Police Authority or the Security Police receive a report of cross-border surveillance in accordance with ch. Section 2 of the Act on International Police

Cooperation or a request for cross-border prosecution in accordance with Chapter 2 § 5 of the same law, the authority shall immediately notify the Armed Forces if the foreign officials use state vessels or state aircraft.

The Access Ordinance (1992: 118) contains provisions on permits for access to Swedish territory.

**Section 2** A Swedish authority that is competent according to ch. Section 12 of the Act (2017: 496) on International Police Cooperation may require foreign officials who have carried out cross-border surveillance or persecution to report what they have done during the assignment. The authority may also request that the foreign officials appear in person at the authority.

## **Chapter 3 Operational cooperation according to the agreement with Denmark**

**§ 1** A request for assistance according to ch. Section 1 of the Act (2017: 496) on international police cooperation shall be submitted to the Police Region South at the Police Authority. In the case of interventions according to ch. Section 2 of the same law shall be notified to the Police Region South.

## **Chapter 4 Operational cooperation according to the Prüm Council decision and the Atlas Council decision**

### **Cooperation abroad**

**Section 1** The police authority and the Security Police may provide assistance to an authority in another state in accordance with Article 17 of the Prüm Council Decision.

The assistance may consist of the establishment of joint patrols or the implementation of other joint initiatives in which Swedish officials participate.

The police authority is the Swedish contact point for requests for assistance in accordance with Article 17 of the Prüm Council decision.

**Section 2** In the event of major events and similar important events, disasters and serious accidents that have cross-border effects, the police authority, the Swedish Customs and the Coast Guard shall provide assistance to an authority in another state in accordance with Article 18 of the Prüm Council Decision.

The assistance may consist of

1. informing the relevant authorities in another state of the situation as soon as possible and providing essential information,
2. implementing necessary police measures on Swedish territory, and

3. at the request of the state where the situation has arisen, send officials and necessary equipment.

Swedish civil servants may not be assigned tasks that involve the exercise of official authority when they are serving in another state in accordance with Article 18 of the Prüm Council Decision.

**Section 3** Assistance in accordance with Articles 17 and 18 of the Prüm Council Decision may be provided to prevent, deter or detect criminal activity or maintain public order and security.

Assistance consisting of sending officials or equipment to another state may only be provided if it is within the authority's area of responsibility and the authority has the opportunity to provide the assistance.

**Section 4** The police authority may provide assistance to a special task force in another state in accordance with Article 3 of the Atlas Council Decision.

The assistance must be provided by a Swedish special task force and may consist of equipment, expertise or the implementation of operations in which Swedish officials act in a support function.

**Section 5** Assistance in accordance with Article 3 of the Atlas Council Decision may be provided to handle a crisis situation.

Assistance may only be provided if it is within the authority's area of responsibility and the authority has the opportunity to provide the assistance.

**Section 6** The police authority, the Security Police, the Swedish Customs and the Coast Guard decide on the assistance to be provided by each authority in accordance with the Prüm Council decision and the Atlas Council decision.

The police authority shall be the coordinating authority for the assistance, unless it is obvious that another authority should be responsible for coordination.

## **Consultation with the Armed Forces prior to cooperation in Sweden**

**Section 7** The police authority or the Security Police shall consult with the Armed Forces before entering into such an agreement as is referred to in Chapter 4. Section 8 of the Act (2017: 496) on international police cooperation, on foreign officials shall use state vessels or state aircraft.

The Access Ordinance (1992: 118) contains provisions on permits for access to Swedish territory.

## **Additional regulations**

**Section 8** The police authority may issue regulations on the enforcement of the provisions on operational cooperation in accordance with the Prüm Council Decision

and the Atlas Council Decision. If the regulations concern the Security Police, the Swedish Customs or the Coast Guard, they must be given an opportunity to comment.

## **Chapter 4 Operational cooperation according to the agreement with Norway**

### **Cooperation abroad**

**Section 1** The police authority may provide assistance to a special task force in Norway in accordance with the agreement with Norway.

The assistance must be provided by a Swedish special task force and may consist of equipment, expertise or the implementation of operations in which Swedish officials act in a support function.

Regulation (2020: 82).

**Section 2** Assistance in accordance with the agreement with Norway may be provided to handle a crisis situation.

Assistance may only be provided if it is within the Police Authority's area of responsibility and the authority has the opportunity to provide the assistance. Regulation (2020: 82).

**Section 3** The police authority decides on the assistance to be provided in accordance with the agreement with Norway. Regulation (2020: 82).

### **Consultation with the Armed Forces prior to cooperation in Sweden**

**Section 4** The police authority or the Security Police shall consult with the Armed Forces before entering into such an agreement as is referred to in Chapter 4 a. § 2 and ch. 4 Section 8 of the Act (2017: 496) on International Police Cooperation, on Norwegian officials must use state vessels or state aircraft.

The Access Ordinance (1992: 118) contains provisions on permits for access to Swedish territory.

Regulation (2020: 82).

### **Additional regulations**

**Section 5** The police authority may issue regulations on the enforcement of the provisions on operational cooperation in accordance with the agreement with Norway. If the regulations concern the Security Police, it shall be given an opportunity to comment.

Regulation (2020: 82).

## **Chapter 5 Exchange of information according to the Prüm Council decision**

### **Exchange of information at major events**

**§ 1** The police authority, the Swedish Customs and the Coast Guard shall in connection with major events with cross-border effects at the request of an authority in another state or on their own initiative, in order to prevent, deter or detect criminal activity or maintain public order and security, according to the Prüm Council decision out

1. information about a person, if due to a judgment that has become final or any other circumstance, there is reason to assume that the person will commit a crime at the event or pose a threat to public order and security at it, or

2. data other than personal data deemed necessary to prevent, deter or detect criminal activity or threats to public order and security at the event.

The first paragraph does not apply if information in a corresponding case could not be disclosed to a Swedish authority.

The Swedish contact point transmits the information in accordance with the first paragraph to the contact point in the other state.

The police authority is the Swedish contact point for exchanging information at major events according to the Prüm Council decision.

**Section 2** When the Police Authority, the Swedish Customs or the Coast Guard in connection with major events with cross-border effects request information from an authority in another state in accordance with the Prüm Council decision, the Swedish contact point shall send the request to the contact point in the other state.

### **Exchange of DNA profiles, fingerprints and vehicle data**

**Section 3** The Swedish contact point shall assist the own authority and the authorities specified in the second paragraph in searching for information in foreign DNA registers, fingerprint registers and vehicle registers in accordance with the conditions specified in Chapter 7. Section 2, first paragraph and Section 4 or 6 of the Act (2017: 496) on International Police Cooperation.

Authorities that may request searches are

1. those specified in the provision on direct access in ch. Section 10 of the Act (2018: 1693) on the processing of personal data by the police within the area of the Criminal Data Act with regard to DNA registers,

2. those specified in the provision on direct access in Chapter 5. Section 17 of the Act on the processing of personal data by the police within the area of the Criminal Data Act with regard to fingerprint registers, and

3. The Security Police, the Public Prosecutor's Office, the Economic Crimes Authority and the Swedish Customs with regard to vehicle registers.

The police authority is the Swedish contact point for the exchange of DNA profiles, fingerprints and vehicle data according to the Prüm Council decision. Regulation (2018: 1995).

**Section 4** The police authority enters into such agreements on automatic comparisons as are specified in Chapter 7. § 1 second paragraph and § 2 second paragraph of the Act (2017: 496) on international police cooperation.

**Section 5** The Swedish contact point shall keep a list of the officials at the authority who are authorized to make searches and comparisons in accordance with Chapter 7. 2, 4 or 6 of the Act (2017: 496) on international police cooperation.

### **Obligation to notify and provide information**

**Section 6** If there is reason to assume that personal data that has been transmitted or received in accordance with the Prüm Council decision is incorrect or should not have been transmitted, the Swedish contact point shall as soon as possible notify the contact point in the other state.

**Section 7** At the request of the contact point in a state that has transmitted information in accordance with the Prüm Council decision, the Swedish contact point shall inform about the processing of the received information and the results that have been achieved and about competent officials according to § 5.

At the request of the data protection authority of a state concerned, the Swedish contact point shall, without delay and no later than within four weeks, transmit the information that has been registered in accordance with section 9 or 10 due to a certain exchange of information. The Swedish contact point shall also inform about competent officials in accordance with section 5.

### **Obligation to register**

**Section 8** Exchanges of personal data in accordance with the Prüm Council decision shall be registered in accordance with section 9 or 10.

The registered data may only be processed to monitor and ensure the protection of the personal data exchanged.

**Section 9** When transmitting and receiving personal data in accordance with the Prüm Council decision, the Swedish contact point shall, unless otherwise stated in section 10, register

1. the reason why the data has been transmitted or received,
2. which data has been transmitted or received,
3. date for transmission or reception;
4. name or designation of the applicant body; and
5. name or designation of the body from which the data were obtained.

**Section 10** When transmitting and receiving information in accordance with Chapter 7. §4 1-4 or 6 of the Act (2017: 496) on international police cooperation, the Swedish

contact point shall register

1. whether the search or comparison has led to a meeting or not,
2. what information has been sent or received,
3. date and time, indicated by the hour, minute and second, of the transmission or reception,
4. the name or designation of the body which carried out the search or comparison, and
5. the name or designation of the body which administers the database.

When searching or comparing with the support of ch. 7 § 2, 4 or 6 of the Act on International Police Cooperation in a register kept by another state, the contact point shall also register which information has been used in the search or comparison, the purpose of the measure and which official decided that it should be performed.

### **Longest time for treatment, blocking and special information**

**Section 11** Personal data that has been transmitted from another state in accordance with the Prüm Council decision shall be deleted if the data is incorrect or should not have been transmitted or received. Incorrect information may instead be corrected.

The processing of personal data in accordance with the first paragraph that has been transmitted and received correctly shall cease when the purpose of the transmission has been achieved or can no longer be achieved. The processing of data transmitted from another State in connection with a major event with cross-border effects shall cease no later than one year from the receipt of the data. Regulation (2018: 1995).

**Section 12** Instead of deleting or terminating the processing of personal data pursuant to section 11, if there is reason to assume that such a measure would entail damage to the person to whom the data relates, the data shall be blocked. The fact that the data is blocked means that it may only be processed in order to fulfill the purpose that prevented the data from being deleted or that the processing of it ceased. Regulation (2018: 1995).

**§ 13** If a person denies that personal data according to § 11 concerning him or her is correct and the accuracy of the data can not be determined, it shall be stated through a special information or in some other way. Such marking does not limit the future processing of the data.

The marking may be removed by the person responsible for personal data only with the consent of the person to whom the data relates or after a decision by the supervisory authority.

**Section 14** The processing of data that has been registered in accordance with section 9 or 10 shall cease two years after the registration. Regulation (2018: 1995).

**Section 15** DNA profiles or fingerprints that a foreign contact point has used when searching for or comparing information in Swedish DNA or fingerprint registers in accordance with Chapter 7. § 1 or 3 of the Act (2017: 496) on international police

cooperation shall be deleted when the search has been answered or the comparison has been completed, if the information is not needed for registration in accordance with § 10.

## **Supervision**

**Section 16 The** Data Inspectorate is the supervisory authority for the processing of personal data in accordance with the Prüm Council decision and shall, on its own initiative or at the request of a data protection authority in another state, carry out checks of the processing. The results of these checks must be kept for eighteen months and then thinned.

**Section 17 The** Data Inspectorate may request from an authority in another state, which has processed personal data originating from Sweden in accordance with the Prüm Council decision, access to the data on the exchange of data that has been registered.

The Data Inspectorate may request a data protection authority in another state to carry out necessary inspections to control the processing of personal data originating in Sweden and which is carried out in accordance with the Prüm Council decision.

The Swedish contact point shall, at the request of the Data Inspectorate, provide information on competent officials in accordance with section 5.

## **Appeal**

**Section 18 Section** 40 of the Public Administration Act (2017: 900) contains provisions on appeals to a general administrative court. Decisions other than the personal data controller's decision regarding rectification and the supervisory authority's decision pursuant to section 13, second paragraph, may not, however, be appealed. Regulation (2018: 917).

## **Additional regulations**

**Section 19 The** police authority may issue regulations on the enforcement of the provisions on the exchange of information in accordance with the Prüm Council decision. If the regulations concern the Swedish Transport Agency, it shall be given an opportunity to comment.

## **Chapter 6 Exchange of information according to the CBE directive**

### **Exchange of vehicle data**

**Section 1** The Swedish contact point shall assist its own authority in accordance with the CBE Directive in searching for information in foreign vehicle registers in accordance

with the conditions specified in Chapter 8. Section 2 of the Act (2017: 496) on international police cooperation.

The police authority is a Swedish contact point according to the CBE directive.

**Section 2** The Swedish contact point shall keep a list of the officials at the authority who are authorized to make searches in accordance with Chapter 8. Section 2 of the Act (2017: 496) on international police cooperation.

### **Obligation to notify and provide information**

**Section 3** If there is reason to assume that personal data that has been transmitted or received in accordance with the CBE Directive is incorrect or should not have been transmitted, the Swedish contact point shall immediately notify the contact point in the other state thereof.

**Section 4** At the request of the contact point in a state that has transmitted information in accordance with the CBE Directive, the Swedish contact point shall inform about the processing of the received information and the results that have been achieved and about competent officials according to section 2.

At the request of the data protection authority of a relevant state, the Swedish contact point shall, without delay and no later than within four weeks, transmit the information that has been registered in accordance with section 5 due to a certain exchange of information. The Swedish contact point shall also inform about competent officials in accordance with section 2.

### **Obligation to register**

**Section 5** When transmitting and receiving information in accordance with Chapter 8. Section 2 of the Act (2017: 496) on International Police Cooperation, the Swedish contact point shall register

1. whether the search has led to a meeting or not,
2. what information has been sent or received,
3. date and time, indicated by hour, minute and second, for transmission or reception,
4. name or designation of the body that carried out the search, and
5. name or designation of the body that administers the database.

When searching with the support of ch. 8 Section 2 of the Act on International Police Cooperation in a register kept by another state, the contact point shall also register which information has been used in the search, the purpose of the measure and which official decided that it should be carried out.

The registered data may only be processed to monitor and ensure the protection of the personal data exchanged.

### **Longest time for treatment, blocking and special information**

**Section 6** Personal data that has been transmitted from another state in accordance with the CBE Directive shall be deleted if the data is incorrect or should not have been transmitted or received. Incorrect information may instead be corrected.

The processing of personal data in accordance with the first paragraph that has been transmitted and received correctly shall cease when the purpose of the transmission has been achieved or can no longer be achieved.

Regulation (2018: 1995).

**Section 7** Instead of deleting or terminating the processing of personal data pursuant to section 6, if there is reason to assume that such a measure would entail damage to the person to whom the data relates, the data shall be blocked. The fact that the data is blocked means that it may only be processed in order to fulfill the purpose that prevented the data from being deleted or that the processing of it ceased.

Regulation (2018: 1995).

**§ 8** If a person denies that personal data according to § 6 concerning him or her is correct and the accuracy of the data can not be determined, it shall be stated through a special information or in some other way. Such marking does not limit the future processing of the data.

The marking may be removed by the person responsible for personal data only with the consent of the person to whom the data relates or after a decision by the supervisory authority.

**Section 9** The processing of data that has been registered in accordance with section 5 shall cease two years after the registration.

Regulation (2018: 1995).

## **Supervision**

**Section 10** The Data Inspectorate is the supervisory authority for the processing of personal data in accordance with the CBE Directive and shall, on its own initiative or at the request of a data protection authority in another state, carry out checks of the processing. The results of these checks must be kept for eighteen months and then thinned.

**Section 11** The Data Inspectorate may request from an authority in another state, which has processed personal data originating from Sweden in accordance with the CBE Directive, access to the data on the exchange of data that has been registered.

The Data Inspectorate may request a data protection authority in another state to carry out the necessary inspections to control the processing of personal data originating in Sweden and which is carried out in accordance with the CBE Directive.

The Swedish contact point shall, at the request of the Swedish Data Inspectorate, inform about competent officials in accordance with section 2.

## **Appeal**

**Section 12** Section 40 of the Public Administration Act (2017: 900) contains provisions on appeals to a general administrative court. Decisions other than the personal data controller's decision regarding rectification and the supervisory authority's decision pursuant to section 8, second paragraph, may not, however, be appealed. Regulation (2018: 917).

## **Additional regulations**

**Section 13** The police authority may issue regulations on the enforcement of the provisions on the exchange of information in accordance with the CBE Directive. If the regulations concern the Swedish Transport Agency, it shall be given an opportunity to comment.

## **Chapter 7 Exchange of information according to the VIS Council decision**

### **Search**

**Section 1** Authorities that are authorized to request a search in the Visa Information System (VIS) in accordance with Chapter 9 Section 1 of the Act (2017: 496) on International Police Cooperation is the Police Authority, the Security Police, the Economic Crime Authority in the police activities conducted at the authority, the Swedish Customs and the Coast Guard.

The police authority is the central access point according to the VIS council decision.

Only one or more specially designated units of the authorities referred to in the first subparagraph shall be competent to make a request for an application.

**Section 2** A request for an application from an authority specified in section 1, first paragraph, shall be justified and in writing and submitted to the central access point. The central access point shall check that the conditions specified in ch. Section 1 of the International Police Cooperation Act (2017: 496) is complied with before it makes an application.

In urgent cases, a request for an application may be made orally. In such a case, the central access point may make a search in the VIS without first checking that the conditions specified in ch. Section 1 of the International Police Cooperation Act is complied with. In this case, the check must be performed as soon as possible after the search.

**Section 3** Foreign authorities referred to in Article 6 of the VIS Council Decision are also authorized to request a search in the VIS in accordance with Chapter 9. Section 1 of the International Police Cooperation Act (2017: 496).

An authority specified in section 1, first paragraph, which has received a request for an application from a foreign authority shall forward the request to the central access

point. The central access point shall also in these cases check that the conditions specified in ch. Section 1 of the International Police Cooperation Act is complied with before making an application.

**Section 4** The central access point shall continuously keep a list of the officials at the authority who are authorized to make applications in accordance with Chapter 9. Section 1 of the International Police Cooperation Act (2017: 496).

The central access point shall keep a list of the units specified in section 1, third paragraph, on an ongoing basis.

The authorities specified in section 1, first paragraph, shall keep a list of the officials at each authority who are competent to request applications in the VIS.

### **Obligation to notify and provide information**

**Section 5** The authority that transfers or makes available personal data for third countries or an international organization in accordance with Chapter 9. Section 4 of the Act (2017: 496) on International Police Cooperation shall notify the central access point thereof. The central access point shall register the transfer or making available.

**§ 6** Personal data that has been retrieved from VIS and that has been entered into the system by another state, may not be disclosed to the data relating before the state that entered the data has been given the opportunity to state its attitude to the disclosure.

**Section 7** If a person requests from an authority specified in section 1, first paragraph, that incorrect information about him or her be corrected or that illegally stored information about him or her be thinned out, the authority shall notify the visa authority in the state that has entered the information in the system. . The same applies if the authority otherwise becomes aware that information processed in the VIS is incorrect.

**Section 8 Anyone** who has requested a measure in accordance with section 7 shall be informed within two months of the measures that have been taken in connection with the request and within three months be informed of what the request has led to.

### **Obligation to register**

**§ 9** When searching in VIS, the central access point shall register

1. the purpose of the search and the type of crime,
2. case number,
3. date and time of access,
4. if the procedure in § 2 second paragraph was applied,
5. what information was used in the search,
6. which search terms were used in the search, and
7. who requested the search and who performed it.

Registered data that constitute personal data may only be processed in order to monitor that the processing of personal data is legal and to otherwise satisfy the protection of personal data.

### **Longest time for treatment**

**Section 10** The processing of data that has been retrieved from VIS and that has been entered into the system by another state shall cease when the data is no longer needed for any of the purposes specified in Chapter 9. Section 3 of the Act (2017: 496) on international police cooperation. Regulation (2018: 1995).

**Section 11** The processing of data that has been registered in accordance with Section 5 or 9 shall cease one year after the registration. Regulation (2018: 1995).

### **Supervision**

**Section 12** The Data Inspectorate is the supervisory authority for the processing of personal data in accordance with the VIS Council Decision.

### **Additional regulations**

**Section 13** The police authority may issue regulations on the enforcement of the provisions on the exchange of information in accordance with the VIS Council decision.

## **Chapter 8 Exchange of information under the agreement with the United States**

### **Replacement of fingerprints**

**Section 1** A Swedish contact point shall assist the own authority and the other authorities specified in the second paragraph in searching for information in American fingerprint registers in accordance with the conditions specified in Chapter 10. Section 2 of the Act (2017: 496) on international police cooperation.

Authorities that are authorized to request a search are the Police Authority, the Security Police, the Economic Crime Authority in the police activities conducted at the authority, the Swedish Customs and the Coast Guard.

The police authority is a Swedish contact point according to the agreement with the USA.

### **Exchange of additional information**

**Section 2** If an American contact point after a search according to ch. Section 1 of the Act (2017: 496) on International Police Cooperation applies to the Swedish contact

point for obtaining other available personal data and additional information related to the fingerprint, the Swedish contact point may disclose data to the American contact point only if there are conditions under 2 Cape. Section 7, first paragraph, of the Act (2018: 1693) on the processing of personal data by the police within the area of the Criminal Data Act and Chapter 8 Section 1 of the Criminal Data Act (2018: 1177). Regulation (2018: 1995).

**Section 3** If the Swedish contact point in a search according to ch. Section 2 of the Act (2017: 496) on International Police Cooperation states that the fingerprint applied for corresponds to an imprint in a US fingerprint register, the authority that requested the search may apply to obtain other available personal data and additional information related to the fingerprint.

The Swedish contact point must send the application to an American contact point.

### **Spontaneous reporting**

**Section 4 The** Police Authority, the Security Police, the Economic Crimes Authority in the police operations conducted at the authority, the Swedish Customs and the Coast Guard may in individual cases, without special request, disclose personal data to a US contact point in accordance with the agreement with the United States. the information concerns will commit or has committed a crime for which Swedish law prescribes imprisonment for more than one year. If it is deemed necessary to prevent, deter or detect such criminal activity or to investigate such a crime, information other than personal data may also be disclosed.

Information according to the first paragraph may only be disclosed if there are conditions according to ch. Section 7, first paragraph, of the Act (2018: 1693) on the processing of personal data by the police within the area of the Criminal Data Act and Chapter 8 Section 1 of the Criminal Data Act (2018: 1177).

The Swedish contact point must send the information to an American contact point. Regulation (2018: 1995).

### **Obligation to notify and provide information**

**Section 5** If there is reason to assume that personal data that has been transmitted or received in accordance with the agreement with the USA is incorrect or should not have been transmitted, the Swedish contact point shall immediately notify an American contact point thereof.

**Section 6** At the request of an American contact point, the Swedish contact point shall inform about the processing of the information received and the results that have been achieved.

### **Obligation to register**

**Section 7** When transmitting and receiving personal data in accordance with the agreement with the USA, the Swedish contact point shall register

1. information about the transmitted or received data,
2. date of transmission or reception, and
3. information about which other authorities have received the data.

## **Longest time for treatment and blocking**

**Section 8** Personal data that has been transmitted from a US point of contact in accordance with the agreement with the United States shall be deleted if the data is incorrect or should not have been transmitted or received. Incorrect information may instead be corrected.

Instead of deleting personal data in accordance with the first paragraph, the data shall be blocked if there is reason to assume that deletion would entail damage to the person to whom the data relates. The fact that the data is blocked means that it may only be processed to satisfy the purpose that prevented deletion. Regulation (2018: 1995).

**Section 9** The processing of personal data that has been transmitted and received correctly shall cease when the purpose of the transmission or further processing has been achieved or can no longer be achieved. Regulation (2018: 1995).

**Section 10** The processing of data that has been registered in accordance with section 7 shall cease two years after the registration. Regulation (2018: 1995).

**Section 11** Fingerprints that an American contact point has used when searching or comparing information in Swedish fingerprint registers in accordance with Chapter 10. Section 1 of the Act (2017: 496) on International Police Cooperation shall be deleted when the application has been answered or the comparison has been completed, if the information is not needed for registration in accordance with section 7.

## **Supervision**

**Section 12** The Data Inspectorate is the supervisory authority for the processing of personal data in accordance with the agreement with the USA and shall, on its own initiative, carry out checks of the processing.

## **Additional regulations**

**Section 13** The police authority may issue regulations on the enforcement of the provisions on the exchange of information in accordance with the agreement with the United States.

## **Chapter 9 Exchange of information according to the Eurodac Regulation**

### **Search**

**Section 1** Authorities that are authorized to make requests in accordance with the Eurodac Ordinance on comparisons with Eurodac data for law enforcement purposes are the Police Authority, the Security Police, the Economic Crime Authority in the police activities conducted at the authority, the Swedish Customs and the Coast Guard.

The police authority is the control authority according to the Eurodac regulation.

Only one or more specially designated units of the authorities referred to in the first subparagraph shall be competent to make a request for comparison. The control authority shall keep a list of the units on an ongoing basis.

### **Obligation to register**

**Section 2** In requests for comparisons with Eurodac data, the control authority shall register the data set out in Article 36 of the Eurodac Regulation.

### **Additional regulations**

**Section 3** The police authority may issue regulations on the enforcement of the provisions of the Eurodac Regulation on access to data in Eurodac for law enforcement purposes.