

Requesting access to personal data stored in consular systems

Everyone has the right to obtain comprehensive information regarding personal data concerning them which are processed in data filing systems.

In accordance with Article 32 (5) of the Act of 29 August 1997 on the Protection of Personal Data (Journal of Laws of 2002, No. 101, item 926, with subsequent amendments), the person concerned may exercise his/her right to obtain information once every six months.

Pursuant to Article 32 (1-5a) of the Act on the Protection of Personal Data the data subject may request the following information regarding the processing of his/her personal data:

- whether the data exist in the system,
- for how long the data have been processed,
- the source of data acquisition,
- how data is made available,
- the purpose and scope of data processing,
- to what extent and to whom the data were made available.

The controller will reply regarding the requested information within 30 days. In order to obtain such information a written request must be submitted in Polish or in English.

An application for access is free of charge.

Contact details of the body to which requests for access or modification of data should be addressed:

**Consul of the Republic of Poland in Budapest
1068 Budapeszt, Városligeti fasor 16**

The request for information should include:

1. name and surname of the applicant,
2. Polish national identification number - PESEL (where applicable),
3. nationality,
4. date and place of birth,
5. photocopy of an identity document containing a clear image,
6. place of residence (country, city, street and house number/apartment),
7. subject matter of the request,
8. signature of person making the request.

In accordance with Article 32 of the Act of 14 June 1960 on the Code of Administrative Procedure (Journal of Laws of 2000, No. 98, Item 1071, with subsequent amendments), a party may be represented in administrative proceedings by a plenipotentiary, unless the nature of the activities requires action in person. Article 33 of the Code establishes the procedural rules for power of attorney, i.e.:

- the plenipotentiary may be a natural person having legal capacity;
- power of attorney should be notified in writing;
- the plenipotentiary files an original or officially certified copy of the power of attorney.

A lawyer, legal counsel or patent agent may themselves authenticate a copy of the power of attorney granted to him/her.

Refusal to provide information on processed personal data

According to Article 30 of the Act on the Protection of Personal Data the controller may refuse to provide access where this would:

1. result in the disclosure of information constituting a state secret,
2. pose a threat to state security or defence, life and human health or safety and public order,
3. pose a threat to the basic economic or financial interest of the State,
4. result in a substantial breach of personal interests of data subjects or third persons.

The right to correct the data, request the suspension of their processing or removal

The data subject may ask the controller to supplement, update, correct, remove, and temporarily or permanently suspend processing of his/her data. However, the data subject must demonstrate that the data are incomplete, outdated, inaccurate, have been collected in violation of the law or that their processing is no longer necessary to achieve the purpose for which they were collected. Application proceedings are conducted in accordance with the provisions of the Code of Administrative Procedure.