

Terms and conditions of use the e-KRK system

1. In order to use the e-KRK system properly it is necessary to have:

- a) an Internet connection,
- b) a web browser, at least:
 - Internet Explorer 8.0+ or
 - Mozilla Firefox 4.0+ or
 - Google Chrome 4.0+ or
 - Safari 4.0+ or
 - Opera 10+
- c) an operating system which enables to use one of the web browsers mentioned in letter b),
- d) an e-mail account in order to communicate with a user,
- e) enabled Java Script and "cookies".

2. Users who do not have an account on e-KRK are able to:

- a) browse common available contents concerning the system functioning, particularly:
 - registration forms which filling in is required to create an account,
 - a user manual,
- b) fill in and download to print a form "Request for information about a person" and "Request for information about a collective entity",
- c) visualize information from the National Criminal Register or information from a foreign state criminal register which was downloaded from an account and saved on a computer hard disk or other data storing device.

3. Via an e-KRK account it is possible to gain access to the following functionalities:

- a) overviewing electronic forms: "Application for information about a person", "Application for request about information from a foreign state criminal register", "Application for information about a collective entity", "Request for information about a person", "Request for information about a collective entity",
- b) submitting requests and applications to the Register and obtaining via the same way information from the National Criminal Register or information from a foreign state criminal register,
- c) submitting letters in ongoing proceeding based on a request or an application submitted via e-KRK and obtaining a response through the same way,
- d) overviewing electronic documents concerning specific request or application.

User Account

4. In order to create an account for an individual (a User Account) it is necessary to fill in a registration form for an individual, confirm reading Terms and conditions of use the e-KRK system and consent to personal data processing.

5. Creating a User Account occurs after activation and confirmation.

6. In order to enable activation and confirmation Ministry of Justice – the Information Office of the National Criminal Register (Provider) sends an activation link to an e-mail address indicated in a registration form.

7. Confirmation and activation should be done within 5 days from a date of filling in a registration form, reading Terms and conditions of use the e-KRK system and consenting to personal data processing. After expiration of this term creating a User Account is possible after carrying out above mentioned actions again.

8. From a User Account it is possible to submit “Application for information about a person” and “Application for request about information from a foreign state criminal register” (Applications) concerning a user who is an owner of an account from which the application will be sent.

9. In order to sign a document on a User Account it is necessary to have a trusted signature or electronic personal signature or another solution which allows signing with qualified electronic signatures with qualified certificate in external standard XAdES-BES.

10. User’s forename and surname must be included in a qualified certificate serving to verification of a qualified electronic signature used to signing an Application on a User Account.

11. Submitting an Application via a User Account is possible only if personal data of an applicant (forename and surname) included in the upper left corner of an Application match data included in an Application content and data included in a qualified electronic signature or trusted signature or electronic personal signature .

12. User can delete single-handedly a User Account. A User Account deletion is not possible after submitting an Application and prior to obtaining information from the National Criminal Register

or a foreign state criminal register as well as after submitting other letter in ongoing proceeding based on an Application submitted via e-KRK and prior to obtaining a response.

Institutional Account

13. Creating an account for an entity which is not an individual or for an individual entitled to submit requests to the Register according to Article 6 passage 1 of Act of 24 May 2000 on the National Criminal Register (an Institutional Account) requires appointing a person entitled to manage this account (Administrator).

14. In order to create an Institutional Account Administrator fills in on e-KRK a registration form for an institutional entity, confirms reading Terms and conditions of use the e-KRK system and consents to personal data processing.

15. Creating an Institutional Account requires activation and confirmation.

16. In order to enable activation, Service Provider sends an activation link to Administrator's e-mail address indicated in a registration form. Activation should be done within 5 days from the date of filling in a registration form, reading Terms and conditions of use the e-KRK system and consenting to personal data processing. After expiration of this term creating an Institutional Account is possible after carrying out above mentioned actions again, for the purpose of creating an Institutional Account.

17. After activation Administrator enters data concerning:

- a) an individual entitled to submit requests according to Article 6 passage 1 of Act of 24 May 2000 on the National Criminal Register or,
- b) persons entitled to represent an entity – whose data will be included in an application for creation an Institutional Account sent in a paper form to the Information Office of the National Criminal Register.

18. Persons mentioned in point 17 obtain to an e-mail address indicated by Administrator an activation link through which they create a password serving to authentication on an Institutional Account, confirm reading Terms and conditions of use the e-KRK system and consent to personal data processing. Activation should be done within 5 days from the date of entering data

by Administrator. After expiration of this term creating an Institutional Account is possible after carrying out again actions mentioned in point 17 and in sentence one and two of this point.

19. Completion of actions mentioned in points 13-18 and then sending in writing an application for creation an Institutional Account to the Information Office of the National Criminal Register are essential conditions for confirmation an Institutional Account by the Office.

20. After confirmation by the Office an Institutional Account is created.

21. An individual entitled to submit requests according to Article 6 passage 1 of Act of 24 May 2000 on the National Criminal Register and persons entitled to represent an entity for which an Institutional Account was created can establish entitlements to act through created Institutional Account.

22. Establishing entitlements to act through an Institutional Account requires entering by Administrator personal data of an entitled person and confirmation of this action through signing with electronic signatures (using qualified electronic signature or trusted signature or electronic personal signature) in the system by the persons mentioned in point 21.

23. Persons entitled to act through an Institutional Account receive to an e-mail address indicated by Administrator an activation link through which they create a password serving to authentication on an Institutional Account, confirm reading Terms and conditions of use the e-KRK system and consent to personal data processing. Activation should be done within 5 days from the date of entering data by Administrator and confirmation. After expiration of this term establishing entitlements to act through an account is possible after carrying out again actions mentioned in point 22 and in sentence one and two of this point.

24. Through an Institutional Account can be submitted:

- a) "Application for information about a collective entity",
- b) "Application for request about information from a foreign state criminal register",
- c) "Request for information about a person",
- d) "Request for information about a collective entity".

25. In order to sign a document on an Institutional Account, excluding an account created for a court, it is necessary to have a trusted signature or electronic personal signature or another

solution which allows signing with electronic signatures with qualified electronic signature with certificate in external standard XAdES- BES.

26. In order to sign a document on an Institutional Account created for a court it is necessary to have a trusted signature or electronic personal signature or another solution allows signing with qualified electronic signatures with qualified certificate in external standard XAdES-BES verified by a certificate of an appropriate institution.

27. An Institutional Account can be deleted.

28. An Institutional Account deletion is not possible after submitting a request or an application and prior to obtaining information from the National Criminal Register or information from a foreign state criminal register as well as after submitting other letter in ongoing proceeding based on a request or an application submitted via e-KRK and prior to obtaining a response for it.

29. An Institutional Account deletion requires confirmation of this action via signing with electronic signatures (using qualified electronic signature or trusted signature or electronic personal signature) in the system by persons mentioned in point 21.

Common provisions for User Account and Institutional Account

30. For information from a foreign state criminal register issued via e-KRK system is responsible a foreign institution which created that information.

31. Users are obligated to updating data included in a User Account and in an Institutional Account.

32. User of a User Account and of an Institutional Account should change a password serving to authentication on an account every 30 days.

33. To an e-mail address indicated in a registration form or entered by Administrator according to point 17 and 22, besides activation links, are sent:

- a) information on creation an Institutional Account by the Information Office,
- b) link to log in to website with password or e-mail address change,
- c) information on a request or an application successfully submitted to the Register,

- d) information on fee payment,
- e) information on receiving on an account a response from the National Criminal Register,
- f) information on deletion of an account,
- g) information on deactivation of an account.

34. A payment for submission of a request or an application via e-KRK system should be done by an electronic transfer. For the transfer execution Dotpay collects a commission from the User in the amount specified by Dotpay before submitting the transfer order execution constituting 0,0001% of the value of the transaction, not less than 0,39 zł.

Personal data

35. The administrator of personal data of the e-KRK system users (hereinafter referred to as: "personal data") is the Minister of Justice.

Administrator's contact details:

Ministry of Justice
Al. Ujazdowskie 11
00-950 Warszawa P-33
Tel. 22 52 12 888

Contact details of the data protection officer:

Data Protection Inspector at the Ministry of Justice
ul. Chopina 1
00-559 Warszawa

36. The purpose of processing personal data is to provide access to data collected in the National Criminal Register, in accordance with the provisions of art. 19 point. 1b of the Act of 24 May 2000 on the National Criminal Register. The purpose of processing of data included in a written application on creating a user account is as well fulfilling the obligation to keep the documentation set out in art. 5 point. 1 of the Act of 14th July 1983 on the national archival resources and archives.

37. Providing personal data by persons who want to obtain information via the e-KRK system results from a law requirement specified in art. 19 point. 1b, 2, 2a, 2c, 3, 3a of the Act of 24 May

2000. The consequence of not providing data is the inability to create an user account in the system and the inability to obtain information from the National Criminal Register through the e-KRK system.

38. Personal data on the user account contained in the e-KRK system are processed during the time of existence of the user's account in the system. Personal data contained in a written application for creation of a user account are processed for 10 years from the time the correspondence was received in the Office. Personal data contained in queries and applications are processed for 5 years from issuing of information.

39. The person to whom the data refers has the right to request the data controller to provide access to their data (Article 15 of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (hereinafter referred to as: GDPR), as well as to rectify it (Article 16 of the GDPR) and restrict access to it's processing (Article 18 of the GDPR).

40. The person to whom the data refers has the right to file a complaint to the President of the Office for Personal Data Protection (Article 77 of the GDPR).