

Regulation (EU) 2018/1862 of the European Parliament and of the Council
of 28 November 2018 on the establishment, operation and use of the
Schengen Information System (SIS) in the field of police cooperation and
judicial cooperation in criminal matters, amending and repealing Council
Decision 2007/533/JHA, and repealing Regulation (EC) No 1986/2006 of the
European Parliament and of the Council and Commission Decision 2010/261/EU

CHAPTER I

General provisions

Article 1	General purpose of SIS
Article 2	Subject matter
Article 3	Definitions
Article 4	Technical architecture and ways of operating SIS
Article 5	Costs

CHAPTER II

Responsibilities of the Member States

Article 6	National systems
Article 7	N.SIS Office and SIRENE Bureau
Article 8	Exchange of supplementary information
Article 9	Technical and functional compliance
Article 10	Security — Member States
Article 11	Confidentiality — Member States
Article 12	Keeping of logs at national level
Article 13	Self-monitoring
Article 14	Staff training

CHAPTER III

Responsibilities of eu-LISA

Article 15	Operational management
Article 16	Security — eu-LISA
Article 17	Confidentiality — eu-LISA
Article 18	Keeping of logs at central level

CHAPTER IV

Information to the public

Article 19	SIS information campaigns
------------	---------------------------

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2018/1862 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

CHAPTER V

Categories of data and flagging

Article 20	Categories of data
Article 21	Proportionality
Article 22	Requirement for an alert to be entered
Article 23	Compatibility of alerts
Article 24	General provisions on flagging
Article 25	Flagging related to alerts for arrest for surrender purposes

CHAPTER VI

Alerts on persons wanted for arrest for surrender or extradition purposes

Article 26	Objectives and conditions for entering alerts
Article 27	Additional data on persons wanted for arrest for surrender purposes
Article 28	Supplementary information on persons wanted for arrest for surrender purposes
Article 29	Supplementary information on persons wanted for arrest for extradition purposes
Article 30	Conversion of an action to be taken concerning alerts for arrest for surrender or extradition purposes
Article 31	Execution of an action based on an alert for arrest for surrender or extradition purposes

CHAPTER VII

Alerts on missing persons or vulnerable persons who need to be prevented from travelling

Article 32	Objectives and conditions for entering alerts
Article 33	Execution of action based on an alert

CHAPTER VIII

Alerts on persons sought to assist with a judicial procedure

Article 34	Objectives and conditions for entering alerts
Article 35	Execution of the action based on an alert

CHAPTER IX

Alerts on persons and objects for discreet checks, inquiry checks or specific checks

Article 36	Objectives and conditions for entering alerts
Article 37	Execution of the action based on an alert

CHAPTER X

Alerts on objects for seizure or use as evidence in criminal proceedings

Article 38	Objectives and conditions for entering alerts
------------	---

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2018/1862 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Article 39 Execution of the action based on an alert

CHAPTER XI

Alerts on unknown wanted persons for the purposes of identification under national law

Article 40 Alerts on unknown wanted persons for the purposes of identification under national law

Article 41 Execution of the action based on an alert

CHAPTER XII

Specific rules for biometric data

Article 42 Specific rules for entering photographs, facial images, dactyloscopic data and DNA profiles

Article 43 Specific rules for verification or search with photographs, facial images, dactyloscopic data and DNA profiles

CHAPTER XIII

Right of access and review of alerts

Article 44 National competent authorities having a right to access data in SIS

Article 45 Vehicle registration services

Article 46 Registration services for boats and aircraft

Article 47 Registration services for firearms

Article 48 Access to data in SIS by Europol

Article 49 Access to data in SIS by Eurojust

Article 50 Access to data in SIS by the European Border and Coast Guard teams, teams of staff involved in return-related tasks, and members of the migration management support teams

Article 51 Evaluation of the use of SIS by Europol, Eurojust and the European Border and Coast Guard Agency

Article 52 Scope of access

Article 53 Review period for alerts on persons

Article 54 Review period for alerts on objects

CHAPTER XIV

Deletion of alerts

Article 55 Deletion of alerts

CHAPTER XV

General data processing rules

Article 56 Processing of SIS data

Article 57 SIS data and national files

Article 58 Information in the case of non-execution of an alert

Article 59 Quality of the data in SIS

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2018/1862 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Article 60	Security incidents
Article 61	Distinguishing between persons with similar characteristics
Article 62	Additional data for the purpose of dealing with misused identities
Article 63	Links between alerts
Article 64	Purpose and retention period of supplementary information
Article 65	Transfer of personal data to third parties

CHAPTER XVI

Data protection

Article 66	Applicable legislation
Article 67	Right of access, rectification of inaccurate data and erasure of unlawfully stored data
Article 68	Remedies
Article 69	Supervision of N.SIS
Article 70	Supervision of eu-LISA
Article 71	Cooperation between supervisory authorities and the European Data Protection Supervisor

CHAPTER XVII

Liability and penalties

Article 72	Liability
Article 73	Penalties

CHAPTER XVIII

Final provisions

Article 74	Monitoring and statistics
Article 75	Exercise of the delegation
Article 76	Committee procedure
Article 77	Amendments to Decision 2007/533/JHA
Article 78	Repeal
Article 79	Entry into force, start of operation and application
	Signature

ANNEX

CORRELATION TABLE

Decision 2007/533/JHA	This Regulation	Article 1	Article 1
Article 2...			
Regulation (EC) No 1986/2006	This Regulation	Articles 1, 2	and...

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2018/1862 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (1) Position of the European Parliament of 24 October 2018 (not yet published in the Official Journal) and decision of the Council of 19 November 2018.
- (2) [OJ L 239, 22.9.2000, p. 19.](#)
- (3) Council Regulation (EC) No 2424/2001 of 6 December 2001 on the development of the second generation Schengen Information System (SIS II) ([OJ L 328, 13.12.2001, p. 4.](#))
- (4) Council Decision 2001/886/JHA of 6 December 2001 on the development of the second generation Schengen Information System (SIS II) ([OJ L 328, 13.12.2001, p. 1.](#))
- (5) Regulation (EC) No 1987/2006 of the European Parliament and of the Council of 20 December 2006 on the establishment, operation and use of the second generation Schengen Information system (SIS II) ([OJ L 381, 28.12.2006, p. 4.](#))
- (6) Council Decision 2007/533/JHA of 12 June 2007 on the establishment, operation and use of the second generation Schengen Information system (SIS II) ([OJ L 205, 7.8.2007, p. 63.](#))
- (7) Regulation (EU) 2018/1861 of the European Parliament and of the Council of 28 November 2018 on the establishment, operation and use of the Schengen Information System (SIS) in the field of border checks, and amending the Convention implementing the Schengen Agreement, and amending and repealing Regulation (EC) No 1987/2006 (see page 14 of this Official Journal).
- (8) Regulation (EU) 2018/1726 of the European Parliament and of the Council of 14 November 2018 on the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA), and amending Regulation (EC) No 1987/2006 and Council Decision 2007/533/JHA and repealing Regulation (EU) No 1077/2011 ([OJ L 295, 21.11.2018, p. 99.](#))
- (9) Directive (EU) 2016/680 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 by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA ([OJ L 119, 4.5.2016, p. 89.](#))
- (10) 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) ([OJ L 119, 4.5.2016, p. 1.](#))
- (11) Council Decision 2008/615/JHA of 23 June 2008 on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime ([OJ L 210, 6.8.2008, p. 1.](#))
- (12) Council Decision 2008/616/JHA of 23 June 2008 on the implementation of Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime ([OJ L 210, 6.8.2008, p. 12.](#))
- (13) Council Framework Decision 2002/584/JHA of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States ([OJ L 190, 18.7.2002, p. 1.](#))
- (14) Directive 2013/48/EU of the European Parliament and of the Council of 22 October 2013 on the right of access to a lawyer in criminal proceedings and in European arrest warrant proceedings, and on the right to have a third party informed upon deprivation of liberty and to communicate with third persons and with consular authorities while deprived of liberty ([OJ L 294, 6.11.2013, p. 1.](#))
- (15) Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of individuals with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC ([OJ L 295, 21.11.2018, p. 39.](#))
- (16) Regulation (EU) 2016/794 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol) and replacing and repealing Council Decisions 2009/371/JHA, 2009/934/JHA, 2009/935/JHA, 2009/936/JHA and 2009/968/JHA ([OJ L 135, 24.5.2016, p. 53.](#))
- (17) [OJ L 56, 4.3.1968, p. 1.](#)
- (18) Regulation (EU) 2016/1624 of the European Parliament and of the Council of 14 September 2016 on the European Border and Coast Guard and amending Regulation (EU) 2016/399 of the European Parliament and of the Council and repealing Regulation (EC) No 863/2007 of the European

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2018/1862 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- Parliament and of the Council, Council Regulation (EC) No 2007/2004 and Council Decision 2005/267/EC ([OJ L 251, 16.9.2016, p. 1](#)).
- (19) Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers ([OJ L 55, 28.2.2011, p. 13](#)).
- (20) [OJ L 123, 12.5.2016, p. 1](#).
- (21) Council Decision 2000/365/EC of 29 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen *acquis* ([OJ L 131, 1.6.2000, p. 43](#)).
- (22) Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen *acquis* ([OJ L 64, 7.3.2002, p. 20](#)).
- (23) [OJ L 176, 10.7.1999, p. 36](#).
- (24) Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen *acquis* ([OJ L 176, 10.7.1999, p. 31](#)).
- (25) [OJ L 53, 27.2.2008, p. 52](#).
- (26) Council Decision 2008/149/JHA of 28 January 2008 on the conclusion on behalf of the European Union of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* ([OJ L 53, 27.2.2008, p. 50](#)).
- (27) [OJ L 160, 18.6.2011, p. 21](#).
- (28) Council Decision 2011/349/EU of 7 March 2011 on the conclusion on behalf of the European Union of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*, relating in particular to judicial cooperation in criminal matters and police cooperation ([OJ L 160, 18.6.2011, p. 1](#)).
- (29) Council Decision 2010/365/EU of 29 June 2010 on the application of the provisions of the Schengen *acquis* relating to the Schengen Information System in the Republic of Bulgaria and Romania ([OJ L 166, 1.7.2010, p. 17](#)).
- (30) Council Decision (EU) 2018/934 of 25 June 2018 on the putting into effect of the remaining provisions of the Schengen *acquis* relating to the Schengen Information System in the Republic of Bulgaria and Romania ([OJ L 165, 2.7.2018, p. 37](#)).
- (31) Council Decision (EU) 2017/733 of 25 April 2017 on the application of the provisions of the Schengen *acquis* relating to the Schengen Information System in the Republic of Croatia ([OJ L 108, 26.4.2017, p. 31](#)).
- (32) Regulation (EC) No 1986/2006 of the European Parliament and of the Council of 20 December 2006 regarding access to the Second Generation Schengen Information System (SIS II) by the services in the Member States responsible for issuing vehicle registration certificates ([OJ L 381, 28.12.2006, p. 1](#)).
- (33) Commission Decision 2010/261/EU of 4 May 2010 on the Security Plan for Central SIS II and the Communication Infrastructure ([OJ L 112, 5.5.2010, p. 31](#)).
- (34) Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data ([OJ L 8, 12.1.2001, p. 1](#)).

Changes to legislation:

There are outstanding changes not yet made to Regulation (EU) 2018/1862 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Regulation revoked in part by S.I. 2019/742, reg. 119(2)(h) (as inserted) by [S.I. 2020/1408 reg. 35\(b\)](#)