# Ministry of Justice Sex Offenders Register information system scope and terms of use

## General provisions

1. User is obliged to consult this document before using information system through which information from Sex Offenders Register (hereinafter referred to as: the SOR system) is provided.
2. User is obliged to use the SOR system for lawful purposes only, i.e. in accordance with law and provisions of this document.
3. Use of the SOR system is toll-free.
4. Due to security reasons or other reasons beyond control of Ministry of Justice, Ministry of Justice is eligible to temporary suspend access to the SOR system while conducting administrative or updating activities within the SOR system for the time required to carry out the planned work or eliminate undesired outcomes for Ministry of Justice or users of the SOR System, if those occur.
5. In order to use the SOR system properly user needs:

a) an Internet connection,

b) a web browser, at least:

- Mozilla Firefox 46 or higher,

- Google Chrome 45 or higher,

- Microsoft Edge,

- Safari 8 or higher,

- Opera 37 or higher,

c) an operating system which enables to use one of the web browsers mentioned in the letter b)

d) an e-mail account in order to communicate with user,

e) enabled JavaScript technology and so-called ‘cookies’ support.

Signing queries with qualified electronic signature or a personal signature may require installation of additional software:

- Java JRE runtime environment,

- Szafir SDK browser add-ons for electronic signature,

- Szafir Host application – enabling users to sign queries electronically.

1. Users who do not have the SOR system account are able to:

a) browse public content concerning the SOR system, particularly:

- registration forms which need to be filled out in order to create an account,

- user manual,

b) browse data available to users in the Public Register,

c) browse data available to users in the Register of persons, against whom the State Commission for the clarification of cases of activities taken against sexual freedom and propriety towards minors under 15 years of age issued a decision on entry to Register of the State Commission,

d) verify authenticity of printed information.

1. The SOR system account enables user to access the following services:

a) generating queries to the SOR system and thus acquiring information from Sex Offenders Register (hereinafter referred to as: Register),

b) browsing generated queries and information obtained.

## Individual User Account

1. In order to create an account for an individual who is authorised to receive information from the Register pursuant to art. 12 point 8 of the Act of 13th May 2016 on Counteracting the Threats of Sexual Crime and protection of minors (hereinafter referred to as: The Act) user needs to fill out the registration form “Individual User Account” and acknowledge consulting this document.
2. Establishing an Individual User Account is subsequent to its activation.
3. In order to enable activation of an account, Ministry of Justice – the Information Office of the National Criminal Register (hereinafter referred to as: the Office), sends an activation link to an e-mail address given in the registration form.
4. Activation of an account should be accomplished within 5 days since the date of sending the activation link. If the given time expires without activation of the account, creating an Individual User Account will be possible only after repeating activities described above.
5. User is eligible to delete his/hers Individual User Account independently.
6. A query to the SOR system generated within an Individual User Account includes only data belonging to the user, who is an owner of this account.
7. In order to obtain information from the Register using an Individual Use Account it is necessary to:

a) provide user’s ID and password,

b) fill out the SOR system query,

c) sign the SOR system query with an electronic signature.

1. A SOR system query can be signed with a trusted signature (using Trusted Profile) or with a qualified electronic signature (XAdES-BES standard) or personal signature.
2. Obtaining the information from the Register through an Individual User Account is possible only if the data given by the person generating a SOR system query remains in accordance with the data included in the trusted signature or qualified electronic signature or personal signature.

## Institutional User Account

1. Creating an account for an entity that is not an individual or for a person entitled to obtain information from the Register pursuant to art. 12 point 1-7 of the Act (Institutional User Account) requires appointing a person authorised to manage the account (Administrator).
2. In order to create an Institutional Account the Administrator fills out the appropriate registration form and acknowledges consulting this document.
3. In order to enable account activation, the Office sends an activation link to the e-mail address given in the registration form. Activation of an account should be accomplished within 5 days since the date of sending the activation link. If the given time expires without activation of the account by the Administrator, creating an Institutional Account will be possible only after repeating activities described above.
4. After activation the Administrator enters data concerning:

a) an individual entitled to obtain information or

b) persons entitled to represent the entity that is not an individual (Representatives)

which will be included in the notification on creating an Institutional User Account, sent in paper to the Office.

1. Persons mentioned in point 20 receive an activation links sent to e-mail addresses given by the Administrator that enable them to establish a password to the Institutional User Account and acknowledge consulting this document and agree to have their personal data processed. Activation should be accomplished within 5 days since the date of sending the activation link. If the given time expires without activation of the account by the person mentioned in point 20, access to the Institutional User Account will only be possible to obtain after repeating activities described in point 20 and those mentioned in this point.
2. Performing actions mentioned in points 17-21, followed by sending a notification on creating an Institutional User Account in paper to the Office is a prerequisite for confirmation and activation of the Institutional User Account by the Office.
3. Establishing entitlement for a person to act as a Plenipotentiary through an Institutional User Account requires sending in paper a signed letter of attorney to the Office. After receiving of the letter the Office confirms entitled person in the SOR System.
4. Establishing of the Institutional User Account is subsequent to its activation by the Office.
5. After activation of the Institutional User Account, the Administrator is eligible to add more persons entitled to represent the entity:

a) a new Representative is added by completing actions mentioned in points 20-21. Adding a new Representative causes deactivation of the Institutional User Account. Office re-activates the Institutional User Account promptly after verification of newly entered data;

b) a new Plenipotentiary is added by completing actions mentioned in points 20-23. After adding a new Plenipotentiary sending in paper a signed letter of attorney to the Office is required. The Office confirms the new plenipotentiary afterwards.

1. The Administrator of the Institutional User Account is eligible to make changes in the Institutional User Account concerning:

a) name, address or persons entitled to represent the entity that is not an individual (Representatives),

b) company name, name, surname, PESEL number (if it was assigned) or the address of the person entitled to obtain information from the Register.

Any of the changes mentioned above cause de-activation of the Institutional User Account. The Office re-activates the Institutional User Account promptly after verification of newly entered data.

1. The Administrator of the Institutional User Account is eligible to change name, surname or PESEL number of a Plenipotentiary. In case of a Plenipotentiary who:

a) doesn’t have a PESEL number assigned, changes mentioned above cause instant withdrawal of a Plenipotentiary’s confirmation within the SOR system. The Office confirms the Plenipotentiary again after verifying annex to the letter of attorney sent in paper to the Office or other document confirming authenticity of data that have been changed,

b) has a PESEL number assigned, changes mentioned above do not cause withdrawal of the Plenipotentiary’s confirmation within the SOR system unless the change concerns the PESEL number. In such cases instant withdrawal of the Plenipotentiary’s confirmation within the SOR system occurs.

1. The Office reserves the right to temporarily de-activate Institutional User Account or waive authorisation to act via the SOR system for Plenipotentiary on safety grounds, especially in case of arising doubt concerning data of the persons entitled to represent the entity given in the Institutional User Account.
2. The Administrator of the Institutional Account is eligible to waive authorisation to act via the SOR system both for Representatives and Plenipotentiaries with reservation that waiving authorisation of a Representative causes de-activation of the Institutional User Account.
3. The Administrator of the Institutional User Account is eligible to change their own data within the SOR system account. Such change does not cause de-activation of the Institutional User Account.
4. The Administrator or Representative within the SOR system Institutional User Account is eligible to change the Administrator of the Institutional User Account by inserting data of new Administrator. New Administrator replaces the previous one in his authority as soon as the activation of his account is accomplished as it is mentioned in point 21.
5. The Administrator of the Institutional User Account is eligible to delete the Institutional User Account.
6. A query to the SOR system is generated through the Institutional User Account within the scope of art. 12 point 1-7 of the Act.
7. In order to obtain information from the Register via Institutional User Account it is necessary to:

a) provide user’s ID and password,

b) fill out the SOR system query,

c) sign the SOR system query with an electronic signature.

1. A SOR system query can be signed with a trusted signature or with a qualified electronic signature (XAdES-BES standard) or personal signature.
2. Obtaining the information from the Register through an Institutional User Account is possible only if:

- the personal data (name, surname, PESEL number) of persons signing a SOR system query remains in accordance with the data included in their trusted signatures or qualified electronic signatures or personal signatures,

- SOR system query is signed by as many representatives as it is required by entity’s manner of representation.

**Personal data**

37. The administrator of personal data of the SOR 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

kontakt@ms.gov.pl

Contact details of the data protection officer:

Data Protection Officer at the Ministry of Justice

iod@ms.gov.pl

38. The purpose of processing personal data is to provide access to data collected in the SOR system, in accordance with the provisions of art. 14 point. 1 of the Act. The purpose of processing of data included in a written notification 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.

39. Providing personal data by persons who want to obtain information via the SOR System results from a law requirement specified in art. 14 point. 1 of the Act. The consequence of not providing data is the inability to create a user account in the system and the inability to obtain information from the SOR through the System.

40. Personal data on the user account contained in the SOR System are processed during the time of existence of the user's account in the System. Personal data contained in a written notification on the 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 are processed for 5 years from issuing of information if the data of the person to whom the query relates is not processed in the Register If the data of the person to whom the query relates is processed in the Register, the query and the information granted is processed until the data of the person to whom the query relates is deleted.

41. 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 its processing (Article 18 of the GDPR).

42. 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). Contact details of the data the President of the Personal Data Protection Office

ul. Stawki 2

00-193 Warszawa

kancelaria@uodo.gov.pl

## Final provisions

1. Users are obliged to assure that personal data contained in the Individual User Account or the Institutional User Account are in accordance with the actual state.
2. Ministry of Justice reserves the right to change this document. Ministry of Justice shall inform about any such change by the SOR system webpage.