

## ANNEX

### SIRENE Manual and other implementing measures<sup>(1)</sup>

#### INTRODUCTION

##### The second generation Schengen Information System (SIS II)

The SIS II, set up pursuant to the provisions of Regulation (EC) No 1987/2006 of the European Parliament and of the Council<sup>(2)</sup> and Council Decision 2007/533/JHA<sup>(3)</sup> (hereinafter jointly referred to as the SIS II legal instruments) constitutes a common information system allowing the competent authorities in the Member States to cooperate by exchanging information, and, is an essential tool for the application of the provisions of the Schengen *acquis* as integrated into the framework of the European Union. It replaces the first generation Schengen Information System that began operating in 1995 and was extended in 2005 and 2007.

Its purpose as laid down in Article 1 of the aforementioned legal Acts is ‘(...) to ensure a high level of security within an area of freedom, security and justice of the European Union including the maintenance of public security and public policy and the safeguarding of security in the territories of the Member States, and to apply the provisions of Title IV of Part Three of the (EC) Treaty (hereinafter referred to as EC Treaty) relating to the movement of persons in their territories, using information communicated via this system’.

In accordance with the aforementioned SIS II legal instruments, by means of an automated consultation procedure, the SIS II shall provide access to alerts on persons and objects to the following authorities:

- (a) authorities responsible for border controls, in accordance with Regulation (EC) No 562/2006 of the European Parliament and the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders<sup>(4)</sup>;
- (b) authorities carrying out and coordinating other police and customs checks within the country;
- (c) national judicial authorities and their coordination authorities;
- (d) authorities responsible for issuing visas, the central authorities responsible for examining visa applications, authorities responsible for issuing residence permits and for the administration of legislation on third-country nationals in the context of the application of the Community *acquis* relating to the movement of persons;
- (e) authorities responsible for issuing vehicle registration certificates (in accordance with the Regulation (EC) No 1986/2006 of the European Parliament and of the Council<sup>(5)</sup>).

In accordance with the SIS II Decision, Europol and Eurojust also have access to certain categories of alerts. Both Europol and Eurojust may access data entered into SIS II in accordance with Articles 26 (alerts for arrest) and 38 (alerts for seizure or use as evidence). In addition, Europol may also access data entered in accordance with Article 36 (alerts for discreet or specific checks); and Eurojust may access data entered in accordance with Article 32 (alerts on missing persons) and Article 34 (alerts for a judicial procedure).

The SIS II is made up of the following components:

1. a central system (the Central SIS II) composed of:
2. a technical support function (CS-SIS) containing a database, the ‘SIS II database’;
3. a uniform national interface (NI-SIS);

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**Status:** *This is the original version (as it was originally adopted).*

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4. a national system (N.SIS II) in each of the Member States, consisting of the national data systems which communicate with the Central SIS II. An N.SIS II may contain a data file (a national copy), containing a complete or partial copy of the SIS II database;
5. a communication infrastructure between the CS-SIS and the NI-SIS (the Communication Infrastructure) that provides an encrypted virtual network dedicated to SIS II data and the exchange of data between SIRENE Bureaux as defined below.

- (1) This text is identical to the text in the Annex to Commission Decision 2008/334/JHA (see page 41 of this Official Journal).
- (2) Hereinafter called ‘SIS II Regulation’.
- (3) [OJ L 205, 7.8.2007, p. 63](#). Hereinafter called ‘SIS II Decision’.
- (4) [OJ L 105, 13.4.2006, p. 1](#).
- (5) [OJ L 381, 28.12.2006, p. 1](#).