

Information about the processing of personal data in the Entry/Exit System

pursuant to Article 13 of the General Data Protection Regulation (GDPR) in conjunction with Article 50(1) of Regulation (EU) 2017/2226 (the “EES Regulation”) and § 43 of the Austrian Data Protection Act (DSG)

In Austria, the following authorities are responsible for the processing of data:

The Federal Ministry of the Interior and the **Provincial Police Directorates** of Lower Austria, Upper Austria, Carinthia, Styria, Tyrol, Salzburg, Vienna, Burgenland and Vorarlberg (*contact details under “Rights of the data subject”*).

Data Protection Officer of the Federal Ministry of the Interior:

Herrengasse 7, 1010 Vienna

Email: bmi-datenschutzbeauftragter@bmi.gv.at

Data Protection Officers of the Provincial Police Directorates:

Herrengasse 7, 1010 Vienna

Email: LPD-Datenschutzbeauftragter@polizei.gv.at

Purpose of Processing

The Entry/Exit System (EES) contains personal data records of third-country nationals entering the territory of the Schengen States for a short stay (maximum 90 days within any 180-day period).

The system became operational on 12 October 2025. From that date, information on your entries into and exits from the territory of the Schengen States, as well as, where applicable, refusals of entry, are recorded in the EES.

Your data are collected and processed on behalf of the Federal Minister of the Interior and the Provincial Police Directorates of the Republic of Austria.

Your personal data are processed for the purposes of border management, the prevention of irregular migration, and the facilitation of the management of migration flows.

Legal Basis of Processing

EU law

- Regulation (EU) 2017/2226 (EES Regulation), in particular Chapter II (Articles 14, 16–19, 23) and Chapter III
- Regulation (EU) 2016/399 (Schengen Borders Code)
- Regulation (EU) 2017/2225
- Regulation (EU) 2025/1534
- Regulation (EU) No 1077/2011 (eu-LISA)

National law

- Border Control Act (GrekoG)
- Aliens Police Act (FPG)
- EU Police Cooperation Act (EU-PolKG)
- State Protection and Intelligence Service Act (SNG)

Categories of Data Processed

At external border checks, the collection of personal data is mandatory to verify entry conditions.

The following data are collected:

1. data contained in your travel document
2. biometric data: facial image and fingerprints

Additional data may be obtained from:

1. the Visa Information System (VIS)
2. the European Travel Information and Authorisation System (ETIAS)

Failure to Provide Biometric Data

If you do not provide the required biometric data for registration, verification or identification in the EES, you will be refused entry at the external borders.

Recipients of Personal Data

- Border control authorities pursuant to Article 3(1)(3) of Regulation (EU) 2017/2226 (Provincial Police Directorates)
- Immigration authorities pursuant to Article 3(1)(4) of Regulation (EU) 2017/2226 (Provincial Police Directorates acting as aliens police authorities, Federal Ministry of the Interior, Federal Office for Immigration and Asylum (BFA) acting as the competent aliens authority [and not as an asylum authority], diplomatic missions in the context of issuing, refusing and annulling national visas (Visa D), Federal Ministry for European and International Affairs (BMEIA) as immigration authority in connection with erasure tasks, Governors and District Administrative Authorities acting as residence authorities)
- Visa authorities pursuant to Article 3(1)(5) of Regulation (EU) 2017/2226 (Provincial Police Directorates, diplomatic missions, Federal Ministry of the Interior)
- Central access point pursuant to Article 29(3) of Regulation (EU) 2017/2226 (Federal Criminal Police Office and the Directorate for State Protection and Intelligence Service – staff of the central access point)
- Designated authorities and their operational units pursuant to Article 3(1)(26) of Regulation (EU) 2017/2226 in conjunction with Article 29 (Federal Criminal Police Office and Directorate for State Protection and Intelligence Service, Provincial Police Directorates, Public Prosecutor's Offices and Regional Courts; operational units are the Provincial Criminal Police Offices (LKA) and the State Offices for the Protection of the Constitution and Counter-Terrorism (LSE))
- Federal Minister of the Interior as processor
- Europol
- ETIAS Central Unit and national ETIAS units
- eu-LISA as processor

Retention Periods

- 3 years (after exit or refusal of entry record)
- 3 years and 1 day (if no new entry is recorded within 3 years)
- 5 years (after expiry of authorised stay without exit record)
- 1 year (entry/exit data of EU citizens and family members)
- 5 years (EU citizens and family members after last entry without exit record)

Remaining Stay and Overstayers

You have the right to receive from the border guard information on the maximum remaining duration of your authorised stay on the territory of the Schengen States. You can also consult the following website [Short-stay calculator - Migration and Home Affairs - European Commission](#) or, where available, the equipment installed at borders to self verify your remaining authorised stay.

If you overstay the period of your authorised stay, your data will be automatically added to a list of identified persons (a list of overstayers). The list can be accessed by competent national authorities. If you are on this list of overstayers your stay in Austria is presumed to be unlawful. In such a case, measures to terminate your stay may be taken – for example, a return decision pursuant to § 52 of the Austrian Aliens Police Act (Fremdenpolizeigesetz), possibly in combination with an entry ban. Furthermore, an unlawful stay in Austria constitutes an administrative offence under § 120 of the Aliens Police Act, which may be punished by a fine of up to €2,500, or up to €7,500 in the case of a repeated offence, or by imprisonment.

However, if you can provide credible evidence to the competent authorities that you exceeded the authorised duration of your stay due to unforeseeable and serious events, your personal data can be rectified or completed in the Entry/Exit System and you can be removed from the list of overstayers.

Your rights with regard to the processing of personal data

Data subjects have the following rights with regard to processing within the scope of the General Data Protection Regulation (GDPR):

- Right of access pursuant to Article 15 GDPR
- Right to rectification pursuant to Article 16 GDPR
- Right to erasure pursuant to Article 17 GDPR
- Right to restriction of processing pursuant to Article 18 GDPR

For processing within the scope of Section 36(1) of the Austrian Data Protection Act (DSG):

- The right of access shall be exercised in accordance with Section 44 of the Data Protection Act.
- The right to rectification or erasure of personal data and to restriction of processing shall be exercised in accordance with Section 45 of the Data Protection Act.

The statutory processing period for requests pursuant to Articles 15 to 18 GDPR in conjunction with Article 52(1) of the EES Regulation is **45 days**.

For identification purposes, a **copy of the travel document** must be attached to the written and signed request.

Competent authorities for submitting requests

Within the framework of submitting a request, **one of the following authorities** may be addressed: the Provincial Police Directorate responsible for the data entry, the Provincial Police Directorate of the federal province of residence, or the Federal Ministry of the Interior:

Federal Ministry of the Interior (BMI)

Address: Herrengasse 7, 1010 Wien

E-Mail: BMI-EES@bmi.gv.at

Postal address: Federal Ministry of the Interior, Lower Austria: LPD-N@polizei.gv.at
Department V/B/6 (Integrated Border Upper Austria: LPD-O@polizei.gv.at
Management), Herrengasse 7, 1010 Vienna Salzburg: LPD-S@polizei.gv.at

Landespolizeidirektionen (LPD)

Applications may be submitted to the competent Provincial Police Directorate or to the Provincial Police Directorate of the federal province of residence:

Burgenland: LPD-B@polizei.gv.at

Carinthia: LPD-K@polizei.gv.at

Styria: LPD-ST@polizei.gv.at

Tyrol: LPD-T@polizei.gv.at

Vorarlberg: LPD-V@polizei.gv.at

Vienna: LPD-W@polizei.gv.at

Right to lodge a complaint

A right to lodge a complaint exists for processing within the scope of the GDPR as well as pursuant to Section 24(1) DSG for processing within the scope of Section 36(1) DSG with the Austrian Data Protection Authority (Barichgasse 40–42, 1030 Vienna; Tel.: +43 1 52 152-0; Email: dsb@dsb.gv.at).