

Directive (EU) 2016/681 of the European Parliament and of the Council of 27 April 2016 on the use of passenger name record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime

## *CHAPTER II*

### ***Responsibilities of the Member States***

#### *Article 10*

#### **Conditions for access to PNR data by Europol**

- 1 Europol shall be entitled to request PNR data or the result of processing those data from the PIUs of Member States within the limits of its competences and for the performance of its tasks.
- 2 Europol may submit, on a case-by-case basis, an electronic and duly reasoned request to the PIU of any Member State through the Europol National Unit for the transmission of specific PNR data or the result of processing those data. Europol may submit such a request when this is strictly necessary to support and strengthen action by Member States to prevent, detect or investigate a specific terrorist offence or serious crime in so far as such an offence or crime is within Europol's competence pursuant to Decision 2009/371/JHA. That request shall set out reasonable grounds on the basis of which Europol considers that the transmission of PNR data or the result of processing PNR data will substantially contribute to the prevention, detection or investigation of the criminal offence concerned.
- 3 Europol shall inform the data protection officer appointed in accordance with Article 28 of Decision 2009/371/JHA of each exchange of information under this Article.
- 4 Exchange of information under this Article shall take place through SIENA and in accordance with Decision 2009/371/JHA. The language used for the request and the exchange of information shall be that applicable to SIENA.