

Application for background security check according to § 7 Para. 1 No. 4 of the National Aviation Security Act (Zuverlässigkeitsüberprüfung gem. § 7 Abs. 1 Nr. 4 Luftsicherheitsgesetz (LuftSiG)) for student pilots and airmen according to § 4 para. 1 s. 1 and § 1 para. 2 No. 1 - 3 and 5 of the National Civil Aviation Act (Flugschüler/-innen und Luftfahrer/-innen gem. § 4 Abs. 1 S. 1 und § 1 Abs. 2 Nr. 1 – 3 und 5 Luftverkehrsgesetz)

(Fill in the application in block letters - Please check the notes on the application procedure)

For:		airmen	student pilots	Application number of the authority:	
Has a background security check been conducted previously?					
No					
Yes, by the Gemeinsame Obere Luftfahrtbehörde Berlin-Brandenburg.				Reference number:	
Yes, by the aviation security authority:				Date of issue:	
Sex:	m	f	d	not available	
Surname:			First name(s):		
Birth name:			Other previous names:		
German ID card number/passport number:					
Date of birth (day, month, year)			Birthplace, federal state and country:		Nationalities:
DD	MM	YYYY			
Current primary residence					
Since (month, year):	ZIP:	Town:	Address:	Federal State and country:	
MM/YYYY					
All residences of the past 10 years (including residences abroad) must be listed without gaps on page 2 of this application.					
Telephone (optional):			E-Mail address (optional):		

Please attach a **copy of your German ID-card OR alternatively a copy of your complete passport** (incl. cover sheet and all pages) **marked as a copy**. If you submit a copy of your passport, a current certificate of registration (not older than four weeks) **has to be submitted as well**.

German ID-card or Passport has been submitted to the flight training organisation and is enclosed as a complete copy.	Flight training organisation: (please give complete address):	Licence (to be obtained): ATPL/CPL/MPL PPL/LAPL/SPL+TMG
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Aviation Authority competent for the license:

Gemeinsame Obere Luftfahrtbehörde Berlin-Brandenburg

Luftfahrt-Bundesamt (LBA)

Other:

License number.:

All residences of the past 10 years (including residences abroad) without gaps (month/year)

From-to	ZIP:	Town:	Address:	Federal state and country:

Please attach additional information as an appendix

Declaration of consent for correspondence with the licensing authority:

I agree that:

- correspondence is entered into with the licensing authority regarding the validity of the license; and
- the result of the background security check will be transmitted to the competent aviation authority.

I do not agree.

X

.....
date

.....
applicant (signature)

.....
legal representative, if applicable (signature)

Information from the Aviation Security Authority:

The Gemeinsame Obere Luftfahrtbehörde Berlin-Brandenburg, Mittelstr. 5/5a, 12529 Schönefeld, is the competent aviation security authority in the federal states of Berlin and Brandenburg. The information provided in the application form is required for the purpose of conducting the background security check according to § 7 Para. 1 No. 4 of the National Aviation Security Act (LuftSiG). This background check serves to protect against attacks on the security of civil air traffic.

According to § 16 of the Aviation Personnel Regulation (Verordnung über Luftfahrtpersonal, LuftPersV) and § 1 para. 2 No. 4 of the Aviation Security Verification Regulation (Luftsicherheits-Zuverlässigkeitsüberprüfungsverordnung, LuftSiZÜV), **the training for the acquisition of a license including the theoretical training may not commence until the background security check has been completed with a positive result.** According to § 4 para. 3 of the National Civil Aviation Act (Luftverkehrsgesetz, LuftVG) the license must be revoked if there are doubts arising from the background security check as defined in § 7 LuftSiG.

Initial applications for background security checks of airmen and student pilots residing in Berlin or Brandenburg must be submitted to the Gemeinsame Obere Luftfahrtbehörde Berlin-Brandenburg **at least 8 weeks prior to the requirements** specified in the LuftPersV. In the case of student pilots, confirmation from the flight training organisation of the intended training is mandatory. The review period is regularly 4 to 6 weeks. For persons who have already been checked, **the application for a repeated check should be submitted at the latest 3 months before the expiry** of the period of validity of the previous background security check, as these results remain valid until the completion of the repeated check in accordance with § 5 para. 2 LuftSiZÜV.

In accordance with § 7 para. 3 No. 1 LuftSiG, the background security check includes verification of the identity of the person concerned as well as regular inquiries at the institutions listed in § 7 para. 3 No. 2 - 5 LuftSiG.

If significant findings in accordance with § 7 para. 1a LuftSiG are obtained during the background security check, the relevant documents from the public prosecutor's office or court decisions may be requested. If there are further findings, third-party authorities (e.g. the Foreign Affairs Offices) may be requested to provide information. If there is any doubt as to the applicant's trustworthiness, the applicant will be given the opportunity to make a statement, either in writing or in the course of a security interview. Pursuant to § 7 para. 3 LuftSiG, the applicant is obliged to cooperate during the background security check. The aviation security authority may also request further information from the applicant himself or the submission of further documents, e.g. transcripts from foreign criminal records, as part of the check. Failure to comply with the obligation to cooperate regularly leads to doubts regarding the trustworthiness of the applicant. If the result of the background security check is positive, the applicant receives a corresponding certificate by mail. For the duration of the validity of the verification, the applicant is subject to the follow-up reporting obligation of the authorities involved. In addition, the applicant is obliged to notify the competent aviation security authority within one month of a change of name and place of residence (if in another federal state or country) in accordance with § 7 para. 9a LuftSiG. If the applicant's result of the background security check is negative, the relevant reasons will be communicated by means of a written decision with instructions on how to appeal.

The process of a background security check is subject to a fee according to § 1 of the Aviation Security Charges Regulation (Luftsicherheitsgebührenverordnung, LuftSiGebV). The applicant is liable for the costs.

Should the applicant wish to use the certificate of the background security check for an employment in the future, this will change the affiliation to a group of persons within the meaning of § 7 para. 1 sentence 1 LuftSiG. For this purpose, a complete list of all employments, training and further education, unemployment, as well as any gaps of more than 28 days during the last 5 years must be submitted in chronological order (to the day) to the competent aviation security authority before taking up the planned activity. In this case, appropriate supporting documents must also be submitted. These include in particular (but are not limited to) copies of employment contracts, references, diplomas, social security certificates or business registrations. This corresponds to the implementation of EU Regulation No. 2015/1998. Applicants are only exempted from this requirement as long as they belong exclusively to the group of persons of airmen or student pilots pursuant to § 7 para. 1 sentence 1 no. 4 LuftSiG and if they use the certificate of the background security check only for this purpose.

Declaration of consent/acknowledgement:

I agree that:

- I will be subject to a background security check on the basis of § 7 LuftSiG,
- in the course of the check, my data will be forwarded by the aviation security authority to the relevant authorities, in particular to the police and constitutional protection authorities, the Federal Office of Justice, the Customs Criminal Investigation Office and, in the case of foreigners, to the Foreign Affairs Offices, and that these offices will forward existing data to the aviation security authority for the purpose of the check,
- the files of the prosecution authorities (esp. public prosecutor's offices and criminal courts) can be inspected,
- a copy of my ID card or passport and other necessary documents are included in the administrative file,
- my above-mentioned personal data as well as data on the result of the background check are kept/stored in the administrative file and in the IT system of the Aviation Security Authority, taking into account the deletion periods of § 7 para. 11 LuftSiG.

I acknowledge that:

- a further check can be carried out at any time,
- **I have to apply for a new background security check before the expiration of the validity,**
- the competent Aviation Authority (if agreed) and the authorities involved will be informed about the result of the background security check, without naming the underlying findings,
- I am obliged to provide true information and to cooperate during the background security check, as well as to notify the responsible Aviation Security Authority of any changes in accordance with § 7 para. 9a LuftSiG,
- I have the right to refuse to provide any information that could lead to a risk of criminal prosecution, prosecution for administrative offence or disciplinary or labor law measures for me or one of the persons named in § 52 para. 1 of the Code of Criminal Procedure (Strafprozessordnung, StPO). (see § 7 para. 5 LuftSiG)

Declaration of consent under data protection law:

I agree that a copy and the data of my ID-card or passport may be collected, processed and used for the following purposes, as well as forwarded or transmitted to the authorities listed in § 7 para. 3 LuftSiG, where it will also be processed and used for the purpose of an identity check for the background security check in accordance with § 7 LuftSiG.

With my signature, I give my consent. I confirm that I have not currently submitted any other application for a background security check to another German aviation security authority on which a decision has not yet been made or that I am in possession of a valid certificate of a background security check from another federal state.

I have the right to refuse my consent to the above. As a mandatory legal consequence, however, no background check can then be carried out. I have taken note of the information provided by the Aviation Security Authority in the application (page 3) and the information on the EU General Data Protection Regulation (GDPR) in the attachment. I am aware that my application for a background security check in accordance with § 7 para. 1 No. 4 LuftSiG is solely for the use of the designated function as a student pilot and airmen within the meaning of § 4 para. 1 s. 1 and para. 2 No. 1 – 3 and 5 LuftVG.

!! Attention !!

! WITHOUT attached copy of your German ID-card or passport no decision about the application will be made !

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date applicant (signature) + legal representative, if applicable + copy of ID confirmation of flight training organisation (date/stamp/signature)

Information sheet for your records

Information to be provided where personal data are collected according to Article 13 EU General Data Protection Regulation (GDPR)

The Gemeinsame Obere Luftfahrtbehörde Berlin-Brandenburg (LuBB) processes data from you in connection with the background security check according to § 7 National Aviation Security Act (Luftsicherheitsgesetz, LuftSiG). With this data protection notice, the LuBB would like to inform you about the processing of your data in accordance with Article 13 GDPR.

Responsible for the data collection: Landesamt für Bauen und Verkehr Lindenallee 51 15366 Hoppegarten Tel: 03342 4266-0 E-Mail: Poststelle@lbv.brandenburg.de	Jointly responsible for data collection: Gemeinsame Obere Luftfahrtbehörde Berlin-Brandenburg Mittelstraße 5/5a 12529 Schönefeld Tel: 03342 4266-0 E-Mail: PoststelleLUBB@LBV.brandenburg.de	The data protection officer can be reached at: Landesamt für Bauen und Verkehr z. Hd. Datenschutzbeauftragter Herr André Böttner Lindenallee 51 15366 Hoppegarten Tel: 03342 4266-1500 E-Mail: lbv-dsb@lbv.brandenburg.de
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Purposes and legal basis of processing

a. Purposes of processing:

Your data is collected for the purpose of carrying out the procedures in connection with the background security check according to § 7 LuftSiG.

b. Legal bases of processing:

Your data will be processed on the basis of § 5 Abs. 1 Data Protection Act Brandenburg (Brandenburgisches Datenschutzgesetz, BbgDSG), § 7 LuftSiG and the Aviation Security Verification Regulation (Luftsicherheits-Zuverlässigkeitsüberprüfungsverordnung, LuftSiZÜV).

Recipients or categories of recipients of the personal data

Your personal data will be passed on to: Police and constitution protection authorities of the federal states, Bundeszentralregister, Bundeskriminalamt, Zollkriminalamt and, as far as necessary in individual cases: Bundesamt für Verfassungsschutz, Bundesnachrichtendienst, Bundesbeauftragter für die Unterlagen des Staatssicherheitsdienstes der ehemaligen Deutschen Demokratischen Republik, Ausländerzentralregister, Ausländerbehörde, airfield operators and aviation companies, employers of the last five years, law enforcement authorities and other Aviation Security Authorities in order to carry out the background security check according to § 7 LuftSiG.

If you agree, the result of the background check will be forwarded to the competent licensing authority. If you are or wish to become the holder of an Airport Security ID Card, the result will be passed on to the Flughafen Berlin-Brandenburg GmbH (FBB). A negative result will in all cases be forwarded without stating the reasons.

Duration of storage of personal data

The personal data collected for your background security check will be stored in compliance with the retention periods pursuant to § 7 para. 11 LuftSiG as follows: in the event of a positive result a maximum of three years after the expiry of the validity of the background check; in the event of a negative result of the background security check a maximum of two years; in the event of withdrawal of the application, the data will be deleted immediately.

Data subject's rights

According to the GDPR, you have the following rights:

If your personal data is processed, you have the right to receive information about the data stored about you (Article 15 GDPR). If incorrect personal data is processed, you have the right to rectification (Article 16 GDPR).

If the legal requirements are met, you may request erasure or restriction of processing, as well as the right to appeal against the processing of your data (Articles 17, 18 and 21 GDPR).

If you have consented to the data processing or if there is a contract for data processing and the data processing is carried out with the help of automated procedures, you may have a right to data portability (Article 20 GDPR).

If you make use of your above-mentioned rights, the public body will check whether the respective legal requirements are met.

Right of appeal

You have the right to file a complaint to the supervisory authority if you believe that your personal data is being processed unlawfully. The supervisory authority is the *Landesbeauftragte für den Datenschutz und für das Recht auf Akteneinsicht Brandenburg* (State Commissioner for Data Protection Brandenburg). For more information consult the official website of the State Commissioner for Data Protection: <https://www.lda.brandenburg.de>.

Obligation to provide the data

The LuBB requires your data to conduct the background security check according to § 7 LuftSiG. If you do not provide the required data, your background security check cannot be completed.