

JOAQUIN BAYO DELGADO
ASSISTANT SUPERVISOR

Mr Philippe RENAUDIERE
Data Protection Officer
European Commission
BRU-BERL-08/330
B-1049 Brussels

Brussels, 21 May 2007
JBD/Syl/ktl D(2007) 729 C **2007-0159**

Dear Mr Renaudière,

Following consideration of the "remuneration and pecuniary benefits" case, we have concluded that this processing was not subject to prior checking since, as described in the notification, it is not designed to exclude any individual from a right, benefit or contract, which would have necessitated prior checking pursuant to Article 27(2)(d) of Regulation (EC) No 45/2001.

This finding is not changed by the existence of a tiny fraction (0,5 %) of this processing, namely the attachment and assignment of salaries, which formed the basis of the notification for prior checking.

The attachment and assignment of salaries in no way affects the purpose of the system, which is, on the contrary, designed to make sure that the persons concerned are paid.

Furthermore, we have not found any basis for prior checking other than Article 27.

Nevertheless, following analysis of the notification and the supplementary information we have received, there are still some pending questions, viz:

- The European Data Protection Supervisor (EDPS) would like to know why these data on the attachment and assignment of salaries are being kept in SINCOM and the NAP for 10 years, whereas the specific confidentiality notice states that personal data on the attachment and assignment of salaries are to be deleted 5 years after the close of the procedure.
- How is this procedure dealt with from the point of view of confidentiality? The EDPS would like to have some information on the security measures adopted and used for this processing, with particular reference to confidentiality.
- The EDPS would like to know how, within the institution, the PMO deals with correspondence on the subject of the attachment and assignment of salaries.

Thanking you in anticipation for sending this information to the controller.

Yours sincerely,

Joaquín BAYO DELGADO