



GIOVANNI BUTTARELLI
ASSISTANT SUPERVISOR

Mr Dante STORTI
Head of Unit Administration
European Monitoring Centre for
Drugs and Drug Addiction (EMCDDA)
Cais do Sodré
1249-289 LISBON
PORTUGAL

Brussels, 22 July 2010
GB/SP/kl D(2010)1182 C 2010-0407

Subject: Prior-checking notification, case 2010-0407

Dear Mr Dante Storti,

On 31 May 2010, the European Data Protection Supervisor (EDPS) received from the Data Protection Officer (DPO) of the European Monitoring Centre for Drugs and Drug addiction (EMCDDA) a notification for prior checking under Article 27(2) of Regulation 45/2001 concerning the processing activities related to the attestation procedure for EMCDDA officials. Since prior checking is designed to address situations that are likely to present certain risks, the Opinion of the EDPS should be given prior to the start of the processing operation. Any recommendations made by the EDPS must be fully taken into account prior to the collection and subsequent processing of personal data.

On 15 December 2005, the EDPS issued an opinion on "SYSPER 2 - staff appraisal"¹ including the attestation procedure.

The foreseen decision of the management board of the EMCDDA mentions that the rules adopted by the European Commission for implementing the attestation procedure shall apply by analogy to the EMCDDA.

It is clear that all the relevant recommendations made to the Commission concerning the attestation procedure apply to the processing operations put in place in the frame of the attestation procedure at the EMCDDA.

¹ See EDPS website - supervision - prior checking opinion 2005.

We have reviewed the documents you have provided to the EDPS notably the notification and the privacy statement. The EDPS notes that the recommendations set up for the Commission attestation procedure have been taken into account by the EMCDDA.

Nevertheless, the EDPS recommends regarding the data retention period that data of a purely informative nature which are no longer necessary for administrative reasons are disposed of after a maximum retention period of 5 years. This recommendation has also to be reflected in the privacy statement.

The EDPS would like to be informed within 3 months of the date of this letter which prove that the recommendations have been implemented.

Thank you for your collaboration.

Best regards.

(signed)

Giovanni BUTTARELLI

Cc: Ms Cécile MARTEL, Data Protection Officer of EMCDDA