



**WOJCIECH RAFAŁ WIEWIÓROWSKI**  
ASSISTANT SUPERVISOR

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Brussels, 24 July 2015  
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correspondence

**Subject: Prior check opinion on the recruitment of local staff at the European Union Satellite Centre**

Dear Mr Legai,

We have analysed the notification for prior-checking under Article 27(2)(a) and (b) of Regulation 45/2001 (the Regulation) on the processing of personal data in the context of the recruitment of local staff at the European Union Satellite Centre ( the EU SatCen).

As you have pointed out in your cover letter, the EU SatCen has prepared the notification, the privacy notice and the confidentiality declaration in accordance with the EDPS Guidelines on the processing of personal data in the field of recruitment<sup>1</sup>. The contract between the EU SatCen and the Spanish local agency in charge of salaries and social security of the local staff is in line with Article 23 requirements of the Regulation.

A specific issue nevertheless diverges from the Guidelines. Successful local staff are required to provide a security clearance. The Security Office of the EU SatCen requests from the National Security Agency (NSA) to send a security clearance of the successful local staff. At the end of the contract, the Security Office sends back to the NSA the local staff's security clearance by registered mail. The EDPS notes that the mission of EU SatCen is stated in the Council Joint Action 2001/555/CFSP of 20 July 2011, as amended on 21 December 2006 on the establishment of the agency. The legal basis for processing security clearances is provided

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<sup>1</sup> Issued on 10 October 2080 under "Thematic Guidelines" on the EDPS website.

in Article 2 (5) (a)<sup>2</sup> of the Staff Regulation of the EU SatCen published on 25 August 2009 (OJ) 11765/09. The processing of security clearance is therefore compliant with Article 10(5) of the Regulation.

According to the notification and all documents enclosed, the EDPS considers that the EU SatCen has adopted adequate data protection safeguards in conformity with the Regulation.

We have therefore decided to close the case.

Should you have further doubts, please do not hesitate to contact us.

Kind regards,

**(signed)**

Wojciech Rafał WIEWIÓROWSKI

Cc: Ms Esther MOLINERO, Data Protection Officer

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<sup>2</sup> *"All employees may be required to have security clearance giving them access to classified documents in the course of their duties. A request for such clearance will be addressed to the competent authorities by the Centre. Pending official clearance, temporary access to classified information may be granted by the Director in exceptional cases and emergencies."*