



EUROPEAN DATA
PROTECTION SUPERVISOR

(To be filled out by the EDPS' DPO)

Register number: 28

Date of submission: 6 July 2012

Legal basis: Art 25 Regulation 45/2001

NOTIFICATION

INFORMATION TO BE GIVEN¹

1/ NAME AND FIRST NAME OF THE CONTROLLER

EDPS
Rue Wiertz 60
1047 Bruxelles

2/ SERVICE RESPONSIBLE FOR PROCESSING PERSONAL DATA

Data Protection Officer

3/ NAME AND DESCRIPTION OF THE PROCESSING OPERATION

Notification to the Data Protection Officer and Access to the Register of the Data Protection Officer.

- Any processing operation or set of such operations dealing with personal data have to be notified by controllers to the Data Protection Officer (DPO) as foreseen in Article 25 of Regulation 45/2001.
- Controllers are writing their notifications on the processing of personal data in notifications forms. A procedure supports the preparation process of notifications.
- The DPO inserts those notifications in a register as foreseen in Article 26 of Regulation 45/2001.
- The notifications including the names and contact data of controllers will be accessible through the Register by anybody.
- For a prior-advice request to the DPO and a prior-checking request to the EDPS the DPO keeps a copy of the notification received and of the notification sent to the EDPS for prior checking. The DPO sends back to the controller the EDPS recommendations.

¹ Please attach all relevant documents

4/ PURPOSE(S) OF THE PROCESSING

The purpose of the processing is to implement the notification system to the Data Protection Officer as described in article 25 of Regulation (EC) 45/2001 and to implement the Register as defined in article 26 of the same Regulation.

5/ DESCRIPTION OF THE CATEGORY(IES) OF DATA SUBJECT(S)

Personal data of controllers (article 2.d of Regulation (EC) 45/2001) are processed and written in the notifications which are stored in the Register.

6/ DESCRIPTION OF THE DATA OR CATEGORIES OF DATA (INCLUDING, IF APPLICABLE, SPECIAL CATEGORIES OF DATA (ARTICLE 10) AND/OR ORIGIN OF DATA)

Name, First Name, Title, Unit.

7/ INFORMATION TO BE PROVIDED TO THE DATA SUBJECTS

A privacy statement is available on the EDPS Intranet at the level of the DPO corner. A link is also made in the procedure for notifying processing operations. The privacy statement provides the information to the data subjects requested in articles 11 and 12 of Regulation (EC) 45/2001 as follow:

Regulation 45/2001 (herein after the Regulation) applies to the processing of personal data carried out for the notification system to the Data Protection Officer and the Register of the Data protection officer. Further to Article 11 and Article 12 of this Regulation, the EDPS provides the data subjects the following information:

The controller is the EDPS and the person responsible for the processing operation is the Data protection officer.

The purpose of the processing is to implement the notification system to the Data Protection Officer as described in article 25 of Regulation (EC) 45/2001 and to implement the Register as defined in article 26 of the same Regulation.

The data which will be used only for that processing are: name, first name, title and unit.

The recipients of the data are:

- DPO to all data of the notifications.
- European Data Protection Supervisor and the Supervision Unit staff to all data of the notifications

- Other European Data Protection Supervisor staff for subset of data in the Register (article 26).
- Any person connecting to the EDPS website, or requesting the DPO to look at the Register on paper, for a subset of data in the Register (article 26).

The data subjects have the right of access and the right to rectify the data concerning him or her by contacting the DPO.

The legal basis of the processing operation at stake is Regulation (EC) 45/2001 which requires each controller to give prior notice of any processing operation involving personal data to the DPO (article 25). The DPO is required to keep a Register of all processing operations of the institution and give access to this Register to any person (article 26).

Regarding the data retention period, the DPO will keep the data of the controller in the Register as long as the processing is operational. After that date it will be deleted from the register and archived for 5 years for reasons of legal appeal procedures.

The data subjects have the right to have recourse at any time to the EDPS DPO and the EDPS.

8/ PROCEDURES TO GRANT DATA SUBJECTS' RIGHTS (RIGHTS OF ACCESS, TO RECTIFY, TO BLOCK, TO ERASE, TO OBJECT)

Any controllers can access and verify their personal data and have it corrected if necessary as mentioned in the privacy statement.

9/ AUTOMATED / MANUAL PROCESSING OPERATION

Personal data of controllers are written in the notifications which are stored in the Register of the DPO.

10/ STORAGE MEDIA OF DATA

The personal data is stored in notification (Word format) and in the Register (Excel sheet) containing those notifications accessible by a hyperlink:

- on paper versions in the DPO office
- on the S drive in the specific folder of the DPO only accessible to him/her
- on the EDPS Intranet
- on the EDPS internet for a public access to the register

11/ LEGAL BASIS AND LAWFULNESS OF THE PROCESSING OPERATION

Regulation (EC) 45/2001 requires each controller to give prior notice of any processing operation involving personal data to the DPO (article 25). The DPO is required to keep a Register of all processing operations of the institution and give access to this Register to any person (article 26).

The lawfulness of the processing of the notifications is based on article 5.b of Regulation (EC) 45/2001, since it is necessary for the compliance with the legal obligation to receive notifications and make them available through the Register.

12/ THE RECIPIENTS OR CATEGORIES OF RECIPIENTS TO WHOM THE DATA MIGHT BE DISCLOSED

The personal data in the notifications and in the register can be accessed by:

- DPO to all data of the notifications.
- European Data Protection Supervisor and the Supervision Unit staff to all data of the notifications
- Other European Data Protection Supervisor staff for subset of data in the Register (article 26).
- Any person connecting to the EDPS website, or requesting the DPO to look at the Register on paper, for a subset of data in the Register (article 26).

13/ RETENTION POLICY OF (CATEGORIES OF) PERSONAL DATA

Retention policy: the DPO will keep the data of the controller in the Register as long as the processing is operational. After that date it will be deleted from the register and archived for 5 years for reasons of legal appeal procedures.

13 BIS/ TIME LIMITS FOR BLOCKING AND ERASURE OF THE DIFFERENT CATEGORIES OF DATA

*(Further to justified legitimate request from the data subject)
(Please, specify the time limits for every category, if applicable)*

Time limit to block/erase data on request: one month.

14/ HISTORICAL, STATISTICAL OR SCIENTIFIC PURPOSES

If you store data for longer periods than mentioned above, please specify, if applicable, why the data must be kept under a form which permits identification

Non applicable

15/ PROPOSED TRANSFERS OF DATA TO THIRD COUNTRIES OR INTERNATIONAL ORGANISATIONS

Publication on the Internet of name & personal contact data of controllers is considered by the DPO as a transfer under article 9 of Regulation (EC) 45/2001. The transfer is lawful according to article 9.6.f of the Regulation. The legal foundation of this publication is article 26 of Regulation (EC) 45/2001.

16/ FURTHER INFORMATION

The data controller declares the accuracy of the above statements and undertakes to notify any change affecting this information to the Data Protection Officer.

PLACE AND DATE: 6 July 2012

THE CONTROLLER: Sylvie Picard - Data Protection Officer