

**REGISTER NUMBER: 14**

**NOTIFICATION FOR PRIOR CHECKING**

**DATE OF SUBMISSION: 16 MARCH 2005**

**CASE NUMBER: 2004/280**

**NOTIFICATION OF: COURT OF JUSTICE OF THE EUROPEAN COMMUNITIES**

**LEGAL BASIS: ARTICLE 27-5 OF THE REGULATION CE N° 45/2001<sup>(1)</sup>**

**INFORMATION TO BE GIVEN<sup>2</sup>**

1/ NAME AND ADDRESS OF THE CONTROLLER

MARK RONAYNE  
HEAD OF THE PERSONNEL DIVISION  
COURT OF JUSTICE OF THE EUROPEAN COMMUNITIES  
L-2925  
LUXEMBOURG

2/ ORGANISATIONAL PARTS OF THE INSTITUTION OR BODY ENTRUSTED WITH THE PROCESSING OF PERSONAL DATA

MEDICAL SERVICE OF THE PERSONNEL DIVISION

3/ NAME OF THE PROCESSING

Medical files; results of medical examinations

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<sup>1</sup> OJ L 8, 12.01.2001.

<sup>2</sup> **Please attach all necessary backup documents**

4/ PURPOSE OR PURPOSES OF THE PROCESSING

Preventive medicine; management of sick leave, invalidity and occupational illness procedures;  
Determining medical fitness to take up duties

5/ DESCRIPTION OF THE CATEGORY OR CATEGORIES OF DATA SUBJECTS

OFFICIALS AND TEMPORARY AGENTS;  
LONG-TERM AUXILIARY AGENTS;  
CONTRACTUAL AGENTS;  
CANDIDATES NOT RECRUITED

6/ DESCRIPTION OF THE DATA OR CATEGORIES OF DATA (*including, if applicable, special categories of data (Article 10) and/or origin of data*).

Positive and negative results of medical exams for recruitment; as well as the annual medical exams provided for in Article 59 (6) of the Staff Regulations.

Name; first name; date of birth; personal number etc. (see annex 1)

7/ INFORMATION TO BE GIVEN TO DATA SUBJECTS

By virtue of Article 26a of the Staff Regulations, Staff have the right to acquaint themselves with their medical files, in accordance with arrangements to be laid down by the institutions. See the decision of the Registrar of 12 July 2004 (applying the Conclusion No 221/04 of the College of Heads of Administration) (see annex 2).

8/ PROCEDURES TO GRANT RIGHTS OF DATA SUBJECTS

See the decision of the Registrar of 12 July 2004 No 221/04 (annex 2).

9/ AUTOMATED / MANUAL PROCESSING OPERATION

Manual

10/ LEGAL BASIS OF THE PROCESSING OPERATION

Staff Regulations of Officials of the European Communities, Articles 33, 53 and 59; Article 23 of the Community Rules on the insurance of officials of the European Communities against the risk of accident and of occupational disease. Conditions of employment of other servants of the European Communities, Articles 13, 16, 32, 33, 59

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

Medical officers and nurses  
Comité chargé des réclamations  
Conseiller juridique de la Cour de Justice  
Court of First Instance

12/ GENERAL INDICATION OF THE TIME LIMITS

FOR BLOCKING: -----NONE-----

AND/OR

FOR ERASING: -----NONE-----

OF THE DIFFERENT CATEGORIES OF DATA (*Please, specify the time limits for every category, if applicable*)

ALL MEDICAL FILES ARE STORED INDEFINITELY. THE MEDICAL COLLEGE HAS REQUESTED THE OPINION OF THE COLLÈGE DES CHEFS D'ADMINISTRATION ON THE MANDATORY TIME LIMIT FOR STORING DATA . (ANNEX 3)

13/ 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.*

FOR MEDICAL REASONS

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

NONE

15/ THE PROCESSING OPERATION PRESENTS SPECIFIC RISK WHICH JUSTIFIES PRIOR CHECKING (*Please describe*):

AS FORESEEN IN:

Article 27.2.(a)

*Processing of data relating to health and to suspected offences, offences, criminal convictions or security measures,*

Article 27.2.(b)

*Processing operations intended to evaluate personal aspects relating to the data subject,*

Article 27.2.(c)

*Processing operations allowing linkages not provided for pursuant to national or Community legislation between data processed for different purposes,*

Article 27.2.(d)

*Processing operations for the purpose of excluding individuals from a right, benefit or contract,*

Other (general concept in Article 27.1)

16/ COMMENTS

PLACE AND DATE: LUXEMBOURG, 16 MARCH 2005

DATA PROTECTION OFFICER: MARC SCHAUSS

INSTITUTION OR BODY: COURT OF JUSTICE OF THE EUROPEAN COMMUNITIES