

REGISTER NUMBER: 241

NOTIFICATION FOR PRIOR CHECKING

Date of submission: 05/06/2007

Case number: 2007-374

Institution: European Commission

Legal basis: article 27-5 of the regulation CE 45/2001⁽¹⁾

(1) OJ L 8, 12.01.2001

INFORMATION TO BE GIVEN⁽²⁾

(2) Please attach all necessary backup documents

1/ Name and adress of the controller

2) Name and First Name of the Controller: LUYTEN Herman

3) Title: Head of Unit

4) Directorate, Unit or Service to which the Controller is attached: F.01

5) Directorate General to which the Controller is attached: JRC

2/ Organisational parts of the institution or body entrusted with the processing of personal data

26) External Company or Directorate General to which the Processor is attached:

25) External Company or Directorate, Unit or Service to which the Processor is attached:

JRC ? Petten ? Management Support Unit -

Telecom Provider KPN - The Netherlands -

3/ Name of the processing

Telephone billing system (mobile phones) at JRC-IE in Petten

4/ Purpose or purposes of the processing

Reimbursement of the costs done for private calls to the Commission

<p>5/ Description of the category or categories of data subjects</p> <p>14) Data Subject(s) concerned:</p> <p>Officials from JRC-Petten, in possession of a mobile phone (GSM) from the Commission at JRC ? Petten</p> <p>16) Category(ies) of Data Subjects:</p> <p>The data subject in possession of a mobile phone of the JRC Petten.</p>
<p>6/ Description of the data or categories of data (including, if applicable, special categories of data (article 10) and/or origin of data)(including, if applicable, special categories of data (article 10) and/or origin of data)</p> <p>17) Data field(s) of Data Subjects:</p> <p>Attention: Please indicate and describe in the answer to this question also data fields which fall under article 10</p> <p>Name of data subject, mobile phone number of data subject</p> <p>18) Category(ies) of data fields of Data Subjects:</p> <p>Attention: Please indicate and describe in the answer to this question also categories of data fields which fall under article 10</p> <p>Date of bill, Unit name, name of data subject, mobile phone number of data subject, print date of the bill. Data subject related information: date of call; time; period of call; duration of call; extension called (number); amount to invoiced of the call; country called.</p>
<p>7/ Information to be given to data subjects</p> <p>15a) Which kind of communication(s) have you foreseen to inform the Data Subjects as described in articles 11 - 12 under 'Information to be given to the Data Subject'</p> <p>Officials from JRC-Petten, in possession of a mobile phone are informed. Monthly bill are made available by the Commission to show the amounts due. See enclosed privacy statement.</p>
<p>8/ Procedures to grant rights of data subjects (rights of access, to rectify, to block, to erase, to object)(rights of access, to rectify, to block, to erase, to object)</p> <p>15b) Which procedure(s) did you put in place to enable Data Subjects to exert their rights: access, verify, correct, etc., their Personal Data as described in articles 13 - 19 under 'Rights of the Data Subject' :</p> <p>The data subject can contact at any time the responsible in order to consult or modify his data.</p>
<p>9/ Automated / Manual processing operation</p>

7) Description of Processing:

Attention: Please describe in the answer to this question if you process personal data falling under article 27 "Prior-Checking (by the EDPS - European Data Protection Supervisor)"

Officials (customer) from the JRC Institute for Energy (IE) in Petten, in possession of a mobile phone (GSM) from the Commission, are invoiced for their private calls.

The billing information is received by the IE Management Support Unit (MSU) on a monthly basis from the telecom provider. (Compact Disc and paper format). The data retrieved on the CD can only be read with an application provided by the telecom provider. The workstation to retrieve the data is password protected. The paper format version is archived.

The application has a database with the phone numbers of the Commission and business numbers. With the application business and commission calls are filtered out and the billing information is linked with the personal information and send to the customer.

Telephone numbers not recognised by the system are send by e-mail to the customer an a control and

8) Automated Processing operation(s):

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9) Manual Processing operation(s):

The paper format billing information from the telecom provider and the customer declarations are stored in an archive. In case the customer replies by e-mail, the declaration is printed out and stored in an archive.

10/ Storage media of data

The traffic and billing data containing personal data are stored on server at JRC Petten site. Paper format data stored in archive at JRC Petten site. The traffic data without any personal data are also stored by the provider according to National laws.

11/ Legal basis and lawfulness of the processing operation

11) Legal basis of Processing:

Treaty of Euratom Ch.I, Art.8

Financial Regulation and Statute of the Commission

12) Lawfulness of Processing:

Answering this question please also verify and indicate if your processing has to comply with articles 20 "Exemptions and restrictions" and 27 "Prior checking (by the EDPS)"

Processing falls under art. 27.1; art. 27.2(b) and art. 37

In view of the services, the treatment is necessary and lawful as per art. 5(a) of the Regulation (EC) 45/2001
Invoicing done by Telecom-provider, the treatment is necessary and lawful as per art. 5(b) of the Regulation (EC) 45/2001

12/ The recipients or categories of recipient to whom the data might be disclosed

20) Recipient(s) of the Processing:

IE Management Support Unit (MSU)

Payroll department of the Commission (PMO). Art 7 is applicable.

21) Category(ies) of recipients:

IE Management Support Unit (MSU)

Payroll department of the Commission (PMO)

13/ retention policy of (categories of) personal data

Data is processed for the purpose of telecommunications budget and traffic management, including the verification of authorised use of the telecommunication system. These data shall be erased no later than six months after transmission of the invoice to PMO, unless they need to be kept for a longer period to establish exercise or defend a right in a legal claim pending before a court.

13 a/ time limits for blocking and erasure of the different categories of data (on justified legitimate request from the data subject) (Please, specify the time limits for every category, if applicable)
(on justified legitimate request from the data subject)
(Please, specify the time limits for every category, if applicable)

22 b) Time limit to block/erase data on justified legitimate request from the data subjects

To block or erase data on justified request of the data subject will be processed in 10 working days.

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,

22 c) 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

The data leading to the identification of the data subject will be erased resp. be made anonymous. The other related data will be stored for longer periods for historical, statistical use. In any event, the data will not be used for any purpose other than for historical or statistical purposes.

15/ Proposed transfers of data to third countries or international organisations

27) Legal foundation of transfer:

Only transfers to third party countries not subject to Directive 95/46/EC (Article 9) should be considered for this question. Please treat transfers to other community institutions and bodies and to member states under question 20.

Not applicable.

28) Category(ies) of Personal Data or Personal Data to be transferred:

Not applicable.

16/ The processing operation presents specific risk which justifies prior checking (please describe): *(please describe)*:

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Article 27.2.(a) Processing of data relating to health and to suspected offences, offences, criminal convictions or security measures,

n/a

Article 27.2.(b) Processing operations intended to evaluate personal aspects relating to the data subject,

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,

n/a

Article 27.2.(d) Processing operations for the purpose of excluding individuals from a right, benefit or contract,

n/a

Other (general concept in Article 27.1)

n/a

17/ Comments

1) Date of submission:

10) Comments if applicable:

The signed declaration by the customer is considered true and not furthermore controlled.

36) Do you publish / distribute / give access to one or more printed and/or electronic directories?

Personal Data contained in printed and/or electronic directories of users and access to such directories shall be limited to what is strictly necessary for the specific purposes of the directory.

If Yes, please explain what is applicable.

yes

yes

Access to printed and electronic information is limited to what is strictly necessary for the purposes of this processing of data.

37) Complementary information to the different questions if applicable, including attachments to this notification which should not be public :

PLACE AND DATE:05/06/2007

DATA PROTECTION OFFICER: RENAUDIERE Philippe

INSTITUTION OR BODY:European Commission