

REGISTER NUMBER: 320

NOTIFICATION FOR PRIOR CHECKING

Date of submission: 07/01/2008

Case number: 2008-014

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: DE HAAS Johannes

3) Title: Head of Sector

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

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:

3/ Name of the processing

Voice logging at JRC-IE in Petten

4/ Purpose or purposes of the processing

Follow-up, verification a posteriori on incidents, threats, operational actions. In case of threats against the Institution or persons to be handled as evidence.

At some stage it may work in cooperation with national authorities.,

5/ Description of the category or categories of data subjects

14) Data Subject(s) concerned:

all persons internal/external; all persons in the crisis centre; all persons of the alarm central, calling the standard, emergency telephones of the alarm central of the JRC-IE and using direct lines between the alarm central and the national authorities.

16) Category(ies) of Data Subjects:

Internal, external persons calling the standard and emergency telephones of JRC-IE and other staff dealing with emergencies

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)*

17) Data field(s) of Data Subjects:

Attention: Please indicate and describe in the answer to this question also data fields which fall under article 10

Date fields are:

- Calling telephone number ,
- Called telephone number ,
- Call date and time,
- Call duration, (as specified in the Privacy Statement)
- Recorded conversation

18) Category(ies) of data fields of Data Subjects:

Attention: Please indicate and describe in the answer to this question also categories of data fields which fall under article 10

Telephone numbers - Time and date - Contents of the conversation

7/ Information to be given to data subjects

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'

Exception under the terms of the article 20 1.a

In order to not reduce the system effectiveness, the recording of the communication is not announced. The existence of the system is not denied.

Personal data is collected exclusively for ensuring the security and will not be used for any other purpose respecting the terms of article 6. 2

Persons operating the alarm central and the switch board are instructed and the use of recording devices are announced.

see also attached Privacy Statement.

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)*

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' :

The data subject can refer directly to the controller to exert their rights by using the functional mailbox "jrc-ies@ec.europa.eu".

On the start page of the JRC-IE Petten intranet site a reserved area "Data protection" is installed.

-see also attached Privacy statement-

9/ Automated / Manual processing operation

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)"

Recording of incoming and outgoing telephone calls to standard, emergency centre and crisis room at the Joint Research Centre -Institute for Energy- (JRC-IE) in Petten.

The processing operations of the Crisis Analysis Cell system is necessary for the performance and the support of the numerous tasks carried out by the institution as mandated by the treaties.

This processing is relevant to Art. 27.

8) Automated Processing operation(s):

Recording of incoming and outgoing telephone calls on standard, emergency numbers and walkie talkies.

9) Manual Processing operation(s):

Consultation of records after incidents, emergencies and training exercises

10/ Storage media of data

electronic media

11/ Legal basis and lawfulness of the processing operation

11) Legal basis of Processing:

The processing operations is necessary for the performance and the support of the numerous tasks carried out by the institution as mandated by the treaties, and more specifically articles 5, 7 and 211 - 219 of the "Treaty of Amsterdam amending the Treaty on European Union, the Treaties establishing the European Communities and certain related acts".

- Wet particuliere beveiligingsorganisaties en recherchebureaus (Law private security organisations and investigation departments) - Dutch law 24/10/1997

- Regeling BORG Particuliere Alarmcentrale - 28/06/2005 - Nederlands Centrum criminaliteitspreventie veiligheid (Regulation BORG Private Alarm Centrals - Dutch Centre of crime prevention and security -

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)"

The process falls under Art 5a

The processing is necessary for compliance with the legal obligation to which the controller is subject as a necessary measure for safeguard prevention and investigation of incidents.

The procession operation falls under art. 20.1 a) d) and e)

This processing is relevant to Art. 27.

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

20) Recipient(s) of the Processing:

JRC-IE Director

JRC-IE Local Security Officer

JRC-IE Plant Security Manager and / or deputy

Commision staff of JRC dealing directly with the incident / exercise

System administrators

Dutch national authorities in case of incidents

DG Admin/DS

Guards on duty consults only ive audio.

Data transfer follows Article 7 and Art. 8 of the Regulation (EC) 45/2001.

21) Category(ies) of recipients:

Security Staff

13/ retention policy of (categories of) personal data

The data will be erased at the latest after 1 year on a FIFO basis (first in / first out)

In case of incident the data will kept for analizing for a longer period to establish exercise or defend a right in a legal claim pending before a court. This data retention may take the exemptions set out in Article 20 as a basis.

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

Following a justified and legitimate request by the Data Subject, the personal data will be analyzed. The recorded data cannot be modified; comments can be added within 15 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

not applicable

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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This processing is relevant to Art. 27.

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

<p>Article 27.2.(a) Processing of data relating to suspected offences, offences, criminal convictions or security measures,</p> <p>Article 27.2.(b) Processing operations intended to evaluate personal aspects relating to the data subject,</p> <p>n/a</p> <p>Article 27.2.(c) Processing operations allowing linkages not provided for pursuant to national or Community legislation between data processed for different purposes,</p> <p>n/a</p> <p>Article 27.2.(d) Processing operations for the purpose of excluding individuals from a right, benefit or contract,</p> <p>n/a</p> <p>Other (general concept in Article 27.1)</p> <p>Art. 27.1 to harm confidentiality of communications in the framework of an investigation</p>
<p>17/ Comments</p> <p>1) Date of submission:</p> <p>10) Comments if applicable:</p> <p>Incidents defined as:</p> <p>Violations of public order and safety</p> <p>Criminal and Terroristic incidents</p> <p>36) Do you publish / distribute / give access to one or more printed and/or electronic directories?</p> <p>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.</p> <p>If Yes, please explain what is applicable.</p> <p>37) Complementary information to the different questions if applicable, including attachments to this notification which should not be public :</p>
<p>PLACE AND DATE:21/12/2007</p> <p>DATA PROTECTION OFFICER: RENAUDIERE Philippe</p> <p>INSTITUTION OR BODY:European Commission</p>