

**REGISTER NUMBER: 328**

**NOTIFICATION FOR PRIOR CHECKING**

Date of submission: 04/03/2008

Case number: 2008-134

Institution: European Commission

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

(1) OJ L 8, 12.01.2001

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

(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

Closed Circuit Television (CCTV) at JRC-IE in Petten

4/ Purpose or purposes of the processing

Operation aims at the reinforced protection of persons, buildings, areas, material and production processes.

The purposes of monitoring is:

- Remote surveillance of sensitive premises
- Fast check of alarms sent by physical protection systems.
- Immediate and unmanned patrol on large areas or specific places.
- Reconstruction of events in case of crisis or incidents.

The location and positioning of the video-cameras is such that they are not intended to cover the surrounding public space.

5/ Description of the category or categories of data subjects

14) Data Subject(s) concerned:

Anyone who finds himself in videosurveilled areas insite the Petten site perimeter and properties.

16) Category(ies) of Data Subjects:

Images of anybody who finds himself in videosurveilled areas of the JRC-IE properties.

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

The video-surveillance includes images of persons, objects, means of transport and animals.

The processing falls under art. 10.

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

The video-surveillance includes images of persons, objects, means of transport and animals.

The processing falls under art. 10.

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'

see attached privacy statement

All areas in which the video-camera systems are installed are clearly marked with appropriate signs, according the guidelines of the DPO.

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.

The data subject can use the functional mailbox "jrc-ie-ses@ec.europa.eu" - see also 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)"

The Petten site of the JRC-IE (Joint Research Centre-Institute for Energy) has been identified as a nuclear area which in turn demands special security needs.

For security reasons, the JRC-IE protects by means of cameras (CCTV system) its site and properties. Only those areas are monitored that are required to prevent unauthorized access and to protect the security of the site, the buildings, property in the buildings and the building's occupants. Cameras facing the public road do not show identifiable data subjects.

This processing falls under Art. 27

8) Automated Processing operation(s):

videorecording on hard disk

9) Manual Processing operation(s):

consultation of recorded video after incidents

10/ Storage media of data

electronic media

11/ Legal basis and lawfulness of the processing operation

11) Legal basis of Processing:

The Petten site of the Institute for Energy has been identified as a nuclear area due to the presence of the HFR and of nuclear material which in turn demand special security needs. The security requirements are defined in the Dutch nuclear legislation, the Euratom agreement, and the rules and regulations of the Internal Atomic Energy Agency.

? Kernenergiewet (Nuclear Energy Act) 1963

? Euratom agreement 29/12/1954

? IAEA INFCIRC 225 rev. 4

? Commission decision (2001/844/EC, ECSC, Euratom), amendment 1 (2005/94/EC, Euratom) of 3 February 2005 and amendment 2 (2006/70/EC, Euratom) of 31 January 2006.

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)

The procession operation falls under art.27.2 a).

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

DG Admin/DS

Guards on duty consults only live images.

Dutch national authorities in case of incidents - see point 10 -

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

21) Category(ies) of recipients:

JRC-IE Director

JRC-IE Local Security Officer

JRC-IE Plant Security Manager and / or deputy

DG Admin/DS

Guards on duty consults only live images.

Dutch national authorities in case of incidents - see point 10 -

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

13/ retention policy of (categories of) personal data

The data will be erased at the latest after 7 days on a FIFO basis (first in / first out), or after settlement of the incident.

In case of incident the data will be kept for analyzing 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

Data from the recorder cannot be modified - all images are watermarked

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)*:

7) Description of Processing:

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

Article 27.2.(a) Processing of data relating 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,

n/a

☐ 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:

Incidents are defined as:

- Violations of public order and safety
- Criminal and Terroristic incidents

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.

no

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

PLACE AND DATE:04/03/2008

DATA PROTECTION OFFICER: RENAUDIERE Philippe

INSTITUTION OR BODY:European Commission