

REGISTER NUMBER: 344
NOTIFICATION FOR PRIOR CHECKING
<p>Date of submission: 12/03/08</p> <p>Case number: 2008-168</p> <p>Institution: EMCDDA</p> <p>Legal basis: article 27-5 of the regulation CE 45/2001⁽¹⁾</p> <p style="text-align: right;"><i>(1) OJ L 8, 12.01.2001</i></p>
INFORMATION TO BE GIVEN⁽²⁾
<i>(2) Please attach all necessary backup documents</i>
<p>1/ Name and adress of the controller Mr. Dante Storti, Head of Unit-Administration (EMCDDA. Rua da Cruz de Santa Apolonia 23-25. 1149-045. Lisboa)</p>
<p>2/ Organisational parts of the institution or body entrusted with the processing of personal data Financial Management Sector (a Sector within the Administration Unit)</p>
<p>3/ Name of the processing Legal entity and bank identification records</p>
<p>4/ Purpose or purposes of the processing</p> <p>The purpose of the processing is to enable EMCDDA payments to third parties, in accordance with relevant financial regulations. The EMCDDA Accounting officer may make payments by bank transfer only if the required information on the bank account and legal entity of the beneficiary third party has previously been provided, entered and validated in the EMCDDA system for budget and accounting management, on the basis of the required supporting documents. Third parties that are going to enter in contractual and financial relationship with the EMCDDA are requested to provide the information required to process the transactions resulting from this relationship, by completing and delivering specific forms which are set for this purpose, applying by analogy the forms used by the European Commission (see attachment).</p>

Part of the above mentioned information concerns the bank references of the third party (Bank Account record). These references can belong to individuals, private law bodies, public law bodies. Typical supporting documents are the "Financial Identification Form" completed and signed by the third party along with bank statements . In order to be used in payments, the bank account records must be linked, by the authorising officer to a Legal Entity record identifying the third party. Data identifying the third party (Legal Entity record) may refer to individuals, private law bodies, public law bodies. For individuals typical supporting documents are the "Legal Entity Identification Form" completed and signed by the third party along with copy of ID cards or passport.)

5/ Description of the category or categories of data subjects

All third parties of the EMCDDA, i.e. persons who are going to have financial dealings with the EMCDDA.

6/ Description of the data or categories of data *(including, if applicable, special categories of data (article 10) and/or origin of data)*

1- Bank account file: Account holder : name, address, telephone, e-mail and signature

Bank details : Bank name , branch address, account number, IBAN, bank stamp and signature of the bank representative (or alternatively a copy of a bank statement).

2- Legal entity file: Individual: name, first name, official address, VAT NR , identity card number passport number date place and country of birth, telephone, e-mail, fax .

To be supported by a copy the ID card or passport . If VAT nr is filled in, the form is accompanied by an official "VAT" document .

Private companies : type of company, NGO (Yes or No), name(s), abbreviation, address of head office, place of registration ,date of registration, registration no (2), telephone, e-mail, fax and signature. To be accompanied by:

1. a copy of the VAT registration document if applicable and if the VAT number does not appear on the official document referred to at 2 below.

2. a copy of some official document (official gazette, company register etc.) showing the name of the legal entity, the address of the head office and the registration number given to it by the national authorities.

3 If VAT nr is filled in, the form should be accompanied by an official "VAT" document .

Public entities: type of company, NGO (Yes or No), name(s), abbreviation, address of head office, VAT, place of registration ,date of registration, registration no (2), telephone, e-mail, fax, name and signature of authorised representative and stamp to be accompanied by a copy of the resolution, law, decree or decision establishing the entity in question or, failing that, any other official document attesting the establishment of the entity . If VAT nr is filled in, the form should be accompanied by an official "VAT" document.

7/ Information to be given to data subjects

Pursuant to article 11 of regulation (EC) 45/2001, Data Subjects are informed through a Privacy Statement which is provided with the forms (Financial identification and Legal entity forms) to be completed (see attachment).

8/ Procedures to grant rights of data subjects *(rights of access, to rectify, to block, to erase, to object)*

The Privacy Statement provided to the Data Subjects gives guidance to on how to exert their rights, namely how to verify and modify their personal data.

9/ Automated / Manual processing operation

n.a

<p>10/ Storage media of data</p> <p>Electronic (SI2 application) and paper-based media</p>
<p>11/ Legal basis and lawfulness of the processing operation</p> <p>EMCDDA Financial Regulation and the detailed rules for the implementation of the Financial Regulation applicable to the general budget of the European Communities. The processing is lawful and necessary under Article 5.(a) (b) (c) and (d) of Regulation (EC) 45/2001. The present notification is subject to prior-checking by the European Data protection Supervisor under Article 27 of Regulation (EC) 45/2001.</p>
<p>12/ The recipients or categories of recipient to whom the data might be disclosed</p> <p>EMCDDA initiating officer (to enter the data in the system), accounting officer (to validate the data) and all other authorised users of the EMCDDA SI2 system. Access to this system is strictly limited to authorised users and controlled through the delivery of a unique user-id and password .</p> <p>Internal and external auditors (Court of Auditors) are granted specific access for audit purpose when requested.</p>
<p>13/ retention policy of (categories of) personal data</p> <p>In accordance with Article 38 of the EMCDDA Financial regulation, the authorising officer shall conserve the supporting documents relating to operations carried out for a period of five years from the date of the decision granting discharge in respect of implementation of the concerned budget.</p> <p>Therefore these documents shall be kept for at least five years from the date on which the European Parliament grants discharge for the budgetary year to which the documents relate.</p> <p>However, bank related data need to be kept without time limit to enable further possible payments without having to request the same data again, for audit purpose and to enable queries on financial and accounting transactions that sometimes go back many years.</p>
<p>14/ Historical, statistical or scientific purposes</p> <p><i>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,</i></p> <p>n.a</p>
<p>15/ Proposed transfers of data to third countries or international organisations</p>
<p>16/ The processing operation presents specific risk which justifies prior checking (<i>please describe</i>):</p> <p>AS FORESEEN IN:</p> <p><input checked="" type="checkbox"/> Article 27.2.(a)</p> <p>Processing of data relating to health and to suspected offences, offences, criminal convictions or security measures,</p>

☐ 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)

☐ Other (general concept in Article 27.1)

17/ Comments

PLACE AND DATE: Lisbon, 12.03.2008

DATA PROTECTION OFFICER:Cécile Martel

INSTITUTION OR BODY:EMCDDA