

REGISTER NUMBER: 434

NOTIFICATION FOR PRIOR CHECKING

Date of submission: 28/11/2008

Case number: 2008-726

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 address of the controller

2) Name and First Name of the Controller: WAGNER Werner

3) Title: Director

4) Directorate, Unit or Service to which the Controller is attached: E.7

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.E.07

External companies in charge of physical protection duties

External companies in charge of the maintenance and development of the software and hardware

3/ Name of the processing

ENTRANCE PERMISSION AND ACCESS CONTROL FOR PHYSICAL PROTECTION (ZES+ZKS) AT JRC-ITU IN KARLSRUHE

4/ Purpose or purposes of the processing

The processing consists in making available in the ZES+ZKS software personal data in order to allow the physical protection service to control and manage each individual's access rights and radioprotection status in order to comply with legal regulations.

This process is connected with the "AGS-EDV DATA BASE at JRC-ITU in Karlsruhe" already notified in the notification DPO- 954.

5/ Description of the category or categories of data subjects

14) Data Subject(s) concerned:

All persons with an application for access to ITU:

- JRC staff
- External staff under contract
- Visitors

16) Category(ies) of Data Subjects:

All persons with an application for access to ITU:

- JRC staff
- External staff under contract
- Visitors

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

- ID number (badge number) -Identifier (in order to speed up the search function of the database)
- Photo of ITU staff -Photo of visitors
- Name -Surname -Maiden Name
- Date of birth -Place of birth
- Nationality -Addresses (private and business)
- Phone numbers (private and business)
- Fax -E-mail
- Company name and address
- Date regarding start of work at ITU -Date regarding end of work at ITU
- Security clearance (submission date, expiration date, level, competent authorities, purpose, file reference, comments, file type, transfer, clearance yes/no)
- Working place and unit -Unit head
- Responsible for access application form
- Identification by staff
- (registration)
- Passport number or ID Card -FZK badge
- Training related dates on radiation protection information -Occupationally exposed to radiation: yes/no
- Rights to sign -Special functions and responsibility
- Permissions within ITU -Dosimeter number
- ITU identification badge including personal photo
- Access identification badge data (ID number , weight)
- Permission for access time period -Entrance and exit date and time
- Access application form -Field for comments
- Access to nuclear area: yes/no -Previously worked at a nuclear site: yes / where
- Information for PR-Office: scientific visit / V.I.P. -Reason for visit
- Biometric identification data: hand-scanner, weight and Iris-scanner

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

- Identity data
- Access control data
- Access profile data

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'

Data subjects will be informed by a privacy statement (see attachment).

- The privacy statement for visitors will be put on the board in the entrance building of ITU.
- The privacy statement for ITU-Staff and contractors will be published on the Intranet Website of ITU.

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 concerned data subjects can exert their rights according to articles 13-19 ("Rights of the data subjects") by consulting the controller of the ZES/ZKS database as indicated in the 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)"

ZES ? Zugangs Erfassungs Software ? Entrance Permission Software

ZKS ? Zugangs Kontroll Software ? Access Control Software

The processing consists of the recording of data of all persons prior to and during their access to ITU premises and nuclear areas, archiving and filing data during and after their stay at ITU.

The processing is needed to have data available to comply with legal requirements for physical protection and radiation protection.

The system also produces and stores ID badges including a personal photo in compliance with German regulations.

The access control system uses biometric identification data.

The processing falls under article 27.

8) Automated Processing operation(s):

Verifying and recording data for access (entrance and exit).

Checking if authorizations expire and delivering of automated reports (e.g. renewal of security clearance, access application forms)

9) Manual Processing operation(s):

Introducing data of internal and external staff members and visitors. Application-Form for Staff Members and Visitors is attached under Point 37.

10/ Storage media of data

Badge, paper and electronic storage media.

11/ Legal basis and lawfulness of the processing operation

11) Legal basis of Processing:

- German legislation:

1. Atomgesetz (AtG) §9+§12b+§12c as of 15.07.1985

<http://www.gesetze-im-internet.de/atg/index.html>

2. Atomrechtliche Zuverlässigkeitsüberprüfungsverordnung (AtZüV) as of 01.07.1999

http://www.gesetze-im-internet.de/atz_v/index.html

3. Strahlenschutzverordnung (StrlSchV) §42 as of 20.07.2001

http://www.gesetze-im-internet.de/strlschv_2001/index.html

- Euratom Treaty as of 25.03.1957

http://europa.eu/scadplus/treaties/euratom_en.htm

<http://eur-lex.europa.eu/en/treaties/dat/12006A/12006A.html>

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)"

This personal data processing is necessary according to article 5a) & b), it falls under articles 20.

The processing falls under article 27.

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

20) Recipient(s) of the Processing:

ITU- Contractors Staff of the physical protection service

(transfer of Data falls under art. 8)

ITU- Radioprotection staff

ITU- Management support unit staff

DG ADMIN DS

(Transfer of Data falls under art. 7)

-National German competent authorities

-Nuclear sites

(Transfer of Data falls under art. 8)

21) Category(ies) of recipients:

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Transfer of Data falls under art. 8

13/ retention policy of (categories of) personal data

Personal data of ITU-Staff and contractors staff will be deleted 5 years after expiration date of the security clearance.

For visitors who have no access to nuclear areas the maximum retention period is 5 years after the last visit.

For persons with access to nuclear areas and registered with dosimeter data the maximum retention period is 95 years after the date of birth of the data subject following Art. §42 of the German nuclear legislation (StrlSchV).

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

After a justified and legitimate request data modification will be made within a month.

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

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,

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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:

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:28/11/2008

DATA PROTECTION OFFICER: Administrator

INSTITUTION OR BODY:European Commission