

**REGISTER NUMBER: 486**

**NOTIFICATION FOR PRIOR CHECKING**

Date of submission: 25/02/2009

Case number: 2009-162

Institution: EACI

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

Mr Guido de Clercq, Head of Unit Resources (responsible *inter alia* for the budget management), European Commission, EACI, MADO 04/09, B-1049 Brussels

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

3/ Name of the processing

Use of mobile phone for the staff going on mission

4/ Purpose or purposes of the processing

In order to facilitate the contacts between the staff on mission and the Agency, the EACI purchased a number of mobile phones. These mobile phones will be managed by the secretariat of each unit (there are seven units). They will be available for any staff member going on mission and its use will be strictly limited to communications necessary for carrying out the missions.

5/ Description of the category or categories of data subjects

Staff members going on mission, such as in particular Project Officers (Pos), Financial Officers (Fos), Legal Officers (Los), Heads of Unit (HoUs), Director, Assistant to the Director, Internal Auditors.

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

Data relating to the evaluation of personal aspects of the data subject (e.g. conduct); Traffic data ; Billing data (phone numbers dialled by the users)

<p>7/ Information to be given to data subjects</p> <p>In order to ensure a correct use of the mobile phones, each staff member using a mobile phone of the Agency will sign a declaration authorising the Head of Unit Resources to control the invoices of the mobile phones, and therefore have access to the phone numbers dialled by the staff member (See Declaration on consent, Annex I). Any improper use of the mobile phones will have to be reimbursed by the staff member. The authorisation form of access to personal data to be completed by staff members will be found on intranet of the EACI.</p>
<p>8/ Procedures to grant rights of data subjects (<i>rights of access, to rectify, to block, to erase, to object</i>)</p> <p>The data concerning the phone numbers dialled will be kept for a very short period. In any case, they will be erased not later than six months after collection. In addition, upon written request, the data subject can have access to his/her personal data as well as request rectification of any accurate data. The same regarding blocking, erasure and objections, if applicable, and when appropriate.</p>
<p>9/ Automated / Manual processing operation</p> <p>Manual processing only.</p>
<p>10/ Storage media of data</p> <p>Automatic storage of data in the mobile phone.</p>
<p>11/ Legal basis and lawfulness of the processing operation</p> <p>Regulation (EC) No 45/2001, Article 5(a) as well as Article 5(d): the data subject has unambiguously given his/her consent. The legal basis is also Article 37 (2) of Regulation (EC) No 45/2001 according to which traffic data may be processed also for verification of the authorised use of the telecommunications system.</p>
<p>12/ The recipients or categories of recipient to whom the data might be disclosed</p> <p>The Head of Unit of resources of the EACI.</p>
<p>13/ retention policy of (categories of) personal data</p> <p>The data concerning the phone numbers dialled will be kept for a very short period. In any case, they will be erased not later than six months after collection.</p>
<p>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)</p> <p>Usually immediate but at maximum within 5 working days</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>In principle is not applicable.</p>
<p>15/ Proposed transfers of data to third countries or international organisations</p> <p>Not applicable</p>
<p>16/ The processing operation presents specific risk which justifies prior checking (<i>please describe</i>):</p> <p>Article 27(2)b: Processing of data relating to the evaluation of personal aspects of the data subject (e.g. conduct).</p>

Other

17/ Comments

Please find enclosed one attachment: Declaration of consent

PLACE AND DATE: Brussels 23.02.2009

DATA PROTECTION OFFICER: Elena Fierro

INSTITUTION OR BODY: Executive Agency for Competitiveness and Innovation (EACI)