

REGISTER NUMBER: 553

NOTIFICATION FOR PRIOR CHECKING

Date of submission: 10/12/2009

Case number: 2009-827

Institution: Parliament

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

**Mrs Maria HAERDIN HOWAT
TOB 18A007
Luxembourg**

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

DG TRAD - External Translation Service

3/ Name of the processing

FLUID - Quality Monitoring of External translation including satellite applications (FLUID4Planning, FluiDiv)

4/ Purpose or purposes of the processing

Organisation of external translation and monitoring its quality level. The data stored in the application are used to identify the authorised users and to register their actions.

5/ Description of the category or categories of data subjects

Members of staff having been given access via password, working with the application.

Staff working for external contractors (translators).

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

Data being used to evaluate personal aspects of the data subject (ability, efficiency, conduct) - institution reserves the right to carry out a quality control on all work supplied by the contractor - Data relating to suspected offences, offences, criminal convictions or security measures - the contract may be terminated for an offence concerning professional conduct or for grave professional misconduct- Data concerning the data subject's career - Data concerning recruitment and contracts - the names of the translator(s) and reviser(s) responsible for each assignment carried out and, on request, also the detailed curriculum vitæ of the individual(s) concerned.

7/ Information to be given to data subjects

Information given to tenderers for transmission to their staff (translators). In the call for tenders the section on quality requirements states: "2.5.7. The contractor shall provide the institution with the names of translator(s) and reviser(s) when delivering an assignment. In accordance with Regulation (EC) No. 45/2001 of the European Parliament and of the Council of 18 December 2000 tenderers are informed, that this information will be processed for the purpose of monitoring the quality of the services provided by the contractor."

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

In general, implementing rules relating to Regulation (EC) No 45/2001 contained in the Bureau decision of 22 June 2005 provide for the rights of data subjects in Articles 8 - 13. Specifically for this operation, the staff members will be informed by e-mail about the type of information data registered by the applications, the possibility of correcting it and the address of the web site where they can find the information concerning the data protection and their rights as data subjects. A notice with
Information given to tenderers for transmission to their staff (translators).

9/ Automated / Manual processing operation

Processing automated wholly or in part

10/ Storage media of data

Database

11/ Legal basis and lawfulness of the processing operation

**Rules of procedure - Rule 146: Bureau decision of 17 November 2008 (code of conduct on multilingualism):
Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 , as amended by Council Regulation (EC, Euratom) No 1995/2006 of 13 December 2006 amending Regulation No 1605/2002 on the financial Regulation applicable to the general budget of the European**

Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 , as amended by Commission Regulations (EC, Euratom) No 1261/2005 of 20 July 2005 , No 1248/2006 of 7 August 2006 and Commission Regulation (EC, Euratom) No 478/2007 of 23 April 2007 and Commission Regulations (EC, Euratom) No 2342/2002 of 23 December 2002 (detailed rules for the implementation of the Financial Regulation).

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

Staff members working with the applications, as well to the technicians and other specialised staff dealing with maintenance, development, as well as the "helpdesk" of the applications, including external staff working for the contractors executing these operations.

Translation units of the European Parliament.

13/ retention policy of (categories of) personal data
Budgetary discharge plus 5 years.

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)

In general, implementing rules relating to Regulation (EC) No 45/2001 contained in the Bureau decision of 22 June 2005 provide for the rights of data subjects in Articles 8 - 13. Specifically for this operation, erasure after the expiry of the retention period is envisaged.

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,

No

15/ Proposed transfers of data to third countries or international organisations

No

16/ The processing operation presents specific risk which justifies prior checking (*please describe*):

AS FORESEEN IN:

Article 27.2.(a)

Processing of data relating to health and 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,

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)

Processing operations for the purpose of excluding individuals from a right, benefit or contract,

Other (general concept in Article 27.1)

17/ Comments

PLACE AND DATE: **Luxembourg 8 December 2009**

DATA PROTECTION OFFICER: **Jonathan STEELE**

INSTITUTION OR BODY: **European Parliament**