NOTIFICATION FOR PRIOR CHECKING

DATE OF SUBMISSION: 28/06/2013

CASE NUMBER: 2013-0748

INSTITUTION: EDA

LEGAL BASIS: ARTICLE 27-5 OF THE REGULATION CE N° 45/2001([1])

INFORMATION TO BE GIVEN[2]

1/ NAME AND ADDRESS OF THE CONTROLLER

THOMAS BOUSIOS
HEAD OF THE IT UNIT
RUE DE DRAPIERS 17-23
1050-IXELLES, BRUSSELS (BELGIUM)

2/ ORGANISATIONAL PARTS OF THE INSTITUTION OR BODY ENTRUSTED WITH THE PROCESSING OF PERSONAL DATA

The system administrators of the IT Unit of EDA

3/ NAME OF THE PROCESSING

Access to EDA Email servers via Personal wireless devices.

4/ PURPOSE OR PURPOSES OF THE PROCESSING

Provide a means of access to EDA e-mail to employees, <u>upon their own request and following their request</u>, using their <u>own personal devices</u>.

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[1] OJ L 8, 12.01.2001.

[2] **Please attach all necessary backup documents**

5/   DESCRIPTION OF THE CATEGORY OR CATEGORIES OF DATA SUBJECTS

All EDA staff who have specifically requested such access and have signed a form explicitly agreeing that EDA reserves the right to manage their device via automatic means.

6/   DESCRIPTION OF THE DATA OR CATEGORIES OF DATA *(including, if applicable, special categories of data (Article 10) and/or origin of data).*

The description of data that may be automatically (or following an explicit request of data subject) erased as a result of a suspected or actual breach is all the contents of the mobile device. The mechanism for this operation is described below in Section 17.
In addition, the following data is recorded and kept in electronic format only when the staff member accesses the EDA email system from his mobile device: source IP, destination IP, Username of the person initiating access to EDA servers, time elapsed, volume of traffic, mobile device ID, actions performed (always only related to access to EDA e-mail activities).

7/   INFORMATION TO BE GIVEN TO DATA SUBJECTS

     The request form for the provision of this service (attached) and an information note are published on the agency intranet.

8/   DATA SUBJECT'S RIGHTS

- TO HAVE ACCESS: YES
- TO RECTIFY: N/A
- TO BLOCK: YES
- TO ERASE: YES (DEVICE) NO (ONLY FOR EDA EMAIL ACCESS LOGS)
- TO OBJECT: YES, MAXIMUM 14 DAYS AFTER THE REQUEST IS RECEIVED

9/   AUTOMATED / MANUAL PROCESSING OPERATION

Automated processing operations – for detecting malicious activities or for reporting purposes.
Manual processing operations – during troubleshooting of connectivity issues or security issues.

10/   STORAGE MEDIA OF DATA

EDA does not store any of the information residing on these mobile devices. EDA stores normal Access logs only for connections to the EDA mail servers. These are stored in electronic format at the EDA Data Centre and encrypted backups (accessible only by EDA system administrators).

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11/   LEGAL BASIS AND LAWFULNESS OF THE PROCESSING OPERATION

☐ Article 5(a) of Regulation 45/2001 ("processing is necessary for the performance of a task carried out in the public interest on the basis of the Treaties establishing the European Communities or other legal instruments adopted on the basis thereof […]")
☐ Article 5(b) of Regulation 45/2001 ("processing is necessary for compliance with a legal obligation to which the controller is subject")
☐ Article 5(c) of Regulation 45/2001 ("processing is necessary for the performance of a contract to which the data subject is party […]")
☒ Article 5(d) of Regulation 45/2001 ("the data subject has unambiguously given his or her consent")
☒ Article 5(e) of Regulation 45/2001 ("processing is necessary in order to protect the vital interests of the data subject")

12/   THE RECIPIENTS OR CATEGORIES OF RECIPIENT TO WHOM THE DATA MIGHT BE DISCLOSED

There are no recipients or categories of recipient to whom the data might be disclosed, except if any breach or suspected breach of security occurs (both for the data subject and for the agency). In this case, access logging data (only involving attempts to synchronise email with EDA servers) might be disclosed upon staff request with the presence of the DPO, or to a competent security authority if the incident constitutes a security breach of EDA business data in line with the EDA security instructions.

13/   RETENTION POLICY OF (CATEGORIES OF) PERSONAL DATA

Data is stored in electronic format for 1 year.

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13 A/   TIME LIMIT TO BLOCK/ERASE ON JUSTIFIED LEGITIMATE REQUEST FROM THE DATA SUBJECTS

BLOCK: WITHIN 14 DAYS
ERASE: AS SOON AS POSSIBLE FOLLOWING A REQUEST BY DATA SUBJECT, MAXIMUM 30 DAYS

(Please, specify the time limits for every category, if applicable)

14/   HISTORICAL, STATISTICAL OR SCIENTIFIC PURPOSES

N/A

15/   PROPOSED TRANSFERS OF DATA TO THIRD COUNTRIES OR INTERNATIONAL ORGANISATIONS

NO TRANSFER.

16/	THE PROCESSING OPERATION PRESENTS SPECIFIC RISK WHICH JUSTIFIES PRIOR CHECKING *(Please describe):*

Art 27 a of Regulation 45/2001– processing of data relating to .. 'security measures', given that the definition of 'processing of personal data' includes 'blocking, erasure or destruction'.

17/ COMMENTS

The agency provides this as a courtesy service to data subjects (agency staff) who unambiguously give their consent, to access EDA email for their own convenience. However, the agency can only ensure the provision of this service if minimum security standards are observed in order to safeguard information contained in the organisations email system which may contain professional and personal data. To this end, proportional automated protection measures are employed. In the event of an repeated input of a wrong pin (8 times), the EDA systems automatically send a command to erase all information (incl. personal) which is stored in such personal devices. In addition, the same command for data deletion is employed when the device has been reported stolen, or following explicit request by data subject. Prior to provision of this courtesy service, staff members unambiguously agree and sign a related specific form (attached). Finally, an Information Note describing this service and the related processing operations has been published on the agency intranet.

PLACE AND DATE: BRUSSELS, 28/06/2013

DATA PROTECTION OFFICER: ALAIN-PIERRE LOUIS

INSTITUTION OR BODY: EDA

Annexes:

Annex I: REQUEST FORM FOR EMAIL ACCESS FOR PERSONAL MOBILE DEVICES