

(To be filled out in the EDPS' office)
REGISTER NUMBER: 1282

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NOTIFICATION FOR PRIOR CHECKING

DATE OF SUBMISSION: 19/11/2014

CASE NUMBER: 2014-1080

INSTITUTION: EUROPEAN INVESTMENT FUND

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

INFORMATION TO BE GIVEN²

1/ NAME AND ADDRESS OF THE CONTROLLER

European Investment Fund,
37B, Ave. J.F. Kennedy
L - 2960 Luxembourg

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

Compliance and Operational Risk (COR)

3/ NAME OF THE PROCESSING

EIF procurement for own accounts

4/ PURPOSE OR PURPOSES OF THE PROCESSING

Data processing shall provide an evaluation on (i) the technical and professional capacity of providers of works, services or supplies to be assigned by EIF as well as on (ii) the quality of the implementation of such services, works or supplies. To be noted that procurement on works and supplies is mostly performed by EIB for both member institutions of EIB Group, EIB and EIF, as notified to the EDPS under no. EIB 2007-0126.

¹ OJ L 8, 12.01.2001.

² **Please attach all necessary backup documents**

5/ DESCRIPTION OF THE CATEGORY OR CATEGORIES OF DATA SUBJECTS

Physical persons as (i) potential providers of works, services or supplies or (ii) members of teams proposed by moral persons acting as potential providers of works, services or supplies.

6/ DESCRIPTION OF THE DATA OR CATEGORIES OF DATA

(including, if applicable, special categories of data (Article 10) and/or origin of data)

Name, address, telephone and telefax, e-mail address

Passport or authentication of nationality

Evidence of fiscal status or otherwise commercial registration

Bank account information (IBAN, name of bank)

Certification of good conduct, evidence of payment of social security and fiscal obligations possibly over the precedent three years

Declaration on absence of bankruptcy over the precedent three years

curriculum vitae

Main publications or other track record

Evidence of recent turn-over, possibly over the precedent three years

Evidence of adequate risk cover for professional risk

Other data in line with the terms of reference of the tender documents and strictly within the respective needs of the procurement process

7/ INFORMATION TO BE GIVEN TO DATA SUBJECTS

The data collection performed by EIF is in line with the market practice and based on the respective EU Procurement Directives. The public offer (tender) document is published on the EIF website and may be published otherwise, as appropriate. It contains a communication of the type of data potentially collected and the rights of data subjects in accordance with Regulation 45/2001.

8/ PROCEDURES TO GRANT RIGHTS OF DATA SUBJECTS

(Rights of access, to rectify, to block, to erase, to object)

As set out above, the data subjects are made aware of their rights to access, rectify, block or erase or to object to the collection and storage of their personal data.

9/ AUTOMATED / MANUAL PROCESSING OPERATION

Tender documents contain a weighted list of key criteria for the selection

A panel decides on the applications benchmarked against the referred selection criteria. The formation of the panel and the process is controlled by COR

Panel documentation is destroyed immediately after the conclusion of the selection process

Applications are kept for possible complaints or legal proceedings for a period not exceeding five years following the award notice

Application document of the winning applicant are kept within the requesting service for a period not exceeding five years following the termination of the awarded contract

10/ STORAGE MEDIA OF DATA

Usually, applications may be made by e-mail, to be followed by paper copies. E-mail applications shall, in particular, respond to any application deadline. Electronic and hard-copy documentation of applications is kept with the requesting service for a period as outlined above.

11/ LEGAL BASIS AND LAWFULNESS OF THE PROCESSING OPERATION

EIF Statutes

EIF Guide for Procurement

The EIF Statutes were originally decided upon by the EIB Board of Governors on the basis of Article 30 (old - now Article 28) of the EIB Statute in its version effective 1994. The EIB Statute is an annex to the EU Treaty (now Treaty on the Functioning of the European Union)

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

Requesting services

Members of the selection panel

Members concerned of COR

13/ RETENTION POLICY OF (CATEGORIES OF) PERSONAL DATA

Personal data will be retained for a period not exceeding five years following the termination of the business relationship.

13 A/ TIME LIMIT TO BLOCK/ERASE ON JUSTIFIED LEGITIMATE REQUEST FROM THE DATA SUBJECTS
(Please, specify the time limits for every category, if applicable)

See item 13

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)

Not applicable

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

No data is transferred to third countries.

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

It has to be noted that, as regards EIF, procurement for own account relates mainly to services and, more specifically, to consultancy services. EIF does not own its present premises and office supply is taken care of by EIB for EIB Group.

PLACE AND DATE: LUXEMBOURG, 19 NOVEMBER 2014

DATA PROTECTION OFFICER: J. NEUSS

INSTITUTION OR BODY: EUROPEAN INVESTMENT FUND