

**REGISTER NUMBER: 1342**

**NOTIFICATION FOR PRIOR CHECKING**

Date of submission: 08/04/2016

Case number: 2015-1028

Institution: EBA

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 address of the controller

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

Secretariat of the Committee on Economic and Monetary Affairs

3/ Name of the processing

European Supervisory Authorities (EBA, EIOPA, ESMA) – Appointment procedures

4/ Purpose or purposes of the processing

Processing is done in the context of appointment procedures for the Chair and the Executive Director of the European Banking Authority (EBA), the European Insurance and Occupational Pensions Authority (EIOPA) and the European Securities and Markets Authority (ESMA), respectively. The Regulations establishing the three European Supervisory Authorities (ESAs) provide for a role for the European Parliament as regards:

1. the Chair of an ESA: Parliament "may, after having heard the candidate selected by the Board of Supervisors [of the ESA], object to the designation of the selected person";
2. the Chair of an ESA if the Board of Supervisors intends to extend his/her term of office: the term of office may be extended once "subject to confirmation by the European Parliament";
3. the Executive Director of an ESA: the Board of Supervisors may appoint a candidate "after confirmation by the European Parliament". (quotes are from the Regulations, see under Legal Basis).

In the context of the procedures leading to the appointment of a Chair/Executive Director or the extension of the term of office of a Chair/Executive Director, the ECON committee may organise hearings with the candidates chosen by the Board of Supervisors or with the incumbents in case of extensions. In that context, CVs of candidates and evaluation reports (drawn up by the Board of Supervisors, cf. Articles 48(4) and 51(3) ESA Regulations) may be used by the ECON committee.

5/ Description of the category or categories of data subjects

Candidates for the positions of Chair or Executive Director of the ESAs, or current office holders (in case of extension)

<p>6/ Description of the data or categories of data (<i>including, if applicable, special categories of data (article 10) and/or origin of data</i>)</p> <p>Categories of personal data: data being used to evaluate personal aspects of the data subject (ability, efficiency, conduct):</p> <p>Name, title, administrative data (name and contact details)</p> <p>Professional data and educational data (CV)</p> <p>Evaluation reports drawn up by the ESAs (see point 4))</p> <p>Official documents issued by the EP following the hearing in the ECON committee</p>
<p>7/ Information to be given to data subjects</p> <p>1. Special form (privacy statement) indicating the identity of the data controller, purpose of the processing and the categories of the data collected is handed over or sent to the data subjects.</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>Data subjects may contact the ECON Secretariat for any requests in relation to their personal data.</p>
<p>9/ Automated / Manual processing operation</p> <p>Manual processing of a structured set of data accessible according to given criteria</p>
<p>10/ Storage media of data</p> <p>1. Parliament network. If the filing system is available on a network, indicate the location of the server: ECON critical data (F:)</p> <p>2. Evaluation reports: paper copies stored in ECON Secure Reading Room</p>
<p>11/ Legal basis and lawfulness of the processing operation</p> <p>EBA: Regulation (EU) No 1093/2010; EIOPA: Regulation (EU) No 1094/2010, ESMA: Regulation (EU) No 1095/2010, in particular Articles 48 and 51 (see in attachement)</p>
<p>12/ The recipients or categories of recipient to whom the data might be disclosed</p> <p>Members of Parliament</p> <p>Where appropriate, staff of the political groups and the Cabinet of the President</p>
<p>13/ retention policy of (categories of) personal data</p> <p>Data will be stored until the end of the legislative term in which the appointment procedure takes place.</p>
<p>13 a/ time limits for blocking and erasure of the different categories of data (on justified legitimate request from the data subject) (<i>Please, specify the time limits for every category, if applicable</i>)</p> <p>Blocking: The data controller shall take a decision within 15 working days of receiving a request for data to be blocked. If the request is accepted, it shall be acted upon within 30 working days and the data subject notified thereof. Should the request for blocking be rejected, the data controller shall have 15 working days within which to inform the data subject by means of a letter stating the grounds for the rejection.</p> <p>Erasure: The data controller shall reply within 15 working days of receiving a request for erasure. If the request is accepted, it shall be acted upon immediately. If the data controller deems the request unjustified, he or she shall have 15 working days within which to inform the data subject by means of a letter stating the grounds for the decision.</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>for historical purposes; electronic/paper</p>

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

N/A

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

AS FORESEEN IN:

Article 27.2.(b)

Processing operations intended to evaluate personal aspects relating to the data subject,

17/ Comments

PLACE AND DATE: Luxembourg, xx November 2015

DATA PROTECTION OFFICER: Secondo SABBIONI

INSTITUTION OR BODY: European Parliament