



GIOVANNI BUTTARELLI
ASSISTANT SUPERVISOR

Ms Liia KAARLOP
Data Protection Officer
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Brussels, 11 March 2009
GB/MVPA/kl/ D(2009) 351 C 2009-0038

Dear Ms Kaarlop,

On 15 January 2009 you sent the EDPS a notification for prior checking regarding personal data processing operations relating to "ETF Contacts management" at the European Training Foundation (Case 2009-0038). Having studied this in depth, we have concluded that as things stand at present, and considering the processing as notified to us, it is not subject to prior checking by the European Data Protection Supervisor (EDPS).

The processing was submitted to the EDPS for prior checking on the basis of Article 27.2(a) of Regulation (EC) No 45/2001: "*(...)processing of data relating to health and to suspected offences, offences, criminal convictions or security measures; (..)*" In the case in point, neither the purpose of processing as described in the notification, nor the categories of data mentioned fall under Article 27.2(a).

Despite the fact that the present processing activity is not subject to prior checking, the EDPS would like to remind the controller that all the relevant obligations described in Regulation 45/2001 must be respected. In particular the EDPS would like to receive (a) the text of the Privacy Statement; (b) clarification of the procedures ensuring the rights of data subjects; (c) clarification regarding the retention policy; and (d) a description of the security measures adopted. Please submit this information within 3 months of receipt of this letter.

Yours sincerely,

(signed)

Giovanni BUTTARELLI