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correspondence

**Subject: Prior checking Opinion about the EU SatCen's notification on "invalidity pension procedure", case 2014-1093**

Dear Mr Taupin,

Thank you for your notification submitted to the EDPS on 25 November 2014 under Article 27(2)(a) of Regulation (EC) 45/2001 (the Regulation) regarding the processing of personal data in the context of an invalidity pension procedure carried out by the **EU SatCen**. The notification was supported with a draft copy of the EU SatCen's Pension scheme, a copy of a confidentiality declaration and a copy of a privacy notice.

The deadline of two months for the EDPS to issue his Opinion under Article 27(4) of the Regulation applies. The EDPS should therefore issue his Opinion no later than 26 January 2015 (since the 25 January is a Sunday).

The EDPS notes that the rules and procedures related to an invalidity pension procedure are clear and thorough and the processing of personal data related to health (medical reports of staff members including nature of disability and length of absences) may be justified under Articles 5(a) and 10(2)(b) of the Regulation respectively.

Furthermore, the EU SatCen prepared a confidentiality declaration to be signed by the person in charge of collecting personal data related to invalidity. The declaration mentions that the person in charge will be subject to an obligation of professional secrecy equivalent to that of a health professional. This is an adequate organisational security measure that aims at

maintaining the confidentiality of personal data and at preventing any unauthorised access to them within the meaning of Article 22 of the Regulation.

As to the privacy notice, it provides all necessary and transparent information about the processing of personal data in the context of an invalidity procedure, namely on the rights of data subjects, the recipients of their personal data, the retention period of their personal data etc. The privacy notice is therefore in conformity with Articles 11 and 12 of the Regulation.

On the basis of the notification and documents enclosed, the EDPS considers that the EU SatCen seems to have adopted adequate data protection principles in light of the Regulation. We have therefore decided to close the present case.

Should you have any doubts before a processing is launched, do not hesitate to contact us.

Yours sincerely,

**(signed)**

Giovanni BUTTARELLI

Cc : Mr Pascal LEGAI, Director