



EUROPEAN DATA  
PROTECTION SUPERVISOR

(To be filled out by the EDPS' DPO)

**Register number: 42**

**Date of submission: 19/12/2012**

**Legal basis: Art 25 Regulation 45/2001**

## NOTIFICATION

### INFORMATION TO BE GIVEN

1/ NAME AND FIRST NAME OF THE CONTROLLER

European Data Protection Supervisor (EDPS)

2/ SERVICE RESPONSIBLE FOR PROCESSING PERSONAL DATA

Policy and Consultation Unit

3/ NAME AND DESCRIPTION OF THE PROCESSING OPERATION

Name of the processing operation: Request for access to documents or information

Description of the processing operation:

- 1) Receipt of the request through different channels: on-line form for access to documents, general mailbox, post, members of the EDPS, individual staff members, Information & Communication Sector.
- 2) Sending an acknowledgement of receipt to the applicant;
- 3) Analysis of the request, including defining the scope, assessing possible disclosure of documents originating from the EDPS or third parties; consultation with third parties, assessing public access to personal data contained in documents;
- 4) Taking a decision on the request;
- 5) Informing the applicant of the decision to disclose or to refuse the disclosure of documents or information;
- 6) Eventual receipt of a confirmatory request;
- 7) Analysis of the confirmatory request;

- 8) Taking a decision on the confirmatory request;
- 9) Informing the applicant of the decision on the confirmatory request.

#### 4/ PURPOSE(S) OF THE PROCESSING

The purpose of the processing operation is to ensure appropriate treatment of requests for access to documents or information.

#### 5/ DESCRIPTION OF THE CATEGORY(IES) OF DATA SUBJECT(S)

Any natural person or any individual acting on behalf of a legal person who submits a request for access to documents or information.

Any natural person whose identity appears on the documents or information requested.

#### 6/ DESCRIPTION OF THE DATA OR CATEGORIES OF DATA (INCLUDING, IF APPLICABLE, SPECIAL CATEGORIES OF DATA (ARTICLE 10) AND/OR ORIGIN OF DATA)

Data requested in the on-line form:

- Compulsory information: first name, surname, e-mail address
- Non compulsory information: organisation on behalf of which the request is submitted, contact address, phone number, fax number.

Data supplied by the applicants in a request for access to documents or information submitted through channels different from the on-line form.

Data that appear on the requested document or information.

#### 7/ INFORMATION TO BE PROVIDED TO THE DATA SUBJECTS

##### 7.1. PRIVACY STATEMENT

Regulation 45/2001 (hereinafter the Regulation) applies to the processing of personal data carried out when managing the requests for access to documents or information submitted to the EDPS.

Further to Article 11 and Article 12 of this Regulation, the EDPS provides data subjects the following information:

The controller is the EDPS.

The purpose of the processing operation is to ensure appropriate treatment of requests for access to documents or information.

The legal base for this processing operation is Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents and Recital 5 of Decision No 1247/2002/EC of the European Parliament, of the Council and of the Commission of 1 July 2002 on the regulations and general conditions governing the performance of the European Data-protection Supervisor's duties.

The following data are collected:

- Compulsory information in the on-line form for access to documents: first name, surname, e-mail address;
- Non compulsory information in the on-line form for access to documents: organisation on behalf of which the request is submitted, contact address, phone number, fax number;
- Data supplied by the applicants in a request for access to documents or information submitted through channels different from the on-line form;
- Data that appear on the requested documents or information.

The data subjects are natural persons or any individual acting on behalf of a legal person who submit a request for access to documents or information and any natural person whose identity appears on the documents or information requested.

Personal data are treated by the staff members dealing with the request and are not disclosed outside the EDPS. Personal data that appear on the requested document or information may be disclosed to the applicant following an assessment under Article 8 (b) of Regulation (EC) 45/2001.

The retention period for keeping personal data is ten years.

The data subjects have the right of access and the right to rectify their data. Any such request should be addressed to the EDPS at the following mailbox: [edps@edps.europa.eu](mailto:edps@edps.europa.eu) and treated within 15 working days

The data subjects have the right to have recourse at any time to the EDPS DPO at the following mailbox: [EDPS-DPO@edps.europa.eu](mailto:EDPS-DPO@edps.europa.eu)

7.2. In addition to the information on the principles, conditions and limits governing the exercise of the right of access to documents to be posted on EDPS website, the applicants will receive the following information in the on-line request form:

According to Articles 11 and 12 of Regulation (EC) 45/2001 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data, please be informed that your personal data are processed by the EDPS, when proportionate and necessary, for the purpose of answering your request. The legal base for this processing operation is Regulation (EC) 1049/2001 and Recital 5 of Decision No 1247/2002/EC of the European Parliament, of the Council and of the Commission. Subject to applicable rules under EU legislation, the personal data relating to you, as provided in your request, is used solely for the purpose of answering your request by the persons dealing with the request and shall not be shared with people outside the EDPS. Your data will be stored by the EDPS in electronic and paper files for a maximum of ten years. You have the right of access to the personal data we hold regarding you and to rectify it if necessary. Any such request should be addressed to the EDPS at the following mailbox: [edps@edps.europa.eu](mailto:edps@edps.europa.eu)

8/ PROCEDURES TO GRANT DATA SUBJECTS' RIGHTS (RIGHTS OF ACCESS, TO RECTIFY, TO BLOCK, TO ERASE, TO OBJECT)

Data subjects have the right of access their personal data and to request their rectification. Any such request should be addressed to the EDPS at [edps@edps.europa.eu](mailto:edps@edps.europa.eu) and treated within 15 working days.

9/ AUTOMATED / MANUAL PROCESSING OPERATION

The requests for access to documents or information are treated manually.  
The Case Management System is partially automated.

10/ STORAGE MEDIA OF DATA

Data are stored in paper and electronic files.

11/ LEGAL BASIS AND LAWFULNESS OF THE PROCESSING OPERATION

Article 15(3) Treaty on the Functioning of the European Union

Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents

Recital 5 of Decision No 1247/2002/EC of the European Parliament, of the Council and of the Commission of 1 July 2002 on the regulations and general conditions governing the performance of the European Data-protection Supervisor's duties

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

Personal data submitted by the applicants are not disclosed outside the EDPS. Personal data that appear on the requested document or information may be disclosed to the applicant following an assessment under Article 8 (b) of Regulation (EC) 45/2001.

13/ RETENTION POLICY OF (CATEGORIES OF) PERSONAL DATA

The retention period for keeping personal data is ten years.

13 BIS/ TIME LIMITS FOR BLOCKING AND ERASURE OF THE DIFFERENT CATEGORIES OF DATA  
*(further to justified legitimate request from the data subject)*  
*(Please, specify the time limits for every category, if applicable)*

The time limits for blocking and erasure of personal data is 15 working days

14/ HISTORICAL, STATISTICAL OR SCIENTIFIC PURPOSES

N/a

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

N/a

16/ FURTHER INFORMATION

PLACE AND DATE: 19 DECEMBER 2012

FOR THE CONTROLLER: Hielke Hijmans, Head of Policy and Consultation Unit