

**NOTIFICATION FOR PRIOR CHECKING**

**DATE OF SUBMISSION: 11 MAY 2005**

**CASE NUMBER: 2004/282**

**NOTIFICATION OF: CJCE**

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

**INFORMATION TO BE GIVEN<sup>2</sup>**

1/ NAME AND ADDRESS OF THE CONTROLLER

**MARK RONAYNE, HEAD OF THE PERSONNEL DIVISION, COURT OF JUSTICE OF THE EUROPEAN COMMUNITIES, L-2925 LUXEMBOURG**

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

**Personnel Division; Personnel and Finance Directorate**

3/ NAME OF THE PROCESSING

**Promotion points; Notations et promotions**

4/ PURPOSE OR PURPOSES OF THE PROCESSING

**The purpose of the processing is to calculate the number of promotion points accumulated by members of staff in order to determine priority for promotion.**

<sup>1</sup> OJ L 8, 12.01.2001.

<sup>2</sup> **Please attach all necessary backup documents**

5/ DESCRIPTION OF THE CATEGORY OR CATEGORIES OF DATA SUBJECTS

**Officials**

6/ DESCRIPTION OF THE DATA OR CATEGORIES OF DATA (*including, if applicable, special categories of data (Article 10) and/or origin of data*).

**Name; service, grade, dates since last promotion, promotion points awarded, marks awarded in Staff Reports,**

7/ INFORMATION TO BE GIVEN TO DATA SUBJECTS

**Data subjects are informed annually of the points awarded for the year in question and reminded of the information contained in the application regard the points awarded for previous years since their last promotion.**

8/ PROCEDURES TO GRANT RIGHTS OF DATA SUBJECTS

**The Decision on Promotions provides for an appeal procedure in which members of staff may contest points awarded or seek correction of the data recorded.**

9/ AUTOMATED / MANUAL PROCESSING OPERATION

**Automated.**

10/ LEGAL BASIS AND LAWFULNESS OF THE PROCESSING OPERATION

**Staff Regulations, Articles 43 and 45  
Decision on Promotions.**

**Article 5 a) of Regulation 45/2001**

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

**Members of the Promotion Committee; members of the personnel division managing the promotions procedure, the Appointing Authority for Promotions. In the event of an appeal under Article 90, the Legal Advisor and the Complaints Committee.**

**Members of the “Division de l’informatique et des nouvelles technologies” may have access to information whilst carrying out maintenance.**

**When a member of Staff is transferred to another Community institution, information regarding the number of promotion points acquired may be sent on the competent authorities in that other institution.**

12/ GENERAL INDICATION OF THE TIME LIMITS

FOR BLOCKING: -----INDEFINITIELY-----

AND/OR

FOR ERASING: ----- INDEFINITIELY -----

OF THE DIFFERENT CATEGORIES OF DATA (*Please, specify the time limits for every category, if applicable*)

**THE PERSONNEL DIVISION HAS RAISED FOR DISCUSSION WITH THE OTHER INSTITUTIONS THE QUESTION OF THE TIME DURING WHICH PERSONAL DATA CONTAINED IN ADMINISTRATIVE FILES SHOULD BE KEPT (IN THE COMITÉ DE PRÉPARATION DES QUESTIONS STATUTAIRES).**

13/ 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.*

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

15/ 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)

16/ COMMENTS

PLACE AND DATE: LUXEMBOURG

DATA PROTECTION OFFICER: MARC SCHAUSS

INSTITUTION OR BODY: **COURT OF JUSTICE OF THE EUROPEAN COMMUNITIES**