

REGISTER NUMBER: 629

NOTIFICATION FOR PRIOR CHECKING

Date of submission: 14/10/2010

Case number: 2010-810

Institution: EIF

Legal basis: article 27-5 of the regulation CE 45/2001⁽¹⁾

(1) OJ L 8, 12.01.2001

INFORMATION TO BE GIVEN⁽²⁾

(2) Please attach all necessary backup documents

1/ Name and adress of the controller

European Investment Fund, 96 Blvd. Konrad Adenauer, L - 2968 Luxembourg

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

Transaction and Relationship Management (TRM)

3/ Name of the processing

e-Front Data Base

4/ Purpose or purposes of the processing

Commercial assessment of private equity transactions in fulfilment of the statutory mission of the EIF

5/ Description of the category or categories of data subjects

Key persons of management teams for private equity fund structures in which EIF invests its own financial resources or financial resources under third party mandates. The identification of such key persons is part of the commercial due diligence process performed by the due diligence team of TRM

6/ Description of the data or categories of data (*including, if applicable, special categories of data (article 10) and/or origin of data*)

The data collected comprises essentially the professional curricula vitae of the Key Persons and their age, which information is submitted by the data subjects concerned to EIF. In exceptional circumstances, where this is felt crucial for the commercial success of the transaction because of potential succession problems, health data may be collected and stored in the data base. Furthermore, the due diligence process includes

7/ Information to be given to data subjects

The data collection performed by EIF is in line with the market practice of the private equity industry. Data subjects concerned are made aware by a form sheet, which contains a collective confirmation of their awareness about the data collection and, where needed, express consent as regards any collection of sensitive data in the meaning of Article 10 of the Regulation 45/2001

8/ Procedures to grant rights of data subjects (*rights of access, to rectify, to block, to erase, to object*)

As set out in the standard communication to the data subjects concerned (enclosed), the data subjects are made aware of their rights to access, rectify block or erase or to object to the collection and storage of their personal data

9/ Automated / Manual processing operation

The data processing operation is performed manually with the support of the electronic data base e-Front. While the controller of the data base is the TRM department, internal access is given, in addition to Legal Service (LS), Risk Management (RMM) and Compliance & Operational Risk (COR)

10/ Storage media of data

The storage media is an electronic data base developed by eFront, a French-based company specialising in IT solutions for the finance industry, in particular private equity and alternative assets. eFront is subject to French laws on data protection and supervised to that extent by the CNIL (Commission Nationale Informatiques et Libertés).

11/ Legal basis and lawfulness of the processing operation

EIF Statutes expressing the basic mission of EIF (Article 2, see annexed) and decisions of its Board of Directors

12/ The recipients or categories of recipient to whom the data might be disclosed

Personal data collected, is, in principle, not disclosed to third parties. In the context of third party mandates, data may be disclosed to mandators, in particular, the EIB and the European Commission. Note that some of the third party mandates are established as funds of funds under national legislations, which have separate decision making bodies, which decide upon a transaction in addition to the EIF Board of Directors

13/ retention policy of (categories of) personal data

Personal data will be retained for a period not exceeding five years following the termination of the business relationship. As the usual life of the fund structures in which EIF invests is, in line with market practice, ten years, this means a total retention of personal data not exceeding 15 years

13 a/ time limits for blocking and erasure of the different categories of data

(on justified legitimate request from the data subject)

(Please, specify the time limits for every category, if applicable)

See item 13

14/ 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,

Not applicable

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

No data is transferred to third countries; any transfer of data to the European Commission is in relation to a contractual mandate for the managing of public funds under a legal base in accordance with EU law

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

The data collected and stored regularly includes CVs and similar personal data deemed to evaluate the professional capability of the data subjects. It may, in exceptional cases, contain personal data relating to the health of the data subject (Art. 27.2.(a)) and is intended to evaluate personal aspects of the data subject (Art. 27.2.(b)), in particular his or her professional capacity to contribute to the commercial success of a transaction entered into by the EIF. Any such health data is limited to general information on events affecting the health of the data subject as communicated by the data subject to EIF. No medical documents are collected.

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)

17/ Comments

PLACE AND DATE: Luxembourg, 11 October 2010

DATA PROTECTION OFFICER: J. Neuss

INSTITUTION OR BODY: European Investment Fund