



FINANCIAL TRANSACTIONS

DATA PROTECTION NOTICE

Short description of the processing activity:

The purpose of the processing operations involved is to correctly implement the budget of the European Data Protection Supervisor..

Purpose of the data protection notice and the grounds on which it is based:

We process your personal data based on Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC Text with EEA relevance.

The following information is provided as established in Articles 15 and 16 of Regulation (EU) 2018/1725.

Who is the controller?

European Data Protection Supervisor (EDPS)
Postal address: Rue Wiertz 60, B-1047 Brussels
Office address: Rue Montoyer 30, B-1000 Brussels
Telephone: +32 2 283 19 00
Email: edps@edps.europa.eu

Responsible department or role:
HRBA Unit, EDPS-Finance@edps.europa.eu

Contact form for enquiries on processing of personal data to be preferably used:
<https://edps.europa.eu/node/759>

Processors:

European Commission.

DG BUDGET manages ABAC , which is the financial and accounting application set up by the Commission, to monitor the execution of its budget and to prepare its accounts.
DG DIGIT (DIGIT-SYSPER2@ec.europa.eu) implements and maintain the accounting IT tool ABAC.

What personal data do we process and who can access it?

We process the following data on every individual/contractor who receive a payment from the EDPS, meaning:

- EDPS Members: the Supervisor and the Assistant Supervisor
- EDPS Staff members
- External suppliers: individual having signed a contract/purchase order with the EDPS.

- Tenderers: individual submitting tenders to the EDPS.

The data at stake are the following:

- Name (first name, family name, previous family name);
- Gender, nationality, title, function;
- Contact information (e-mail address, business telephone number, mobile telephone number, fax number, postal address, company and department, country of residence, internet address);
- Bank account reference (IBAN and BIC codes),
- VAT number, national insurance number;
- ID card/Passport number and personal number;
- Place and date of birth;
- Other personal data contained in CVs (expertise, technical skills and languages professional experience including details on current and past employment).

A functional mailbox for the EDPS FINANCE has been created, which can only be accessed by the HRBA officer dealing with the file and alternates and the Head of the HRBA unit.

A case file concerning matters related to the specific selection might be created. Access to the e-file (in the dedicated functional mailbox) is allowed only to the HRBA officer dealing with the file and alternates or by the Head of the HRBA unit. A paper file can be consulted, updated and physically kept by the above mentioned staff member and alternates and by the Head of the HRBA unit. It is stored in a locked cupboard in the office.

E-mails and documents are printed out, and archived in such e-files and/or the paper files, only when necessary. Recollection of such correspondence is not needed in all cases. Therefore, as a rule personal communications are not saved or archived in the case file, unless a specific need exists.

All data are kept centrally (European Commission ABAC system) and the relevant EC Officer will have access to the files on a need to know basis.

Recipients of the data are the following:

- The Finance team for treatment of the procurement file;
- The Operational Initiating Agent (OIA) for treatment of the procurement file;
- Heads of Units/Sectors concerned by the procurement procedure;
- The European Commission ABAC system's operators and internal auditors;
- Other institutions delegates (Court of Auditors - IAS) for control of the procurement file

All data are necessary, as we need to be sure about the identification and registration of the individuals/contractors we deal with, especially the bank account number, as a sensitive and crucial data for financial purposes. Globally, data required are part of the European Commission forms (Legal Entity & Financial identification), and these data are mandatory in order to register an individual/contractor into the financial ABAC system.

Where did we get your personal data?

The data are provided by the representative of the creditor of the institution before the payment is done.

Why do we process your personal data and under what legal basis?

The purpose of this process is to implement the budget of the European Data Protection Supervisor. The financial transactions are made of:

- Budgetary commitments: the transaction by which the EDPS earmarks funds to cover one or more future expense. It is recorded in the ABAC system (Financial transactions ICT environment of the European Commission).

- Payments: the operation that releases the EDPS from an obligation to a creditor. A payment consists in transferring a financial amount to an external provider or a staff member's bank account. As the EDPS does not have its own bank account, these payments are done through the European Commission treasury services

Transfers between budget lines: budget transfers occur when, in the course of a financial year, appropriations are transferred from one budget line to another, which is a derogation from the principle of budgetary specification. The processing operations related to procurement procedures are lawful because of:

- The lawfulness is based on Article 5.1.(a) of the "Regulation 1725/2018" ("processing is necessary for a performance carried out in the public interest in the legitimate exercise of official authority vested in the Community institution or body"). In particular, the processing is necessary "for the management and functioning of those institutions and bodies" (Recital 22).

The legal basis can be found in REGULATION (EU, Euratom) 2018/1046 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012.

This Regulation lays down the rules for the establishment and the implementation of the general budget of the European Union and of the European Atomic Energy Community ('the budget') and the presentation and auditing of their accounts.

How long do we keep your personal data?

- Files relating to financial transactions are to be retained in the archives for a period of 5 years following the discharge of the financial exercise. The discharge of the financial exercise is generally signified 2 years after the financial year, for a total of 7 years for holding the personal data;
- Until the end of a possible audit if it started before the end of the above period.

What are your rights regarding your personal data?

You have the right of access to your personal data and to relevant information concerning how we use it.

In the case of identification data, you can rectify your data at any time during the procedure. Under certain conditions, you have the right to ask that we delete your personal data or restrict its use. You have the right to object to our processing of your personal data, on grounds relating to your particular situation, at any time. We will consider your request, take a decision and communicate it to you. Under certain conditions, you have the right to ask that we delete your personal data or restrict its use.

Substantiated requests should be e-mailed to the dedicated functional mailbox at EDPS-FINANCE@edps.europa.eu.

You can send your request to the EDPS by post in a sealed envelope or use our contact form on the EDPS website (see section on contact details [below](#)).

How to withdraw your consent and the consequences of doing this

n/a

Automated decision-making

n/a

You have the right to lodge a complaint

If you have any remarks or complaints regarding the way we process your personal data, we invite you to contact the EDPS DPO (see section on contact details [below](#)).

You have, in any case, the right to lodge a complaint with the EDPS as a supervisory authority: https://edps.europa.eu/data-protection/our-role-supervisor/complaints_en.

Contact details for enquiries regarding your personal data

We encourage you to contact us using the EDPS contact form, selecting 'My personal data' as the relevant subject: <https://edps.europa.eu/node/759>

If you wish to contact the EDPS DPO personally, you can send an e-mail to DPO@edps.europa.eu or a letter to the EDPS postal address marked for the attention of the EDPS DPO.

EDPS postal address: European Data Protection Supervisor, Rue Wiertz 60, B-1047 Brussels, Belgium

You can also find contact information on the EDPS website: https://edps.europa.eu/about-edps/contact_en.