



EDPS  
EUROPEAN DATA PROTECTION SUPERVISOR

## *NOTIFICATION OF PERSONAL DATA BREACH ACCORDING TO ARTICLE 34 OF REGULATION (EU) 2018/1725*

### **DATA PROTECTION NOTICE**

According to Article 34 of [Regulation \(EU\) 2018/1725](#) (hereinafter ‘the Regulation’) every controller (i.e. EU institution, body and agency (EUI)) in case of a personal data breach has to notify the EDPS without undue delay, no later than 72 hours, after becoming aware of it, unless the personal data breach is unlikely to result in a risk to the rights and freedoms of natural persons.

The EU institution should at least provide the following information:

- a description of the nature of the breach;
- the name and contact details of the data protection officer or other contact point;
- a description of the likely consequences of the breach; and
- a description of the measures taken or proposed to be taken by the controller to address the breach.

The EDPS will collect these notifications in a specific register.

The purpose of the Data Breach Notification register is to enable the EDPS to process all Personal Data Breach Notifications from the EUIs verify that the EUIs acted in compliance with Articles 34 and 35 of the Regulation. The Data Breach Notification Register is also used by EDPS to draw conclusions on trends and provide guidelines and/or statistics regarding personal data breaches in EUIs as well as for the purpose of other activities related to the EDPS’s tasks, including complaints in relation to a personal data breach, audits and/or investigations.

All the Data Breach Notifications and any additional information submitted via email or the webform by the controllers for all cases are processed and consolidated in the Case Management System (CMS) of the EDPS in a structured and specific directory located for this purpose.

Personal data is processed in accordance with the Regulation. We provide the information that follows based on Articles 15 and 16 of the Regulation.

#### **Who is the controller?**

The controller is the 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](mailto:edps@edps.europa.eu)

Responsible department or role:

Technology and Privacy Unit: [tech-privacy@edps.europa.eu](mailto:tech-privacy@edps.europa.eu)

Webform for data breach notifications: [https://edps.europa.eu/form/personal-data-breach-notification\\_en](https://edps.europa.eu/form/personal-data-breach-notification_en)

Functional mailbox for data breach notifications: [data-breach-notification@edps.europa.eu](mailto:data-breach-notification@edps.europa.eu)

Contact form for enquiries on processing of personal data to be preferably used: [https://edps.europa.eu/about-edps/contact\\_en](https://edps.europa.eu/about-edps/contact_en)

For more information on the EDPS please consult our website: <https://edps.europa.eu>.

## **What personal data do we process and who has access to this personal data?**

### Personal data we process

The personal data we process include the personal data contained in the Personal Data Breach Web Form. They include the name and contact details of the EUI's contact persons responsible for the data breach incident and of the Data Protection Officer (DPO), as required by the form that are necessary for the efficient supervision of the legal obligations by the EDPS.

In case you submit a notification via email, we process personal data contained in the personal data breach notification form, as well as any personal data included in the email (e.g. email address and signature of the sender, email addresses in copy of the email). In case a processor is involved in the personal data breach notification, we also process the name and contact details of the processor's contact persons responsible for the data breach and of the DPO.

In some cases, it might be necessary to process personal information of the individuals who were affected by the breach.

### Who can access it?

Only authorised staff of the EDPS responsible for the management of the data breach notification and handling of the case, as well as for supervision and enforcement of legal requirements will have access to the data.

## **Where did we get your personal data?**

We process only the data included in the data breach notification form and the respective email communications, according to Articles 34 and 35 of the Regulation.

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

We process the personal data following the notification and communication legal obligations of Articles 34 and 35 of the Regulation.

## **How long do we keep your personal data?**

We keep your personal data for ten years after closure of the case. We may keep it for longer if circumstances such investigations, appeals are ongoing at the planned expiration date.

Inadmissible requests that do not concern EU institutions, agencies and bodies (EUIs) are kept for one year after case closure, while inadmissible requests that concern EUIs are kept for five years.

### **What are your rights regarding your personal data?**

You have the right to request access to your personal data and to relevant information concerning how we use it. You have the right to request rectification of your personal data. You have the right to ask for the erasure of your personal data or to restrict its processing. You have the right to object to the 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.

Please note that, in certain cases, as provided in Article 25 of the Regulation, restrictions of data subjects' rights may apply.

We will consider your request, take a decision and communicate it to you. The time limit for treating your request is one (1) month. This period may be extended by two (2) further months where necessary, taking into account the complexity and the number of the requests. In those cases, the EDPS will inform you of the extension within one (1) month of receipt of your request and will provide reasons for the delay.

You can send your request to the EDPS electronically or by post (see section on contact details below).

### **Automated decision-making**

Your personal data is not subject to automated decision-making.

### **You have the right to lodge a complaint**

If you have any remarks or complaints regarding the way EDPS processes your personal data, we invite you to contact the responsible department or role or the EDPS DPO (see section on contact details on the first page and 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](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](mailto: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>.