

**NOTIFICATION FOR PRIOR CHECKING**

**DATE OF SUBMISSION: 2 MAY 2005**

**CASE NUMBER: 2004/285**

**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

**Archives of personal files**

4/ PURPOSE OR PURPOSES OF THE PROCESSING

**Article 26 of the Staff Regulations provides that “an official shall have the right, even after leaving service, to acquaint himself with all the documents in his file and take copies”.**

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<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

**Former officials and agents of the Court of Justice.**

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

**All information concerning the official or agent's administrative status, all reports relating to his ability, efficiency and conduct as well as any comments by the official on such documents (Article 26 of the Staff Regulations).**

7/ INFORMATION TO BE GIVEN TO DATA SUBJECTS

**Article 26 of the Staff Regulations provides that "an official shall have the right, even after leaving service, to acquaint himself with all the documents in his file and take copies".**

8/ PROCEDURES TO GRANT RIGHTS OF DATA SUBJECTS

**Access to the file is granted on request to the personnel division.**

9/ AUTOMATED / MANUAL PROCESSING OPERATION

**Manual.**

10/ LEGAL BASIS AND LAWFULNESS OF THE PROCESSING OPERATION

**Article 26 of the Staff Regulations; Article 11 of the Conditions of employment of other servants.**

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

**Data is not disclosed other than to the data subject.**

12/ GENERAL INDICATION OF THE TIME LIMITS

FOR BLOCKING: -----INDEFINATELY - -----

AND/OR

FOR ERASING: ----- - INDEFINATELY -----

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

**NONE.**

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: **21 APRIL 2005**

DATA PROTECTION OFFICER: **MARC SCHAUSS**

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