



EUROPEAN COMMISSION

PROTECTION OF YOUR PERSONAL DATA

This privacy statement provides information about the processing and the protection of your personal data.

Processing operation: Management of the Commission's participation in private law bodies

Data Controller: Secretariat-General, Unit SG.A.3 (Transparency & Ethics)

Record reference: DPR-EC-00834

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1. Introduction

The European Commission (hereafter ‘the Commission’) is committed to protect your personal data and to respect your privacy. The Commission collects and further processes personal data pursuant to [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 (repealing Regulation (EC) No 45/2001).

This privacy statement explains the reason for the processing of your personal data, the way we collect, handle and ensure protection of all personal data provided, how that information is used and what rights you have in relation to your personal data. It also specifies the contact details of the responsible Data Controller with whom you may exercise your rights, the Data Protection Officer and the European Data Protection Supervisor.

This privacy statement concerns the processing operation ‘Management of the Commission’s participation in private law bodies’ undertaken by the Secretariat-General, Unit A3 (‘Transparency & Ethics’) as presented below.

2. Why and how do we process your personal data?

Purpose of the processing operation:

- The Data Controller collects and uses your personal information in order to handle and provide opinions on requests for Commission participation in private law bodies pursuant to the Commission guidelines on the participation in private law bodies – Commission Decision C(2004)2958 of 28 July 2004.

The Commission adopted, on 16 November 1993, the first set of guidelines on participation in private law bodies¹. The current Guidelines were adopted by the Commission in 2004 [C(2004)2958].

The expression ‘private law body’ can cover any type of organisation, network and/or association of natural and/or legal persons with or without legal personality.

According to the applicable Guidelines, the Data Controller is responsible for:

- Handling consultations from Directorates-General and services (including the follow-up of formal draft decisions and its adoption by the College through written procedure) on the Commission’s participation in private law bodies. The consultations may concern the approval of existing participations; the interruption of an existing participation and the exceptional authorisation of a new participation according to the applicable rules;
- Updating the inventory of Commission participations in private law bodies.

Your personal data will not be used for any automated decision-making including profiling.

¹ SEC(94) 389.

3. On what legal ground(s) do we process your personal data

The ground for lawful processing of your personal data is Article 5(1)(a) of Regulation (EU) 2018/1725. The processing is necessary for the performance of a task carried out in the public interest based on the above-mentioned Commission Decision of 2004 which serve as the legal basis in accordance with Article 5(2) of Regulation (EU) 2018/1725.

4. Which personal data do we collect and further process?

In order to carry out this processing operation the Data Controller collects the following categories of personal data:

- the names and contact details and possibly also the handwritten signature of individuals who submit requests for European Commission participation in private law bodies to the Commission pursuant to the above-mentioned Commission guidelines, or of contact persons mentioned in such submissions.
- The names and possibly contact details of European Commission staff involved in the process of assessing applications for the European Commission's participation in private law bodies.

5. How long do we keep your personal data?

The Data Controller only keeps your personal data for the time necessary to fulfil the purpose of collection or further processing. Personal data are retained for a period of five years after closure of the file in order to ensure the coherence of the handling of the replies to the consultations and the adoption of new authorisations/regularisations and interruption of participations. A file is considered closed after the procedure to which the notification pertains has been finalised.

This period coincides with the 'administrative retention period' which is based on the retention policy of Commission documents and files, governed by the common Commission-level retention list for European Commission files.² In accordance with this list, after the five-year 'administrative retention period' expires files (and the personal data contained in them) can be transferred to the Historical Archives of the European Commission for historical and archiving purposes (for further information regarding the processing operation concerning the Historical Archives, please see record of processing 'Management and long-term preservation of the European Commission's Archives', registered under reference number DPR-EC-00837).

6. How do we protect and safeguard your personal data?

All personal data in electronic format (e-mails, documents, databases, uploaded batches of data, etc.) are stored on the servers of the Commission. All processing operations are carried out pursuant to the [Commission Decision \(EU, Euratom\) 2017/46](#) of 10 January 2017 on the security of communication and information systems in the European Commission.

In order to protect your personal data, the Commission has put in place a number of technical and organisational measures. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access, taking into consideration the

² [SEC\(2022\)400](#)

risk presented by the processing and the nature of the personal data being processed. Organisational measures include restricting access to the personal data solely to authorised persons with a legitimate need to know for the purposes of this processing operation.

7. Who has access to your personal data and to whom is it disclosed?

Access to your personal data is provided to the Commission staff responsible for carrying out this processing operation and to authorised staff according to the “need to know” principle. Such staff abide by statutory, and when required, additional confidentiality agreements.

The staff concerned are those designated in the unit of the Data Controller, in the Commission Department(s) responsible for handling the request and in the Legal Service, as well as their hierarchical superiors and (staff in the Cabinets of) the President of the Commission and individual Members of the Commission as appropriate.

Please note that pursuant to Article 3(13) of Regulation (EU) 2018/1725, public authorities (e.g. Court of Auditors, EU Court of Justice) which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients. The further processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing.

The information we collect will not be given to any third party, except to the extent and for the purpose we may be required to do so by law.

8. What are your rights and how can you exercise them?

You have specific rights as a ‘data subject’ under Chapter III (Articles 14-25) of Regulation (EU) 2018/1725, in particular the right to access your personal data and to rectify them in case your personal data are inaccurate or incomplete. Under certain conditions, you have the right to erase your personal data, to restrict the processing of your personal data, to object to the processing and the right to data portability.

Insofar the right to object to the processing of your personal data is concerned, the exercise of that right has to be based on grounds relating to your particular situation.

A request for erasure of personal data is likely to be covered by the exception of Article 19(3)(b) of Regulation (EU) No 2018/1725 (processing is necessary ‘for the performance of a task carried out in the public interest’).

You can exercise your rights by contacting the Data Controller, or in case of conflict the Commission’s Data Protection Officer. If necessary, you can also address the European Data Protection Supervisor. Their contact information is given under Heading 9 below.

Where you wish to exercise your rights in the context of one or several specific processing operations, please provide their description, namely the Record reference(s) as specified under Heading 10 below, in your request.

Any request for access to personal data will be handled within one month from receipt of your request by the Data Controller. Any other request mentioned above will be addressed within 15 working days. These periods may be extended by two (further) months where necessary, taking into account the complexity and number of the requests.

9. Contact information

- The Data Controller

If you would like to exercise your rights under Regulation (EU) 2018/1725, if you have comments, questions or concerns, or if you would like to submit a complaint regarding the collection and use of your personal data, please contact the Data Controller:

- Unit SG.A.3 (Transparency & Ethics) in the Secretariat-General
- Phone number +32 2 2991111
- SG-UNITE-A-3@ec.europa.eu

- The Data Protection Officer of the Commission

You may contact the Data Protection Officer with regard to issues related to the processing of your personal data under Regulation (EU) 2018/1725 via: DATA-PROTECTION-OFFICER@ec.europa.eu.

- The European Data Protection Supervisor

You have the right to have recourse, i.e. you can lodge a complaint to the European Data Protection Supervisor via edps@edps.europa.eu if you consider that your rights under Regulation (EU) 2018/1725 have been infringed as a result of the processing of your personal data by the Data Controller.

10. Where to find more detailed information?

The Commission Data Protection Officer publishes the register of all processing operations on personal data by the Commission, which have been documented and notified to him. You may access the register via the following link: <http://ec.europa.eu/dpo-register>.

This specific processing operation has been included in the Commission Data Protection Officer's public register with the following Record reference: DPR-EC-00834.