

Notification to the DPO

COMPULSORY INFORMATION

1) Date of submission

09/07/2009

2) Function and address of the controller

Head of Unit

Transport and energy - Performance Audit

12 rue Alcide de Gasperi, L-1615 Luxembourg

3) Unit/Service which is the Controller

Transport and energy - Performance Audit

4) Unit/Service of the Processor

Transport and energy - Performance Audit

5) Name of Processing + description

Performance Audit of the Adequacy and Effectiveness of Selected FP6 Instruments

The audit procedures defined included surveys, testing at project level and reviews of studies and reports.

6) Legal basis of processing

Art. 287 of the Treaty of Functioning of the EU

Art. 140 to 142 of the Financial Regulation (Council Regulation (EC, Euratom) No. 1605/2002

7) Lawfulness of processing. Please retain only the justification(s) which apply for this declaration.

a) processing is necessary for the performance of a task carried out in the public interest on the basis of the Treaties establishing the European Communities or other legal instruments adopted on the basis thereof or in the legitimate exercise of official authority vested in the Community institution or body or in a third party to whom the data are disclosed

b) processing is necessary for compliance with a legal obligation to which the controller is subject

c) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract

d) the data subject has unambiguously given his or her consent

e) processing is necessary in order to protect the vital interests of the data subject

a)

8) Purpose(s) of Processing

The purpose of the audit was to assess the adequacy and effectiveness of some of the instruments foreseen by the Sixth Framework Programme (FP6).

9) Data Subjects

All participants in the FP6 program

10) Data fields(s) of Data Subjects;

Attention: Please indicate and describe in the answer to this question also data fields which fall under article 10 (racial or ethnic origin; political opinions; religious or philosophical beliefs; trade-union membership; health or sex life)

Personal details (name, address, telephone number, email) included in Commission's databases used for the surveys.

Personal details (name, employer, employment categories) included in some project reports submitted by

If Article 10 applies please specify here:

N/A

11) Recipient(s) of the Processing to whom the data might be disclosed

Court of Auditors staff

The European Commission concerned staff

OLAF, European Data Protection Supervisor, the ECA's Data Protection Officer: in case of investigations

The Supreme Audit Institution

The Ombudsman in case of an administrative complaint

National authorities in case of illegal activities/fraude/irregularities

12) Retention policy of (categories of) personal data
Data is required to be stored up to seven years.
13) How are Data Subjects informed about the treatment of their personal data, as specified in Articles 11 - 12 of the Regulation?
Through the request for EU subventions form/application by the EU Commission. Through a specific privacy statement at the beginning of the survey.
14) Specify which procedures have been implemented to guarantee the data subjects rights (access; correct; lock; erase; opposition) as specified in Articles 13 - 19 of the Regulation.
Data subjects can only request access to their data. Rectification, blocking, erase is not possible as the data obtained is part of an audit file and thus audit evidence. Through a specific privacy statement at the beginning of the survey.
15) Which time limit has been set after which the Data Subjects can't lock/erase data on justified legitimate request.
N/A
16) 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
N/A
17) Legal foundation of transfer: only transfers to third party countries (outside EU) not subject to Directive 95/46/EC (Article 9) should be considered for this question. Please treat transfers to other community institutions and bodies and to member states under question: Recipient(s) of the Processing
N/A
18) Which Category(ies) of Personal Data or Personal Data will be transferred to third party countries (outside EU)?
N/A
19) How will the personal data be stored: paper/digital and if applicable in which information system?
In digital format within the survey tool and within the audit documentation system (ASSYST) and eventually on a shared workspace
20) Describe the procedures of how the personal data will be treated and if it is a manual/automatic treatment
The audit procedures defined included surveys, testing at project level and reviews of studies and reports. Throughout the audit, data contained in several Commission's databases were used. Furthermore, the audit
21) The processing presents specific needs which justifies prior checking for data falling under article 27 a) processing of data relating to health and to suspected offences, criminal convictions or security measures b) processing operations intended to evaluate personal aspects relating to the data subject, including his or her ability, efficiency and conduct c) processing operations allowing linkages not provided for pursuant to national or Community legislation between data processed for different purposes d) processing operations for the purpose of excluding individuals from a right, benefit or contract
YES NO If YES then which option(s) A B C D
NO
22) General description of the control measures taken to fulfil Article 22 "Security of processing" and especially preventing any unauthorised disclosure or access, accidental or unlawful destruction or accidental loss, or alteration, and to prevent all other unlawful forms of processing.
Place and date: Luxembourg 09/07/2009 Data Controller: Ossi LOUKO

Place and date: **Luxembourg 09/07/2009**

Data Protection Officer: **Jan KILB**