

SUPERVISORY COMMITTEE



PRIVACY NOTICE

Opinion on disciplinary procedure or waiving of immunity applicable to the Director-General of OLAF

1. DESCRIPTION OF THE PROCESSING OPERATION

The controller is the Secretariat of the Supervisory Committee of OLAF ('the Secretariat').

Pursuant to Articles 17 (8) of the OLAF Regulation and 20 (3) of the Supervisory Committee's Rules of Procedure, before imposing any disciplinary penalty on the Director-General of OLAF or waiving his/her immunity, the Commission shall consult the Supervisory Committee ('the Committee'). In addition, the Committee may on its own initiative or on the initiative of the Director-General of OLAF deliver an opinion in relation to any measure, instruction, threat, or promise likely to cast doubt on the independence of the Director General of OLAF (Article 20 (1) and (2) of the Rules of Procedure). In this context, the Committee and its Secretariat shall receive from the Commission and the Director-General of OLAF all necessary information and documents that would allow it to assess the situation and issue an opinion. This documentation may also include sensitive personal data as well as information relating to ongoing disciplinary and/or criminal proceedings. The purpose of the data processing is to allow the Committee to fulfil its role of safeguarding OLAF's independence in a highly sensitive area and in parallel to assist the Commission in responding to requests from national judicial authorities and the European Public Prosecutor's Office ("EPPO").

The Secretariat does not process personal data for an automated decision-making, including profiling.

2. LEGAL BASIS FOR THE PROCESSING

The Secretariat processes personal data in order to be able to deliver the opinion provided by Articles 17(8) of Regulation 883/2013 and Article 20 of the Rules of procedure of the OLAF Supervisory Committee (PUB/2021/684, OJ L 308, 1.9.2021, p. 66-74) pursuant to Article 5 (a) paragraph of Regulation (EU) 2018/1725.

3. CATEGORIES OF PERSONAL DATA COLLECTED

In order to carry out this processing operation, the Supervisory Committee may collect the following categories of personal data:

(1) the identity, address, family situation, career and duties of the Director-General of OLAF; (2) his/her alleged conduct; (3) the legal proceedings relating to him or her or in which he/she is involved. The processing may, in exceptional cases, concern special categories of data.

4. WHO HAS ACCESS TO YOUR INFORMATION AND TO WHOM IS IT DISCLOSED?

Members of the Committee and staff members of the Secretariat who are responsible for carrying out the specific task have access to the personal data.

5. HOW DO WE PROTECT AND SAFEGUARD YOUR INFORMATION?

In order to protect your personal data, a number of technical and organisational measures have been put in place. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the data being processed. Organisational measures include restricting access to the data to authorised persons on a need to know basis.

6. HOW LONG DO WE KEEP YOUR DATA?

The Secretariat keeps personal data relating to the opinion on disciplinary procedure or waiving of immunity applicable to the Director-General of OLAF for 5 years from the date of the adoption of the opinion, unless there are ongoing legal proceedings, in which case one year after the end of these proceedings.

7. WHAT ARE YOUR RIGHTS AND HOW CAN YOU EXERCISE THEM?

You have the right to obtain access to, rectification or erasure, or restriction of processing of your personal data and to object to their processing on grounds relating to your particular situation. The controller may apply exceptions in accordance with Regulation (EU) 2018/1725 and restrictions based on Article 25 thereof in accordance with the relevant Commission Decision. You should address any request to exercise one of those rights to:

Head of the OLAF Supervisory Committee Secretariat:
Rue Joseph II, 30
B -1049- Brussels Belgium

8. CONTACT DETAILS OF THE DATA PROTECTION OFFICER

You may contact the Data Protection Officer of the Secretariat (OLAF-FMB-DPO@ec.europa.eu) with regard to issues related to the processing of your personal data.

Data Protection Officer
European Anti-Fraud Office (OLAF)
Rue Joseph II, 1049 Brussels
Belgium

9. RIGHT OF RECOURSE

If you consider that your rights under Regulation (EU)2018/1725 have been infringed by the Secretariat, you can have recourse to the European Data Protection Supervisor (edps@edps.europa.eu)