

SUPERVISORY COMMITTEE



PRIVACY NOTICE

Handling of requests for public access to documents under Regulation 1049/2001

1. DESCRIPTION OF THE PROCESSING OPERATION

The controller is the Secretariat of the Supervisory Committee of OLAF ('the Secretariat'). The Secretariat processes personal data in relation to requests from the public for access to documents held by the Secretariat pursuant to Regulation 1049/2001. The purpose for collecting these data is to ensure conformity with the requirements of Regulation (EC) No 1049/2001. The processing consists of preparing and sending the replies, maintaining files of requests and replies and related documents and transferring requests to OLAF when OLAF is competent to assess the request and provide a reply. Pursuant to the Commission Decision 2001/937 of 5 December 2001 amending its rules of procedure and the Note of the Secretary General of 24 July 2014 Ares(2014)2454867, requests and replies for access to documents which relate to OLAF investigations are dealt by the Director-General of OLAF (see in this respect the record DPR-OLAF-00781.1 Processing of requests for access to documents under Regulation 1049/2001). In the case of requests for access to the minutes of the Supervisory Committee or other documents which do not concern OLAF investigations, the reply is prepared by the Head of the Secretariat.

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 pursuant to Article 5(1)(a) of Regulation 2018/1725. The legal basis is Article 15(3) of the Treaty on the Functioning of the European Union, Regulation (EC) No 1049/2001 and the Commission Decision 2001/937 of 5 December 2001 amending its rules of procedure.

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:

- identification and contact information of the applicant (name, address, e-mail, telephone, fax), where applicable, professional and case-related data;
- personal data relating to persons whose names are mentioned in the request or in the documents that are the subject of the request.

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

Staff within the Secretariat, OLAF and in Commission services responsible for dealing with requests for access to documents have access to your personal data. When public access is

requested to documents containing personal data, Regulation (EU) 2018/17251 applies. Personal data that appear on the requested document may only be disclosed to the applicant following an assessment under Article 9(b) of that Regulation.

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 requests for access to documents for a period of 5 years after the closure of a case-file. There are different situations where a case-file is considered closed. For requests that need to be replied by OLAF, a file is considered closed after the request is transferred to OLAF. For requests that are replied by the Head of the Secretariat, a file is considered closed after the initial decision of the Secretariat has become final (i.e. there was no confirmatory application). A file is not considered closed in case of an ongoing enquiry of the European Ombudsman or pending legal proceedings before the EU Court.

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)