

**PRIVACY STATEMENT**  
**for processing of personal data related to:**  
**SELECTION of EXPERTS and PROCUREMENT PROCEDURES**

**1. Context and Controller**

As the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (hereafter eu-LISA) collects and further processes personal data, it is subject to Regulation (EC) 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data.

Processing operations are under the responsibility of the Controller, indicated in the Call for Expression of Interests or the Invitation to Tender, regarding the collection and processing of personal data.

**2. What personal information do we collect, for what purpose, under which legal bases and through which technical means?**

***Types of personal data***

Personal data collected and further processed concern the expert, tenderer and its staff or subcontractors (natural persons). Information can relate to the following data:

- Name;
- Function;
- Contact details (e-mail address, business telephone number, mobile telephone number, fax number, postal address, company and department, country of residence, internet address);
- Certificates for social security contributions and taxes paid, extract from judicial records;
- Bank account reference (IBAN and BIC codes), VAT number, passport number, ID number;
- Information for the evaluation of selection criteria or eligibility criteria: expertise, technical skills and languages, educational background, professional experience including details on current and past employment;
- Declaration on honour that they are not in one of the exclusion situation referred to in article 106 and 107 of the Financial Regulation.

***Purpose***

Upon reception of your expression of interest, tender or request to participate by the eu-LISA, your personal data is collected and further processed for the purpose of the management and administration of the selection of experts or procurement by the eu-LISA.

***Legal bases***

The legal bases for the processing operations on personal data are:

Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union (Financial Regulation)

Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the

Council on the financial rules applicable to the general budget of the Union (Rules of Application).

Commission Delegated Regulation (EU) No 1271/2013 of 30 September 2013 on the framework financial regulation for the bodies referred to in Article 208 of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council.

Regulation (EU) No 1077/2011 of the European Parliament and of the Council of 25 October 2011 establishing a European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice.

Financial Regulation of the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice, adopted by the Agency Management Board with decision No. 2012-12 of 28.06.2012.

### ***Technical means***

Your personal data is provided by submission of your expression of interest or tender. The information is processed by eu-LISA personnel and transferred to eu-LISA systems (as described in point 4), under the responsibility of the Controller mentioned in the Call for Expression of Interests or Invitation to Tender.

### **3. Who has access to your personal data and to whom is it disclosed?**

For the purpose detailed above, access to your personal data is given to the following persons, without prejudice to a possible transmission to the bodies in charge of a monitoring or inspection task in accordance with European Union law:

- eu-LISA staff as well as outside experts and contractors who work on behalf of the eu-LISA for the purposes of management of the expert selection procedure, the procurement procedure and tender evaluation and the bodies charged with a monitoring or inspection task in application of Union law (e.g. internal audits, Financial Irregularities Panel, European Anti-fraud Office - OLAF);
- Members of the public; In case you are awarded a contract by the eu-LISA, your personal data will be made public, in accordance with the eu-LISA 's obligation to publish information on the outcome of the procurement procedure and on the beneficiaries of funds deriving from the budget of the European Community (Article 103, 128 (3) and Article 35 (2), (3) of the Financial Regulation, respectively). The information will concern in particular your name and address, the amount awarded and the name of the project or programme for which you are awarded a contract. It will be published in supplement S of the Official Journal of the European Union and/or on the website of the eu-LISA.

### **4. How do we protect and safeguard your information?**

The collected personal data and all related information are stored:

- for the duration of the multi-annual programme for which you submitted an expression of interest, or
- after closure of the procurement procedure

on the premises of the eu-LISA and on its servers.

The eu-LISA premises and operations of all computer centres abide by the eu-LISA's security decisions and provisions established by the Security Officer.

## **5. How can you verify, modify or delete your information?**

In case you wish to verify which personal data is stored on your behalf by the responsible Controller, have it modified, corrected, or deleted, please make use of the contact information mentioned in the Call for expression of interest or invitation to tender, by explicitly describing your request. Any correction of your personal data will be taken into consideration from the data protection point of view.

Special attention is drawn to the consequences of a request for deletion, as this may lead to an alteration of the terms of the tender and lead to exclusion as stated in Article 160 of the Rules of Application (see legal basis in Section 2 above).

## **6. How long do we keep your personal data?**

Your personal data are kept:

- For selection of experts, until the end of the multi-annual programme for which you submitted an expression of interest in the service in charge of the procedure, and in the archives for a period of 5 years following the end of the programme;
- Files relating to tender procedures, including personal data, are to be retained in the service in charge of the procedure until it is finalised, and in the archives for a period of 10 years following the signature of the contract. However, tenders from unsuccessful tenderers have to be kept only for 5 years following the signature of the contract;
- Until the end of a possible audit if one started before the end of the above period;
- After the period mentioned above has elapsed, the tender files containing personal data are sampled to be sent to the historical archives of the eu-LISA for further conservation. The non-sampled files are destroyed.

## **7. Contact information**

For any questions related to your rights, feel free to contact the Controller, by using the contact information mentioned in the Call for expression of interest, the Call for tenders, and by explicitly specifying your request.

## **8. Recourse**

In case of conflict, complaints can be addressed to the European Data Protection Supervisor <http://www.edps.europa.eu>