



EIOPA-15/325-Rev 3

**Record of personal data processing
in the context of procurement procedures and contract performance
(Art.31(5) Regulation (EU)1725/2018¹)**

EIOPA's Data Controller

The controller responsible for the processing is EIOPA's Executive Director.

Address and email address of the controller:

Westhafenplatz 1, 60327 Frankfurt am Main, Germany

fausto.parente@eiopa.europa.eu

EIOPA's Data Protection Officer

Westhafenplatz 1, 60327 Frankfurt am Main, Germany

dpo@eiopa.europa.eu

External (sub)Processor(s) / Joint Controller(s)

For procurement procedures: N/A

For contract performance: Depending on the provider.

Purpose of the processing

Personal data are collected and further processed for the management and administration of procurement procedures and contract performance.

¹ 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, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC

Categories of data subjects & Personal data collected

A. The personal data collected concern the tenderer (in case s/he is a natural person) and its staff or subcontractors (natural persons). More precisely, the following personal data may be processed:

- Name (first name, family name, previous family name);
- Title, function, personnel number;
- Contact details (e-mail address, business telephone number, mobile telephone number, fax number, postal address, company and department, country of residence, internet address);
- Bank account reference (IBAN and BIC codes), VAT number, passport number, ID number;
- Place and date of birth;
- Other personal data contained in CVs (education/training and employment details).

In addition to the above, in order to verify whether a tenderer is in one of the situations mentioned in Article 106 of the Financial Regulation, EIOPA will check whether it has been registered in the Early Detection and Exclusion System (EDES) managed by the European Commission. For more information, see the relevant Privacy Statement:

(http://ec.europa.eu/budget/explained/management/protecting/protect_en.cfm).

B. The personal data collected also concern EIOPA's staff members responsible for the handling of the procurement procedures, the conclusion and the performance of the contract. Processed are essentially first name, family name and EIOPA's email addresses, and the signature of EIOPA's legal representative.

Recipients of personal data

The personal data collected may be disclosed to the following recipients :

- a. EIOPA staff (such as the Procurement Unit and the Legal Team, the members of the Opening & Evaluation Committee, the Executive Director);
- b. External experts and contractors working on behalf of EIOPA for the purposes of tender evaluation, as well as the successful tenderer and/or subcontractors;
- c. Members of the public: some of the personal data of the successful tenderer will be made public, in accordance with EIOPA's obligation to publish information on the outcome of procurement procedures and on the beneficiaries of funds deriving from the budget of the EU (Article 123 and Article 124 of Regulation (EU) No 1268/2012). In particular the name and address, the amount awarded and the name of the project or programme for which a contract is awarded will be published in supplement S of the Official Journal of the European Union and/or on the website of EIOPA;
- d. OLAF;
- e. Court of Justice of the EU or the European Court of Auditors.

Transfer of personal data to a third country or international organisation. If so, to which ones and with which safeguards?

Depending on the procedure, personal data of staff members (first name, family name, EIOPA email address) might be sent to a third country or an international organisation on the basis of Chapter V of the Regulation (EU)1725/2018.

Retention period

A. For procurement procedures:

Files relating to successful tenderers, including personal data, are retained for a period of seven (7) years following the signature of the contract. Files relating to unsuccessful tenderers are kept for five (5) years following the signature of the contract.

If a relevant case is brought before the EU Courts or an investigation/audit is initiated, personal data will be kept for a period of up to 2 years following the conclusion of the respective proceedings.

B. For contract performance:

Contracts are kept for a period of ten (10) years from the end of the contract and the last payment performed by EIOPA.

Technical & organisational security measures taken

Several technical and organisational measures have been adopted in order to ensure the optimum security of the documents and personal data collected in the context of procurement procedures. More precisely:

- Paper copies of collected documents are kept in a locked cupboard of the Procurement Unit, where access can only have persons authorised on a need-to-know basis;
- Electronic files are stored in EIOPA's document management system with restricted access rights.

Information on how to exercise data subject's rights

Data subjects may exercise the data privacy rights provided in Articles 17 to 24 of the Regulation (EU) 1725/2018.

To exercise these rights, please contact: procurement@eiopa.europa.eu or DPO@eiopa.europa.eu.

For more information on the processing of personal data and on how to exercise the above rights, please refer to EIOPA's Legal Notice:

https://www.eiopa.europa.eu/legal-notice_en#PersonalDataProtection