



**The European Data Protection
Supervisor**

Guide to the protection of personal data in the Community institutions and bodies

*Each institution processes
personal data;
they might be yours...*



KEY WORDS

• **Personal data**

This is any information relating to a person identified or identifiable either directly or indirectly, in particular by reference to an identification number. This information may, for example, be the name, date of birth, a telephone number, biometric data, medical data, professional details, etc.

• **Processing**

This is any operation performed upon these personal data, whether or not by automatic means: collection, recording, alteration, consultation, disclosure, etc.

• **Controller**

This is the Community institution or body (for example, the Commission, Parliament, Council or an agency), or the Directorate-General, unit or any other organisational entity acting on their behalf, which determines the purposes and means of data processing.

Regulation (EC) No 45/2001

Regulation (EC) No 45/2001 (OJ L 8, 12.1.2001) implements Article 286 of the EC Treaty by providing a legal framework for the processing of personal data by the Community institutions and bodies.

The European Data Protection Supervisor (EDPS)

The European Supervisor is an independent supervisory authority responsible for monitoring and ensuring the application of Regulation (EC) No 45/2001 and any other Community act relating to the protection of personal data.

He advises the Community institutions and bodies, as well as the data subjects, on any matter relating to the processing of personal data.

The Data Protection Officers

Regulation (EC) No 45/2001 establishes that there should be Data Protection Officers in each Community institution or body. These Data Protection Officers ensure the application of the regulation and that the rights and freedoms of the data subjects are not likely to be adversely affected by the processing operations.



YOUR RIGHTS



Am I entitled to know whether a Community institution or body is processing data concerning me?

Yes. The controller must provide data subjects, either in advance or as soon as the data have been registered, with information such as the following, in particular:

- the identity of the controller,
- the purpose of the processing,
- the recipients of the data,
- the rights of the data subjects.



Am I entitled to check the data relating to me which the institutions are processing?

You have the right to obtain the following free of charge from the controller:

- **access** to your personal data and to certain information concerning processing,
- the **rectification** of inaccurate or incomplete data,
- the **blocking** of data when their accuracy is contested,
- the **erasure** of the data where processing there of is unlawful,
- **notification** of any deletion, rectification or blocking of your data to a third party to whom the data have been disclosed.



Am I entitled to object to the processing of my data?

You are entitled to object at any time, on **compelling and legitimate grounds**, to the processing of data concerning you.

You are also entitled to be informed before your data are disclosed for the first time to third parties or before they are used on their behalf for the purposes of direct marketing. You are entitled to object to such disclosure or use.



What can I do in the event of a problem?

- Firstly, make sure you exercise your rights with the Community institution or body responsible for processing.
- If you obtain no reply or if you are not satisfied, contact the Data Protection Officer of the institution or body concerned (the list of Data Protection Officers can be found on the European Supervisor's website; see below).
- You can also lodge a complaint with the European Supervisor, who will examine your request and adopt the necessary measures.
- Decisions of the European Supervisor may be appealed before the Court of Justice of the European Communities.



For more information:

www.edps.eu.int

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