**NOTIFICATION FOR PRIOR CHECKING**

Date of submission: 27/03/2007  
Case number: 2007-214  
Institution: OLAF  
Legal basis: article 27-5 of the regulation CE 45/2001(1)  

(1) OJ L 8, 12.01.2001

**INFORMATION TO BE GIVEN**(2)

1/ Name and address of the controller

2) Name and First Name of the Controller: LAUDATI Laraine

3) Title: Data Protection Officer

4) Directorate, Unit or Service to which the Controller is attached:

5) Directorate General to which the Controller is attached: OLAF

2/ Organisational parts of the institution or body entrusted with the processing of personal data

26) External Company or Directorate General to which the Processor is attached:

25) External Company or Directorate, Unit or Service to which the Processor is attached:

3/ Name of the processing

Investigations by the OLAF Data Protection Officer

4/ Purpose or purposes of the processing

Investigation of matters and occurrences directly relating to the tasks of the DPO and which come to her notice to determine whether a violation of data protection provisions has occurred, and report back to the person who commissioned the investigation or to the controller.
### 5/ Description of the category or categories of data subjects

14) Data Subject(s) concerned:
Controllers and delegated controllers within OLAF; persons who commission an investigation.

16) Category(ies) of Data Subjects:
Controllers and delegated controllers within OLAF; persons who commission an investigation.

### 6/ Description of the data or categories of data (including, if applicable, special categories of data (article 10) and/or origin of data)

17) Data field(s) of Data Subjects:
Attention: Please indicate and describe in the answer to this question also data fields which fall under article 10
Name, first name, directorate, unit, telephone number, e-mail address, information concerning the person related to the matter under investigation.

18) Category(ies) of data fields of Data Subjects:
Attention: Please indicate and describe in the answer to this question also categories of data fields which fall under article 10
Identification data, contact data, information concerning the person related to the matter under investigation.

### 7/ Information to be given to data subjects

15a) Which kind of communication(s) have you foreseen to inform the Data Subjects as described in articles 11 - 12 under 'Information to be given to the Data Subject'
See attached privacy statement.

### 8/ Procedures to grant rights of data subjects (rights of access, to rectify, to block, to erase, to object)

15b) Which procedure(s) did you put in place to enable Data Subjects to exert their rights: access, verify, correct, etc., their Personal Data as described in articles 13 - 19 under 'Rights of the Data Subject' :
See attached privacy statement.

### 9/ Automated / Manual processing operation
### 7) Description of Processing:

Attention: Please describe in the answer to this question if you process personal data falling under article 27 "Prior-Checking (by the EDPS - European Data Protection Supervisor)"

Investigation of matters and occurrences directly relating to the tasks of the Data Protection Officer and which come to her notice. DPO reports back to the person who commissioned the investigation or the controller. The DPO may carry out these investigations on her own initiative or at the request of OLAF (the Director General), the controller, the Staff Committee concerned or any individual. The DPO may assist the EDPS, on his request, in his investigations. The present notification is subject to prior checking by the EDPS under Article 27.

### 8) Automated Processing operation(s):

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### 9) Manual Processing operation(s):

All processing described in the reply to Question 7.

### 10/ Storage media of data

Hard disk and paper.

### 11/ Legal basis and lawfulness of the processing operation

#### 11) Legal basis of Processing:

Regulation (EC) 45/2001 on the protection of personal data and the processing thereof, more particularly para. 1 of the annex.

#### 12) Lawfulness of Processing:

Answering this question please also verify and indicate if your processing has to comply with articles 20 "Exemptions and restrictions" and 27 "Prior checking (by the EDPS)"

The processing is lawful and necessary under Article 5(a) and potentially also under Article 5(b) of Regulation (EC)45/2001.

### 12/ The recipients or categories of recipient to whom the data might be disclosed

#### 20) Recipient(s) of the Processing:

Potentially and as appropriate and applicable controllers, delegated controllers, the EDPS.
21) Category(ies) of recipients:

Potentially and as appropriate and applicable controllers, delegated controllers, the EDPS.

13) Retention policy of (categories of) personal data

Five years.

13 a) Time limits for blocking and erasure of the different categories of data (on justified legitimate request from the data subject) (Please, specify the time limits for every category, if applicable)

(On justified legitimate request from the data subject)

(Please, specify the time limits for every category, if applicable)

22 b) Time limit to block/erase data on justified legitimate request from the data subjects

One month.

14) Historical, statistical or scientific purposes

If you store data for longer periods than mentioned above, please specify, if applicable, why the data must be kept under a form which permits identification.

22 c) Historical, statistical or scientific purposes - If you store data for longer periods than mentioned above, please specify, if applicable, why the data must be kept under a form which permits identification

Not applicable.

15) Proposed transfers of data to third countries or international organisations

27) Legal foundation of transfer:

Only transfers to third party countries not subject to Directive 95/46/EC (Article 9) should be considered for this question. Please treat transfers to other community institutions and bodies and to member states under question 20.

Not applicable.

28) Category(ies) of Personal Data or Personal Data to be transferred:

Not applicable.

16) The processing operation presents specific risk which justifies prior checking (please describe): (please describe):
7) Description of Processing:

Attention: Please describe in the answer to this question if you process personal data falling under article 27 "Prior-Checking (by the EDPS - European Data Protection Supervisor)"

Investigation of matters and occurrences directly relating to the tasks of the Data Protection Officer and which come to her notice. DPO reports back to the person who commissioned the investigation or the controller. The DPO may carry out these investigations on her own initiative or at the request of OLAF (the Director General), the controller, the Staff Committee concerned or any individual. The DPO may assist the EDPS, on his request, in his investigations. The present notification is subject to prior checking by the EDPS under Article 27.

12) Lawfulness of Processing:

Answering this question please also verify and indicate if your processing has to comply with articles 20 "Exemptions and restrictions" and 27 "Prior checking (by the EDPS)"

The processing is lawful and necessary under Article 5(a) and potentially also under Article 5(b) of Regulation (EC)45/2001.

Article 27.2.(a) Processing of data relating to health and to suspected offences, offences, criminal convictions or security measures,

Yes.

Article 27.2.(b) Processing operations intended to evaluate personal aspects relating to the data subject,

Yes.

Article 27.2.(c) Processing operations allowing linkages not provided for pursuant to national or Community legislation between data processed for different purposes,

No.

Article 27.2.(d) Processing operations for the purpose of excluding individuals from a right, benefit or contract,

No.

Other (general concept in Article 27.1)

No.

17/ Comments

0196/2007-214
36) Do you publish / distribute / give access to one or more printed and/or electronic directories?

Personal Data contained in printed and/or electronic directories of users and access to such directories shall be limited to what is strictly necessary for the specific purposes of the directory. If Yes, please explain what is applicable.

no

37) Complementary information to the different questions if applicable, including attachments to this notification which should not be public:

PLACE AND DATE: 27/03/2007
DATA PROTECTION OFFICER: LAUDATI Laraine
INSTITUTION OR BODY: OLAF