



EIOPA-15/325-Rev 2  
December 2018

## **Privacy statement related to the processing of personal data in the context of procurement procedures**

### **Introduction**

EIOPA, as a European Authority, is committed to protect individuals with regard to the processing of their personal data in accordance with Regulation (EU) No 2018/1725 (further referred as the Regulation).<sup>1</sup>

### **Controller of the data processing**

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

Address and email address of the controller:

Westhafenplatz 1, 60327 Frankfurt am Main, Germany

[fausto.parente@eiopa.europa.eu](mailto:fausto.parente@eiopa.europa.eu)

### **Contact details of EIOPA's Data Protection Officer**

Westhafenplatz 1, 60327 Frankfurt am Main, Germany

[dpo@eiopa.europa.eu](mailto:dpo@eiopa.europa.eu)

### **Purpose of processing your personal data**

Your personal data is collected and further processed for the management and administration of procurement procedures by EIOPA.

Your data will not be used for any purposes other than the performance of the activities specified above. Otherwise you will be informed accordingly.

### **Legal basis of the processing and/or contractual or other obligation imposing it**

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<sup>1</sup> 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

The legal basis for processing your personal data is:

- Regulation (EU) No 1094/2010 of the European Parliament and of the Council of 24 November 2010 establishing the European Insurance and Occupational Pensions Authority (EIOPA), amending Decision No 716/2009/EC and repealing Commission Decision 2009/79/EC;
- Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002, as amended by Regulation (EU, Euratom) No 2015/1929 of the European Parliament and the Council of 28 October 2015;
- 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, as amended by Commission Delegated Regulation (EU) 2015/2462 of 30 October 2015;
- Financial Regulation of the European Insurance and Occupational Pensions Authority (EIOPA) of 31 December 2013 (EIOPA/13/474).

## Personal data collected

The personal data collected concerns 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](http://ec.europa.eu/budget/explained/management/protecting/protect_en.cfm)).

## Recipients of your personal data

Your personal data 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;
- c. Members of the public: In case you are awarded a contract by EIOPA, some of your personal data 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 your name and address, the amount awarded and

the name of the project or programme for which you are awarded a contract 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**

No personal data are sent to a third country or an international organisation in the context of this processing activity.

### **Retention period**

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, your personal data will be kept for a period of up to 2 years following the conclusion of the respective proceedings.

### **Profiling**

No decision is taken by EIOPA in the context of procurement procedures solely on the basis of an automated processing of tenderers' personal data.

### **Your rights**

You have the right to access your personal data, receive a copy of them in a structured and machine-readable format or have them directly transmitted to another controller, as well as request their rectification or update in case they are not accurate.

You have the right to request the erasure of your personal data, as well as object to or obtain the restriction of their processing.

You have the right to withdraw your consent to the processing of your personal data at any time.

For the protection of your privacy and security, every reasonable step shall be taken to ensure that your identity is verified before granting access, or rectification, or deletion.

Should you wish to access/rectify/delete your personal data, or receive a copy of them/have it transmitted to another controller, or object to/restrict their processing, please contact [recruitment@eiopa.europa.eu](mailto:recruitment@eiopa.europa.eu) or [DPO@eiopa.europa.eu](mailto:DPO@eiopa.europa.eu).

Any complaint concerning the processing of your personal data can be addressed to EIOPA's Data Protection Officer ([DPO@eiopa.europa.eu](mailto:DPO@eiopa.europa.eu)). Alternatively you can also have at any time recourse to the European Data Protection Supervisor ([www.edps.europa.eu](http://www.edps.europa.eu)).