

Eurojust record of processing activity

Record of processing personal data activity, based on Article 31 of 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

Part I –Article 31 Record (this part is publicly available)

Nr.	Item	Description
Procurement procedures		
1.	Last update of this record	February 2021
2.	Reference number	LAU-01.02 (February 2021)
3.	Name and contact details of controller	The Head of Legal Affairs Unit, contact via email address: procurement@eurojust.europa.eu Postal address: <i>P.O. Box 16183 – 2500 BD The Hague The Netherlands</i> Office address: <i>Johan de Wittlaan 9 2517 JR The Hague The Netherlands</i>
4.	Name and contact details of DPO	Eurojust Data Protection Office, reachable via dpo@eurojust.europa.eu
5.	Name and contact details of joint controller (where applicable)	For E-submission, and EDES - European Commission. European Commission is responsible for development and maintenance of those systems. Any information related to processing of personal data in these systems is detailed in the data processing register of European Commission. For enquiries, European Commission DPO: https://ec.europa.eu/dpo-register/ .
6.	Name and contact details of processor (where applicable)	Authorised Procurement Officers.
7.	Purpose of the processing	Personal data is collected and further processed for the purpose of the management of the procurement procedures.
8.	Description of categories of persons whose data are processed and list of data categories	<ul style="list-style-type: none"> - Candidate and/or tenderer and its staff or subcontractors (legal or natural persons); - Contractors (legal or natural persons); - Company directors or other persons with powers of decision making and control over the candidate/tenderer; - Consultant's, experts or other staff proposed by the <ul style="list-style-type: none"> - Identification data: name, surname, where necessary, a copy of an identification document; - Function; - Contact details (e-mail address, business telephone number, mobile telephone number, fax number, postal address, company and department, country of residence, internet address); - Financial information including, bank account details (IBAN and BIC codes), VAT numbers,

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		<p>tenderer/candidate to demonstrate the candidate's/tenderer's technical or professional capacity</p>	<p>name, surname and address of account holder, bank certificates stating financial situation;</p> <ul style="list-style-type: none"> - User account (in the context of e-submission of a tender); - Signature or e-Signature; - Information and documents submitted to prove that the tenderer/candidate is not in one of exclusion situations referred to in articles 136 and 141 of the Financial Regulation, for instance: certificates for social security contributions and taxes paid, extracts from judicial records, extracts from the register of debt regulations or a certificated given by a creditors, trade register extracts, Declaration on honour; - Information and documents submitted to prove that the candidate/tenderer complies with selection criteria requirements or minimum requirements set in tender documents, such as: information about technical skills and languages, educational background, professional experience including details on current and past employment, documents attesting professional standing (curriculum vitae, copies of diplomas, certificates, references regarding their professional activities), proof of security clearance, certificates of good conduct; - Assessment of applications/tenders in evaluation reports, which may include observations on the individuals (e.g. experts, consultants) proposed for the procurement procedure concerned in order to carry out tasks under the contract.
		<ul style="list-style-type: none"> - Legal signatories of framework/direct contracts and contact persons from other EU institutions in case of inter institutional framework/direct contracts 	<ul style="list-style-type: none"> - Identification data: name, surname; - Function; - Contact details (e-mail address, business telephone number, mobile telephone number, fax number, postal address, EU institution and department); - Signature or e-Signature.
		<ul style="list-style-type: none"> - Eurojust post holders/external experts/post holders from other EU institutions assigned to carry out the tasks of tender Opening Committees or Evaluation Committees 	<ul style="list-style-type: none"> - Identification data: name, surname, - Function and contact details (e-mail address, business telephone number, mobile telephone number, fax number, postal address, EU institution and department); - Signature or e-Signature.
9.	Time limit for keeping the data	<ul style="list-style-type: none"> - files relating to tender procedures, including personal data, are retained until procedure is finalised, and in the archives for a period of 10 years following the signature of the contract, or the day when procedure has been cancelled or abandoned. The extracts from judicial records containing information on existence of criminal convictions can be kept only for two years; - tenders from unsuccessful tenderers are kept for 5 years following the signature of the contract or the day when procedure has been cancelled or abandoned; 	

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		<ul style="list-style-type: none"> - until the end of a possible audit if one started before the end of any above mentioned period.
10.	Recipients of the data	<p>For the purpose detailed above, access to personal data is given to the following persons involved in management of the procurement procedures <u>strictly on a need to know basis</u>:</p> <ul style="list-style-type: none"> - authorised Eurojust post holders/post holders of other EU institutions participating in the inter institutional procurement procedures/external experts, participating on behalf of Eurojust in procurement procedures, - bodies charged with a monitoring, audit or inspection task in application of European Union law (e.g. internal audits, European Court of Auditors, Financial Irregularities Panel referred to in Article 93 of the Financial Regulation, Exclusion Panel referred to in Article 143 of the Financial Regulation, OLAF, EU Ombudsman, EDPS); - European Commission, other institutions or agencies (for data of economic operators which are in one of the situations referred to in Articles 106 and 107 of the general FR which may be included in the system that identifies bodies and individuals representing financial and other risks to the European Union, called Early Detection and Exclusion System (EDES); - European Commission ABAC/SUMMA system's operators and internal auditors; - In case of litigation, including for contractual liability claims, data may be transferred to the European Court of Justice or to a mediator appointed by the parties, or to an external legal advisor; - Members of the public; in case economic operator is awarded a contract by Eurojust. In such a case personal data are made public, in accordance with the Eurojust's obligation to publish information on the outcome of the procurement procedure and on the beneficiaries of funds deriving from the Union's budget (Article 163, 189(2) and Article 38(2) of the Financial Regulation, respectively). The information will concern in particular name and address, the amount awarded and the name of the project or programme for which economic operator has been awarded a contract. It will be published in supplement S of the Official Journal of the European Union and/or on the website of Eurojust.
11.	Are there any transfers of personal data to third countries or international organisations? If so, to which ones and with which safeguards?	There are no transfers of personal data to third countries or international organisations.
12.	General description of security measures, where possible.	<p>Appropriate technical and organisational measures are in place to ensure a level of security appropriate to the risks represented by the processing and the nature of the personal data to be processed.</p> <p>These measures notably prevent any unauthorized disclosure or access, accidental or unlawful destruction or accidental loss, or alteration, and any other unlawful forms of processing.</p>



EUROJUST

The European Union Agency for Criminal Justice Cooperation
P.O. Box 16183 – 2500 BD The Hague • The Netherlands

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13.	For more information, including how to exercise your rights to access, rectification, object and data portability (where applicable), see the data protection notice:	Please refer to Data protection notice .