

DATA PROTECTION NOTICE

This is a generic privacy statement, for processing personal data related to managing award procedures for procurement, grants and the selection of experts, and managing the execution of (procurement and experts) contracts and implementation of agreements (grants).

Processing operation: Managing award procedures for procurement, grants and the selection of experts, and managing the execution of (procurement and experts) contracts and implementation of agreements (grants).

Data Controller: European Parliament, more specifically the entity as mentioned in the notice in the Official Journal, invitation to participate or invitation to tender pertaining to the award procedure, the contract or the agreement.

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1. Introduction

The European Parliament is committed to protect your personal data and to respect your privacy. Your personal data is processed in accordance with **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.

This privacy statement explains the reason for the processing of your personal data, the way we collect, handle and ensure protection of all personal data provided, how that information is used and what rights you have in relation to your personal data. It also specifies the contact details of the responsible Data Controller with whom you may exercise your rights, the Data Protection Officer and the European Data Protection Supervisor.

This privacy statement concerns the processing operation 'managing award procedures for procurement, grants and the selection of experts, and managing the execution of (procurement and experts) contracts and implementation of agreements (grants)', undertaken by Parliament as presented below.

2. Purpose of the processing operation

The processing of personal data by the European Parliament is necessary when managing award procedures (procurement, grants, experts) and managing the execution of contracts (procurement, experts) and the implementation of agreements (grants) concluded during the procedures. These processing operations are under the responsibility of the European Parliament as Controller, regarding the collection and processing of personal data.

The data subject is obliged to provide personal data for the purpose of taking part in the corresponding procedure, Article 15(2)(e) of Regulation (EU) 2018/1725.

Your personal data will not be used for any automated decision-making including profiling.

If you are an external data subject, upon receipt by Parliament of information related to an award procedure, contract or agreement (e.g. application document, communication) from you, personal data may be collected and processed by the Parliament's services for the purpose of managing the procedure, contract or agreement.

If you are an internal data subject, personal data may be collected and processed by Parliament's services as part of you using corporate eSubmission IT tools which support managing award procedures, the execution of contracts (procurement, experts) and the implementation of agreements (grants).

3. On what legal ground(s) do we process your personal data?

The processing operations on personal data carried out in the framework of procurement, grants and the selection of experts and managing the execution of contracts and implementation of agreements are necessary and lawful under Article 5(1)(a), (b) and (c) of Regulation (EU) 2018/1725:

- processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Union institution or body;
- processing is necessary for compliance with a legal obligation to which the controller is subject;
- processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.

The legal basis for the processing operations on personal data is the Financial Regulation¹, in particular:

- Articles 33 and 36 for principles on sound financial management and performance,
- Articles 160 to 179 for procurement procedures,
- Articles 180 to 200 for grant applications,
- Articles 237 to 238 for the selection of experts.

4. Which personal data do we collect and further process?

External data subjects provide personal data when they:

- participate in an award procedure regarding procurement, grants or the selection of experts; and
- execute a contract (procurement, expert) or implement an agreement (grant) that has been awarded to them.

¹ Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, OJ L 193, 30.7.2018, p. 1.

Internal data subjects provide personal data when they:

- manage an award procedure regarding procurement, grants or the selection of experts;
- manage the execution of a contract (procurement, expert) or implementation of an agreement (grant);
- develop, maintain and support the use of corporate eSubmission IT systems which support the above purpose as part of business processes; and
- access corporate eProcurement IT systems for the purpose of acquisitions via a procurement procedure or contract, or for performing a monitoring, audit or inspection task in application of European Union law.

Categories of personal data

Depending on whether the data subject is external or internal to Parliament, different data may be processed including:

Data subject external to Parliament:

- Identification data: name, surname, passport number, ID number, IP address;
- Function;
- Contact details (e-mail address, business telephone number, mobile telephone number, fax number, postal address, company name and department, country of residence, internet address);
- Certificates for social security contributions and taxes paid, extract from judicial records;
- Financial data: bank account reference (IBAN and BIC codes), VAT number;
- Information for the evaluation of selection criteria or eligibility criteria: expertise, technical skills and languages, educational background, professional experience including details on current and past employment;
- Declaration on honour or the equivalent with regard to exclusion criteria, selection criteria and/or eligibility criteria; and
- System related data: European Commission Authentication Service (EU Login) login name and password (only stored in EU Login), security data/log files (for audit trails).

Data subject internal to Parliament:

- Identification data: name, surname, email address, IP address;
- Organisational data: organisation, directorate, unit, etc.;
- Procedural data; Contracting Authority;
- Assignments and role; and
- System related data: European Commission Authentication Service (EU Login) login name and password (only stored in EU Login), security data/log files (for audit trails).

5. How long do we keep your data?

Your personal data will be stored for five years from the date on which European Parliament gives discharge for the financial year to which the documents relate. After this retention period has expired, the personal data will be erased. The personal data may be used for statistical purposes, in which case it will be fully anonymised.

Notwithstanding the above retention period, it should be noted that:

- As part of its general document management practices, a European Parliament file related to an award procedure, contract or agreement and which includes data may be selected or sampled at the end of the retention period, as a result of which some data may be retained in Parliament's Historical Archives;

- any retention of data may be temporarily extended if a monitoring, audit or inspection task in application of European Union law (e.g. internal audits, the Financial Irregularities Panel referred to in Article 93 of the Financial Regulation, the Exclusion Panel referred to in Article 143 of the Financial Regulation, European Anti-fraud Office - OLAF) is ongoing; and
- any action performed in corporate eSubmission IT systems by data subjects under their EU login is recorded without a defined retention period in order to enable queries on financial, contractual and accounting matters as well as for audit trail purposes.

6. How do we protect and safeguard your personal data?

Where data is in an electronic form, it is stored on servers of the European Parliament. Security requirements ensure that only designated persons have the possibility to access the data kept for the purpose of undertaking the processing operations.

Where data is kept in a paper format, it is stored in the premises of the competent services of the European Parliament. Access into the premises and within the premises is controlled.

7. Who has access to your data and to whom is it disclosed?

For the purpose detailed above, access to your personal data is given to the following persons, without prejudice to a possible transmission to the bodies in charge of a monitoring or inspection task in accordance with European Union law:

- Parliament's staff members and in the event of inter-institutional procedures also the staff members of other involved institutions, agencies and bodies as well as external experts and contractors who work on behalf of Parliament for the purposes of:
 - 1) managing award procedures for procurement, grants and the selection of experts;
 - 2) managing the execution of (procurement and experts) contracts and the implementation of grant agreements;
 - 3) developing, maintaining and supporting the use of corporate eSubmission IT systems.
- for contracts awarded as part of a procurement procedure, Parliament's staff who may use the contract or may use the information (excluding personal data) related to the contract for the sole purpose of future procurement procedures;
- bodies charged with a monitoring, audit or inspection task in application of European Union law;
- members of the public who receive data of contractors or beneficiaries which is made public in accordance with the Financial Regulation, particularly Articles 38(2) and 163. The data is published on the applicable website of the European Parliament. For more information on the provision of this register, see record in the [Data Protection Officer's registry](#).

In the context of financial internal controls, recipients of the personal data may compare the data against any information available in public sources, including on social media.

8. What are your rights and how can you exercise them?

You have specific rights as a 'data subject' under Chapter III (Articles 14 to 25) of Regulation (EU) 2018/1725, in particular the right to access, rectify or erase your personal data and the right to restrict the processing of your personal data.

You have the right to object to the processing of your personal data which is lawfully carried out on grounds relating to your particular situation.

Special attention is drawn to the consequences of a request for deletion, as this may lead to an alteration of the terms of the tender and lead to rejection in line with Articles 151 and 141 of the Financial Regulation.

You can exercise your rights by contacting the Data Controller, or in case of conflict the Data Protection Officer. If necessary, you can also address the European Data Protection Supervisor. Their contact information is given under Heading 9 below.

9. Contact information

- The Data Controller

If you would like to exercise your rights under Regulation (EU) 2018/1725, or if you have comments, questions or concerns, or if you would like to submit a complaint regarding the collection and use of your personal data, please feel free to contact the Data Controller by using the contact information mentioned in, for instance, a notice in the Official Journal of the European Union, invitation to participate or invitation to tender pertaining to the award procedure, the contract or the agreement, and by explicitly specifying your request.

- The Data Protection Officer of the European Parliament

In the event of any queries concerning the processing of personal data, data subjects may contact the controller. They may also contact the Data Protection Officer of the European Parliament with regard to issues related to the processing of your personal data under Regulation EU (2018/1725) at: *European Parliament, KAD 06A001, Plateau du Kirchberg, L-2929 Luxembourg*, tel.: +352 4300 23595, email: data-protection@ep.europa.eu.

- The European Data Protection Supervisor (EDPS)

You have the right to have recourse (i.e. you can lodge a complaint) to the [European Data Protection Supervisor](#) at edps@edps.europa.eu, if you consider that your rights under Regulation (EU) 2018/1725 have been infringed as a result of the processing of your personal data by the Data Controller, at: *Rue Wiertz 60, B-1047 Brussels*, tel.: +32 2 2831900, e-mail: edps@edps.europa.eu.