

PROTECTION OF PERSONAL DATA IN RELATION TO PROCUREMENT PROCEDURES AND CONTRACT MANAGEMENT

Identity of controller:

The Head of Administration responsible for the procurement or/and management of the subsequent contract: data to be found in publish procurement procedures and /or contracts.

Purpose of processing:

Procurement and contract management operations are needed so FRA could employ external contractors in order to fulfill its tasks as in Arts. 3 of the Council Regulation (EC)No. 168/2007 establishing a European Union Agency for Fundamental Rights.

Data concerned:

Staff and external collaborators of companies and institutions or individuals participating in procurement procedures and entering into a contractual relation with FRA.

Type of data processed:

Data subjects may submit their name, address, sometimes CV, as well as bank account information, financial data concerning economic performance and information covering absence of prior financial irregularities.

Legal basis:

(a) Council Regulation (EC) No. 168/2007,

(b) Article 5(a), (b), (c), (d) of Regulation 45/2001

(c) Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation as amended by Council Regulation (EC, Euratom) No 1995/2006 of 13 December 2006 and Commission Regulation (EC, Euratom) No 478/2007 of 23 April 2007 (Implementing Rules of the Financial Regulation)

Recipients of the data processed:

Tendering process: Members and secretariat of the Opening and Evaluation Committees, secretariat of the Department responsible for the procurement. The name and address of the

winner of the tender may be transmitted to the other participants of so.

Contract preparation and management: Relevant Project Officer(s), Head and secretariat of the Department responsible for the procurement, financial and legal verifiers, office of the Director; Financial identification form (bank account information and the address of the owner of the bank account) and legal identify form (name, address, tel., email) are transferred to the European Commission in order to be included in the third party file of the ABAC system for electronic transactions.

Lawfulness of processing:

Processing is necessary for the performance of a contract to which the data subject is a party or in order to take steps at the request of the data subject prior to entering into a contract for the performance of tasks carried out in the public interest on the basis of the Treaties establishing the European Communities and in particular the Council Regulation (EC)No. 168/2007 establishing a European Union Agency for Fundamental Rights, as well as art. 5(c) of the Regulation (EC) N° 45/2001 of the European Parliament and the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data.

The data subject's rights:

Data subjects have the right to access and update or correct their data (in procurement procedures: until the closing date for submissions). Data subjects are also entitled to have recourse at any time to the European Data Protection Supervisor (EDPS): <http://www.edps.europa.eu>

Date when processing starts:

Date of submission.

Contact information:

Head of Administration
European Union Agency for Fundamental Rights (FRA)
Schwarzenbergplatz 11
A – 1040 Vienna
Austria