

**PRIVACY NOTICE FOR  
PROCESSING OF REQUESTS FOR  
ACCESS TO DOCUMENTS UNDER REGULATION 1049/2001**

**1. DESCRIPTION OF THE PROCESSING OPERATION**

The Controller of this processing operation in OLAF is OLAF C.4: Legal Advice Unit

The processing of personal data in relation to requests from the public for access to OLAF documents pursuant to Regulation 1049/2001 consists of preparing and sending the replies, and maintaining files of requests and replies and related documents. The processing of your data will not be used for any automated decision making, including profiling.

Requests and replies for access to documents held by OLAF which concern OLAF investigations is registered in the pertinent investigation file in THOR (OLAF Registration system) (OLAF DPO registry DPO-168) and in OCM (OLAF Content Management, OLAF DPO- 208).

Requests and replies which do not concern OLAF investigations will be registered directly in the Commission's central database, the GESTDEM application (European Commission DPO register, DPO-1225.2) and each reply is registered in the European Commission's advanced records system (ARES) (European Commission DP registry DPO-1530).

OLAF responds directly to the applicant.

The purpose for collecting these data is to ensure conformity with the requirements of Regulation 1049/2001 and the Commission document management rules.

**2. LEGAL BASIS FOR THE PROCESSING**

The legal basis for this processing operation is Regulation (EC) 1049/2001 and Commission Decision 2001/937/EC, ECSC, Euratom.

**3. CATEGORIES OF PERSONAL DATA COLLECTED**

In order to carry out this processing operation OLAF collects the following categories of personal data:

The personal data collected consists of identification and contact information of the applicant's (name, address, e-mail, telephone, fax), and personal data relating to persons whose names are mentioned in the request or in the documents that are the subject of the request; the personal data concerning them included in the documents.

The data are received from the applicant and from related OLAF files, Commission services, and third parties.

#### **4. WHO HAS ACCESS TO YOUR INFORMATION AND TO WHOM IS IT DISCLOSED?**

Staff within OLAF and in Commission services responsible for carrying out this processing operation for dealing with requests for access to documents and third parties, within the meaning of Articles 4(4) and 3(b) of Regulation 1049/2001, and Article 5 of Commission Decision 2001/937/EC, have access to your personal data. When public access is requested to documents containing personal data Regulation (EU) 2018/1725<sup>1</sup> becomes fully applicable<sup>2</sup>. Personal data that appear on the requested document may only be disclosed to the applicant following an assessment under Article 9(b) of that Regulation.

#### **5. HOW DO WE PROTECT AND SAFEGUARD YOUR INFORMATION?**

In order to protect your personal data, a number of technical and organisational measures have been put in place. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the data being processed. Organisational measures include restricting access to the data to authorised persons with a legitimate need to know for the purposes of this processing operation.

#### **6. HOW LONG DO WE KEEP YOUR DATA?**

Your personal data contained in requests for public access to documents which do not concern OLAF investigations are retained for a maximum of 10 years.

Your personal data contained in requests for public access to documents concerning OLAF investigations are retained for a maximum of 15 years.

#### **7. WHAT ARE YOUR RIGHTS AND HOW YOU CAN EXERCISE THEM?**

You have the right to request access to your personal data, rectification or erasure of the data, or restriction of their processing.

Any request to exercise one of those rights should be directed to the Controller ([OLAF-FMB-DATA-PROTECTION@ec.europa.eu](mailto:OLAF-FMB-DATA-PROTECTION@ec.europa.eu)). Where you wish to exercise your rights in the context of one or several specific processing operations or files, please provide their description and reference(s) in your request.

---

<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; O.J. L 295/39 21.11.2018

<sup>2</sup> See by analogy, Judgment of the Court of Justice of the EU of 29 June 2010 in case 28/08 P, Commission/The Bavarian Lager Co. Ltd, ECR 2010 I-06055.

## **8. CONTACT DETAILS OF THE DATA PROTECTION OFFICER**

You may contact the Data Protection Officer of OLAF ([OLAF-FMB-DPO@ec.europa.eu](mailto:OLAF-FMB-DPO@ec.europa.eu)) with regard to issues related to the processing of your personal data under Regulation(EU)2018/1725.

## **9. RIGHT OF RECOURSE**

You have the right to have recourse to the European Data Protection Supervisor ([edps@edps.europa.eu](mailto: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 OLAF.