

**PRIVACY NOTICE FOR
Support cases at the request of the European public prosecutor**

1. DESCRIPTION OF THE PROCESSING OPERATION

In accordance with Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO')¹, based on the principle of 'mutual cooperation', the EPPO can request OLAF to perform specific support activities in and ongoing EPPO investigation, as listed in Article 101(3), with a view of fulfilling the 'complementarity and support role of OLAF to the EPPO'.

OLAF support cases aim to address EPPO requests for support such as providing information, analyses (including forensic analyses), expertise and operational support, or facilitating coordination of specific actions of the competent national administrative authorities and bodies of the Union.

Such activities are performed under the specific guidance provided by the EPPO on a case-by-case basis. The relationship and support activities are further described in Articles 12c to 12g of Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF)², as amended. For more details, reference is made to the OLAF-EPPO Working Arrangements (signed 5 July 2021) and OLAF's Guidelines on Investigative Procedures.

For support requests from the EPPO, OLAF Unit 0.3 receives a request from the EPPO via the EPPO Box (EPPO's case management tool) and attributes it to the Single Point of Entry located in the Selection Unit 0.1 for registration. After discussion with the relevant unit(s) associated, OLAF considers opening a support case on the basis of the agreed activities with the EPPO, which fall under OLAF's mandate³. Once the support case is opened, the file is stored and handled by OLAF in the OLAF case management system (OCM) (Record DPR-OLAF-00974.1).

Within the framework of a support case, OLAF performs only the activity requested by the EPPO and transmits the outcome of the support activities directly to the EPPO. OLAF's role may include facilitating contacts, the gathering and exchange of information, and ensuring operational cooperation among the relevant national services and, where necessary, with other Union institutions, bodies, agencies or services. The data held in support cases is not subject to automated decision-making, including profiling.

¹ [OJ L 283, 31.10.2017, p. 1](#)

² [OJ L 248, 18.9.2013, p. 1](#)

³ Article 101(3) EPPO Regulation, Article 12 OLAF Regulation

2. LEGAL BASIS FOR THE PROCESSING

The legal basis for support cases is Articles 12c to 12g of Regulation (EU, Euratom) No 883/2013 as amended and Article 101(3) of Council Regulation (EU) 2017/1939. OLAF performs support activities in accordance with Article 5 paragraph 1 (a) of Regulation (EU) 2018/1725.

3. CATEGORIES OF PERSONAL DATA COLLECTED

During a support case, OLAF may receive identification data, professional data and case involvement data or other categories of data, on a case-by-case basis.

Exceptionally, if necessary for the conduct of the activities requested from OLAF in a particular support case, the Office may process special categories of data falling under Article 10 of Regulation (EU) 2018/1725.

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

Responsible OLAF staff has access to the data stored in OCM. In addition, if a support case is opened in accordance with the relevant legal provisions, your data may be transferred to designated persons in the EU institutions, bodies, offices and agencies, the relevant authorities in Member States in order to ensure the performance of the support activity requested by the EPPO. The outcome of the support activity, which may include personal data, is transmitted to the EPPO.

Personal data collected in the course of this processing operation may be transferred to the OLAF Supervisory Committee where necessary and legally required for its monitoring of the implementation of OLAF's investigative function.

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. Concerning unauthorised access to equipment and data, the OLAF secure premises, protected by OLAF-specific physical security measures, host all hardware; network firewalls protect the logic perimeter of the OLAF IT infrastructure; and the main computer systems holding the data are security hardened.

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 may be retained in OLAF's case files, which are stored for a maximum of 15 years after the closure of the case.

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

You have the right to request access to, rectification, erasure or restriction of processing of your personal data and you can object to their processing on grounds relating to your particular situation.

Any request to exercise one of those rights should be directed to the Controller (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.

Exceptions and restrictions based on Regulation (EU) 2018/1725 and relevant Commission Decision 1962/2018 or other Commission decisions may apply.

8. CONTACT DETAILS OF THE DATA PROTECTION OFFICER

You may contact the Data Protection Officer of OLAF (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) 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.