

PRIVACY NOTICE FOR QUEST

1. DESCRIPTION OF THE PROCESSING OPERATION

Quest is an online application to create surveys or information campaigns and to receive feedback from staff members within Member States' competent authorities¹ (organisations) and individual users (depending on the type of feedback required). The application is operated under the Anti-Fraud Information System (AFIS) platform, which is developed by the European Anti-Fraud Office (OLAF).

There are three types of feedback:

- **Security Policy Compliance:**
For each organisation using any of the filing systems provided for under the AFIS-platform, the AFIS team receives information related to the level of compliance with the AFIS Security Policy. This information is received once for all organisations but an update must be provided to the AFIS-team every time changes occur within organisations, which use Quest,
- **AFIS Users Assessment:**
Every year, the AFIS team has to verify whether AFIS users are still entitled to use the AFIS platform. This enables the AFIS team to remove users who no longer need access to the AFIS platform and the AFIS applications.
- **Surveys:**
At any point in time, the AFIS-team might need to launch surveys. Surveys are carried out among organisations as well as among individual AFIS users.

The purpose of the processing is to receive feedback from organisations and individual AFIS users that use applications under the AFIS platform.

The controller of the processing operation is the European Commission, European Anti-Fraud Office (OLAF), Unit B.1: Customs, Trade and Tobacco Anti-Fraud Strategy.

Personal data recorded in Quest will not be used for automated individual decision-making, including profiling². Data subjects will not be subjected to a decision solely based on automated processing, including profiling, which produces legal effects concerning him or her or similarly affects him or her.

2. LEGAL BASIS FOR THE PROCESSING

The legal bases for this processing are:

¹ The term 'Competent authorities' is defined in Article 2(2) of Council Regulation (EC) 515/97 of 13 March 1997 on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of the law on customs and agricultural matters, OJ L 082, 22 March 1997, as amended.

² As defined in Article 24 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) 45/2001 and Decision No. 1247/2002/EC, OJ L 295 of 21 November 2018, p. 39, ("EUDPR").

- Regulation 2018/1725, the EU Data Protection Regulation ("EUDPR"), in particular Article 4 (1) (a) on the lawfulness of processing,
- Regulation 515/97, as amended, the "Mutual Assistance Regulation",
- Regulation 883/2013³, as amended,
- Treaty on the Functioning of the European Union (TFEU), Article 325 (5), reporting requirement.

3. CATEGORIES OF PERSONAL DATA COLLECTED

The following categories of personal data on authorised staff within the competent authorities⁴ in the Member States, OLAF, third countries and officials of Eurojust and Europol working with AFIS are recorded in Quest:

- First name,
- Surname,
- Information on the date of the last login to the application.

Personal data are only collected from a natural person if s/he is linked to a legal entity for which data are collected. Personal data of natural persons who are not linked to a legal entity are not collected.

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

Information in Quest is only **accessible** to authorized staff in:

- the European Anti-Fraud Office.

Information in Quest may be **disclosed** to authorized staff within:

- the European Commission and the European Anti-Fraud Office.

Authorized staff are those staff members within the organisations mentioned above that are tasked with detecting, investigating and prosecuting infringements against customs or agricultural fraud or staff designated as contact person for the AFIS-platform and the AFIS applications.

Personal data recorded in Quest will not be transferred outside the EU.

5. HOW DO WE PROTECT AND SAFEGUARD YOUR INFORMATION?

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

³ 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) and repealing Regulation (EC) No. 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No. 1074/1999, OJ L 248 of 18 September 2013.

⁴ The term 'Competent authorities' is defined in Article 2(2) of Council Regulation (EC) 515/97 of 13 March 1997 on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of the law on customs and agricultural matters, OJ L 082, 22 March 1997, as amended. The legal basis for the IET-Directory is Article 18(d)(2) of this Regulation.

6. HOW LONG DO WE KEEP YOUR DATA?

Your personal data may be retained by OLAF for a maximum of 10 years after you made the last modification to Quest.

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. You have the right to object to the processing of your data.

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.

The controller may apply exceptions in accordance with the Regulation 2018/1725 and, where applicable, restrictions based on Article 25 thereof, in accordance with the relevant Commission Decisions⁵.

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.

⁵ Commission decisions based on Article 25 of the EUDPR will be published in the Official Journal as well as on the internet pages of OLAF.