

**PRIVACY NOTICE FOR THE SURVEY – PREPARATION FOR AMENDMENTS OF
REGULATION 883/2013**

(DPR-OLAF-00857.1)

1. DESCRIPTION OF THE PROCESSING OPERATION

The European Anti-Fraud Office (OLAF) was set up in 1999 to conduct administrative investigations against fraud and any other illegal activity affecting the EU financial interests, as well as to assist Member States (MS) in the fight against fraud. OLAF's investigative mandate is defined by Regulation 883/2013 concerning investigations conducted by the OLAF. In accordance with Article 19 of the OLAF Regulation, the evaluation of the application of the Regulation was concluded on 2 October 2017.

On 12 October 2017, the Council adopted the Regulation implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office (EPPO). The establishment of the EPPO will impact on the operation of OLAF and the relationship between the two bodies needs to be further regulated. In response to the establishment of the EPPO, and also to address the shortcomings in OLAF's investigative function as they were identified by the evaluation of the functioning of Regulation 338/2013, the Commission announced a possible proposal to amend Regulation 883/2013 for spring 2018.

To develop such a proposal, the Commission prepared an assessment in line with the Better Regulation principles. In view of the assessment a survey was designed to collect feedback from stakeholders.

At Member State level, the survey targeted interlocutors from:

- The Anti-Fraud Coordination Services (AFCOS)
- Authorities managing and/or implementing EU funds
- Authorities investigating fraud and corruption in relation to EU funds
- Judicial authorities
- Authorities responsible for the development of anti-fraud policies and strategies
- Audit bodies

At EU level, the survey targeted the EU Institutions, Bodies, Offices and Agencies (EU IBOAs).

The data was only used for the purpose of this assessment and proposal development. The survey and the processing of the data were completed on 23 May 2018, date of the publication of the Commission's proposal to amend Regulation 883/2013.

The processing of your data was not used for an automated decision making, including profiling.

2. LEGAL BASIS FOR THE PROCESSING

The legal basis for this processing is Article 5 paragraph 1(a) of Regulation(EU) 2018/1725.

The legal basis for the amendment of Regulation 883/2013 and the related preparatory work is Article 325 TFEU and Article 106a Euratom Treaty.

3. CATEGORIES OF PERSONAL DATA COLLECTED

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

- name of the organisation
- contact email (can be provided at the level of a general inbox of the organisation)
- replies to the survey.

The provision of the personal data is not mandatory.

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

OLAF staff responsible for carrying out this processing operation has access to your personal data. Your data shall not be transferred.

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 may be retained by OLAF for a maximum of 5 years after the completion of the evaluation, in order for the results of the consultation to be completely analysed and exploited.

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.

Exceptions based on Regulation 2018/1725 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.