



EUROPEAN COMMISSION

PROTECTION OF YOUR PERSONAL DATA

This privacy statement provides information about the processing and the protection of your personal data.

Processing operation: Legal Entities and Bank Account Files

Data Controller: BUDG.C3

Record reference: DPR-EC-00301.1

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1. Introduction

The European Commission (hereafter 'the Commission') is committed to protect your personal data and to respect your privacy. The Commission collects and further processes personal data pursuant to [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 (repealing Regulation (EC) No 45/2001).

This privacy statement explains the reason for the processing of your personal data, the way we collect, handle and ensure protection of all personal data provided, how that information is used and what rights you have in relation to your personal data. It also specifies the contact details of the responsible Data Controller with whom you may exercise your rights, the Data Protection Officer and the European Data Protection Supervisor.

The information in relation to processing operation "Legal Entities and Bank Account Files" is presented below.

2. Why and how do we process your personal data?

Purpose of the processing operation:

All financial and contractual transactions undertaken by Commission departments and External Entities using the Central Financial System of the European Commission (ABAC-SUMMA) require the **identification** of a unique Legal Entity record. Similarly, the Commission is collecting Bank Account related data in order to **execute payments**.

In addition, the **Financial Transparency System** - a web search engine - provides transparency on commitments made by the European Commission. In such case, the name, the region and the amount of funding and contract awarded are published on internet (for amounts above €15 000 and with the exception of the following categories of expenditure: scholarships, direct support paid to natural persons most in need, payments to research & development experts, reimbursement of travel and subsistence expenses for experts, staff related expenditure).

Therefore, the European Commission and by delegation the Directorate General for Budget (DG BUDG), and in particular the **Unit C3** and the External Entities¹ using ABAC-SUMMA, collect and use your personal information **to validate your legal existence and to ascertain that no double entries exist in the system**.

Please note that, **in case your personal data is collected by an External Entity**, DG BUDG is **joint controller** along with the Entity with which you have been in contact and which has collected your personal data. They both jointly ensure compliance with data protection requirements under service-level agreements which govern the exact procedures to be followed and the responsibilities of each party. Currently, ABAC-SUMMA is used by approximately 50 External Entities (departments, Executive Agencies, External EU agencies, Joint-Undertaking etc.) and the role of each has been clarified with a joint-controllership agreement that each entity has signed.

3. On what legal ground(s) and on which legal basis do we process your personal data?

We process your personal data, because the processing is **necessary for compliance with a legal obligation** to which the controller is subject (Art. 5.1(b)) Regulation (EU, Euratom) 2018/1046 of

¹ External Entities using ABAC-SUMMA under SLA – for example Executive Agencies, JRC, the European Parliament etc. A full list of the external entities will be published on the Intranet.

the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union a.k.a. **Financial Regulation** (FR). In particular, Article 86 stipulates powers and duties of the Accounting Officer with respect to the creation and management of legal entity files and for the keeping of supporting documents. These files and documents contain the needed personal data for a sound and legal management of payments and recovery of sums.

The processing of your personal data is also necessary for the **performance of a contract** to which you are party of or in order to take steps at your request prior to entering into a contract (Art 5.1(c)).

In case of absence of this processing, no contracts with or financing decisions in favour of the data subject could be concluded and no monitoring of the correct execution of these contracts/decisions would be possible.

Moreover, once third parties sign the contract, their data might be processed later on in case of recovery of overdue debts, further information under the DPR-EC-02100.2

4. Which personal data do we collect and further process?

The record addresses the need of the Commission to ensure the legal existence of beneficiary of the payment and to ascertain that no doubles entries exist in the system for the same beneficiary.

In order to carry out this processing operation the Data Controller², collects the following categories of personal data:

- The information you have filled in the **Legal Entity Form** as well as the supporting documents you have provided (e.g. ID document).
- The information you have filled in the **Financial Identification Form** as well as the supporting documents you have provided (i.e. bank statement).

5. How long do we keep your personal data?

The Data Controller only keeps your personal data for the time necessary to fulfil the purpose of collection or further processing, namely for :

- a **maximum of 10 years** after the last transaction for data related to natural persons other than Commission staff
- **up to 100 years** after the date of recruitment for staff (to satisfy any request that may come in after the end of a staff member's contract or after their retirement).

6. How do we protect and safeguard your personal data?

All personal data are stored either on the servers of the European Commission. All processing operations are carried out pursuant to the [Commission Decision \(EU, Euratom\) 2017/46](#) of 10 January 2017 on the security of communication and information systems in the European Commission.

In order to protect your personal data, the Commission has put in place a number of **technical and organisational measures** in place. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access, taking into

² In case your personal data is collected by an External Entity, DG BUDG is joint controller along with the Entity with which you have been in contact and which has collected your personal data

consideration the risk presented by the processing and the nature of the personal data being processed. Organisational measures include restricting access to the personal data solely to authorised persons according to the “need to know” principle for the purposes of this processing operation. Such access requires the authorization of the user organization’s Director General and the accesses granted are reviewed on a regular basis and, in case it is no longer needed, the access to personal data is revoked.

7. Who has access to your personal data and to whom is it disclosed?

Access to your personal data is provided to the **Commission staff** responsible for carrying out this processing operation and to authorised staff according to the “need to know” principle. Only the data used for **unique** identification of entities – First Name, Last Name, Country and Date of Birth is accessible by all ABAC-SUMMA users in order to avoid potential double entries in the system. Access to other personal data collected is granted only to specific staff with **specific access rights profiles**, for example staff that are responsible for the financial and accounting matters for staff members, ex-staff members, Members of the Parliament and other relevant categories of legal entities. . Such access requires the authorization of the user organization’s Director General and the accesses granted are reviewed on a regular basis and in case it is no longer needed – the access to personal data is revoked.

All authorised Commission, European External Action Service, consultative bodies and authorising officers of the Commission and External Entities, which make use of ABAC-SUMMA under service-level agreements and deal with financial and accounting matters, may have access on “need to know” basis to your data. Your personal data may also be sent to the Internal Audit Service, the Court of Auditors, the Financial Irregularities Panel, the Anti-fraud Office and any other institution or entity responsible for audits or investigations.

Additionally, personal data may be transferred to **banking institutions** in order to execute payments as defined in the contract. In case you are requesting a payment in a bank account, which is not located in EEA, your personal data will be transferred to banking institutions in a **third country** in accordance with Regulation (EU) 2018/1725. In particular, the transfer would be based on **adequacy decision** (Art. 47) in absence of which on **appropriate safeguards** (Art. 48) or based on derogations (Art. 50. 1(b) and 50. 1(c)).

Through the Financial Transparency System (FTS) a limited set of information on beneficiaries under direct management will be accessible to the public through the FTS website on Europa. Only certain commitments and payments above €15 000 will be disclosed. In such case, only the name, the region and the amount of funding awarded will be published.

8. What are your rights and how can you exercise them?

You have specific rights as a ‘data subject’ under Chapter III (Articles 14-25) of Regulation (EU) 2018/1725, in particular the right to access your personal data and to rectify them in case your personal data are inaccurate or incomplete. Where applicable, you have the right to erase your personal data, to restrict the processing of your personal data, to object to the processing, and the right to data portability.

You can exercise your rights by contacting the Data Controller, or in case of conflict the Data Protection Officer. If necessary, you can also address the European Data Protection Supervisor. Their contact information is given under Heading 9 below.

Where you wish to exercise your rights in the context of one or several specific processing operations, please provide their description (i.e. their Record reference(s) as specified under Heading 10 below) in your request.

9. Contact information

- The Data Controller

If you would like to exercise your rights under Regulation (EU) 2018/1725, or if you have comments, questions or concerns, or if you would like to submit a complaint regarding the collection and use of your personal data, we would **advise** you to **contact our joint controller as your first point of contact, namely the department of the institution or agency of the European Union to which you have submitted your data and which is responsible for their collection and transmission** to DG BUDG.

Only then and if needed, contact the European Commission and by delegation the Directorate General for Budget (DG BUDG), and in particular the DG BUDG DPC and Unit C3, Legal Entities and Bank Accounts Files via our contact page (https://europa.eu/european-union/contact/write-to-us_en).

- The Data Protection Officer (DPO) of the Commission

You may also contact the Data Protection Officer (DATA-PROTECTION-OFFICER@ec.europa.eu) with regard to issues related to the processing of your personal data under Regulation (EU) 2018/1725.

- The European Data Protection Supervisor (EDPS)

You have the right to have recourse (i.e. you can lodge a complaint) 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 the Data Controller.

10. Where to find more detailed information?

The Commission Data Protection Officer (DPO) publishes the register of all processing operations on personal data by the Commission, which have been documented and notified to him. You may access the register via the following link: <http://ec.europa.eu/dpo-register>.

This specific processing operation has been included in the DPO's public register with the following Record reference: DPR-EC-00301 and DPR-EC-02100.2.