



DATA PROTECTION NOTICE

in relation to visits of potential tenderers and their representatives

1. Introduction

The European Union Agency for Asylum (hereinafter “the EUAA” or “the Agency”) is committed to protecting your privacy. The EUAA collects and further processes personal data pursuant to [Regulation \(EU\) 2018/1725](#)¹ (hereinafter “the EUDPR”).

This privacy statement explains amongst others the reasons why we process your personal data, the way we collect, handle and ensure protection of your personal data, and the 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, as well as of the Data Protection Officer (DPO) and the European Data Protection Supervisor (EDPS) to whom you may have recourse to exercise the said rights.

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

We process your personal data for the purpose of organising on-site visits of potential tenderers and their representatives.

On-site visits are planned to take place.

Moreover, tenders will be opened in public and a maximum of two representatives per tender may attend the opening session. The representatives will be required to present the tender reception confirmation generated by e-Submission and to sign an attendance sheet.

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

We process your personal data on the basis of Article 28.1. of Annex I of the Regulation (EU, Euratom) 2018/1046² which reads as follows “*[i]n open procedures, authorised representatives of tenderers may attend the opening session*”.

In addition to the above, processing of personal data can be foreseen in case of on-site visits before the deadline for offer submission, by virtue of Article 16.2 (d) of Annex I of the Regulation (EU, Euratom) 2018/1046

Consequently, the processing operation is lawful under point (a) of Article 5(1) of the EUDPR given that it is necessary for the performance of the tasks that the Agency has been vested with by virtue of its

¹ 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, (OJ L 295, 21.11.2018, p. 39).

² Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012.





mandate. To the extent that processing of personal data is based on your consent, such processing is lawful also under point (d) of Article 5(1) of the EUDPR.

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

The following (categories of) personal data of tenderers and their representatives, may be processed:

- Full name;
- Date of birth;
- Nationality;
- ID or passport number.

5. How long do we keep your personal data?

We retain your personal data for a maximum period of ten years following signature of the contract or following the last payment by the EUAA, respectively. Tenders and requests to participate from unsuccessful tenderers or candidates have to be kept for a maximum period of five years following signature of the contract.

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

We store all personal data in electronic format (e-mails, documents, etc.) on the EUAA's servers. In order to protect your personal data, we have put in place a number of technical and organisational measures as required under Article 33 of the EUDPR. 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 personal data being processed. Organisational measures include restricting access to the personal data solely to authorised persons with a legitimate need to know for the purposes of this processing operation.

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

The following (categories of) recipients have access to your personal data:

- The EUAA's personnel responsible for relevant tasks related to the organisation of on-site visits;
- ICT personnel may have access to your personal data for security-related purposes;
- Security and Front desk personnel may have access to personal data in order to facilitate entry and registration of tenderers and their representatives to the Agency's premises.

8. Do we transfer any of your personal data to third countries or international organisations (outside the EU/EEA)?

This processing activity does not entail any transfers of personal data to third countries or international organisations (outside the EU/EEA).

9. Does this processing involve automated decision-making, including profiling?



This processing activity does not involve automated decision-making, including profiling.

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

According to the EUDPR, you are entitled to access your personal data and to rectify it in case the data is inaccurate or incomplete. If your personal data is no longer needed by the EUAA or if the processing operation is unlawful, you have the right to erase your data. Under certain circumstances, such as if you contest the accuracy of the processed data or if you are not sure if your data is lawfully processed, you may ask the Data Controller to restrict the data processing. You may also object, on compelling legitimate grounds, to the processing of data relating to you. Additionally, you have the right to data portability which allows you to obtain the data that the Data Controller holds on you and to transfer it from one Data Controller to another. Where relevant and technically feasible, the EUAA will do this work for you.

If you wish to exercise your rights, please contact the Data Controller, i.e., the Head of Procurement Sector, on the following e-mail address: contracts@euaa.europa.eu.

You may always submit queries, remarks or complaints relating to the processing of your personal data to the Data Protection Officer (DPO) of the EUAA on the following e-mail address: dpo@euaa.europa.eu.

In case of conflict, complaints can be addressed to the European Data Protection Supervisor (EDPS) on the following e-mail address: edps@edps.europa.eu.