



European Committee
of the Regions

PRIVACY STATEMENT

PUBLIC PROCUREMENT PROCEDURES

1. Introduction

Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of individuals 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 1247/2002/EC ([JO L 295, 21.11.2018, p. 39](#)), applies to the processing of personal data collected for procurement procedures.

2. Who is the responsible for the processing operation?

The European Committee of the Regions (CoR) is the controller for the processing of personal data (in association with the European Commission's DIGIT when tenders are submitted via the e-Submission platform).

The responsible service for processing the data is indicated in the specific invitation to tender.

Contact: see contact details (name, email) in the specific invitation to tender

European Committee of the Regions
101, Belliard Street
1040 Brussels
BELGIUM

3. What is the purpose of the processing operation?

Your personal data are collected and further processed for the purposes of the management and administration of procurement procedures by the CoR.

4. What is the legal basis for the processing operation?

The legal basis for the processing operation is:

- 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, repealing Regulation (EU, Euratom) No 966/2012, and
- Article 5(1)(a) of Regulation (EU) 2018/1725 ("processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Union institution or body").

5. What personal data are processed?

Personal data collected and further processed concern the tenderer and its staff or subcontractors (natural persons). Information may relate to the following data:

- Name;
- Function;

- Contact details (e-mail address, professional telephone number, mobile phone number, fax number, postal address, company and department, country of residence, internet address);
- Certificates proving payment of social security contributions and taxes, extract from the judicial record;
- Bank details (IBAN and BIC codes), VAT number, passport number, identity card number;
- Information for the assessment of the selection criteria: expertise, technical and language skills, training, professional experience, including detailed information on previous and current jobs;
- Declaration on honour that they are not in one of the situations of exclusion provided for in the Financial Regulation (see point 4, first indent, above).

Your personal data are provided in the framework of the submission of your request for participation or your tender, either in an encrypted manner via the digital e-Submission platform, electronically via a secure and dedicated functional mailbox or in paper format via mail, delivery service or in person.

The information is collected in files stored in an isolated secure system. The information is processed by the CoR staff on a strict need to know basis, under the responsibility of the controller mentioned in the call for tenders. For files submitted via the e-Submission platform, DIGIT colleagues have no access to nor do they handle the CoR tenders submitted/stored on their IT platform.

6. Who are the recipients or categories of recipients of your personal data?

For the purpose detailed above, access to your personal data is given or may be given to the following persons:

- staff of the CoR (responsible for managing the procurement procedure and evaluating the tenders) or other EU institutions (in the case of an interinstitutional call for tenders);
- persons and bodies charged with monitoring or inspection tasks in application of Union law (e.g. internal audit services, specialised financial irregularities bodies, the European Anti-Fraud Office — OLAF, the Court of Auditors, the Data Protection Officer of the CoR, the European Data Protection Supervisor);
- the legal service of the CoR and the competent court in the event of a judicial appeal;
- the general public. If a contract is awarded to you by the CoR, some of your personal data will be made public, in accordance with the CoR's obligation to publish information on the outcome of the procedures for the award of contracts covered by the budget of the European Union. The information on the award shall include the name of the contractor, the amount legally committed and the subject of the contract for which a contract has been awarded. They will be published in Supplement S in the Official Journal of the European Union and/or on the CoR website for contracts worth more than EUR 15.000.

7. Are your personal data transferred to a third country or international organisation?

Your data will not be transferred to a non-EU State or an international organisation.

8. How can you exercise your rights?

You have the right to request access to your personal data. You are also entitled to ask for them to be amended or deleted or for treatment to be subject to certain restrictions. Where applicable, you have the right to object to the processing of your data.

In case you wish to verify which personal data are stored on your behalf by the controller, have them modified, corrected, or deleted, please make use of the contact information mentioned in the invitation to tender, by explicitly describing your request.

Special attention is drawn to the consequences of a request for deletion, as this may lead to an alteration of the terms of the tender and lead to exclusion.

You have the right to lodge a complaint with 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 CoR.

9. How long is your personal data kept?

Your personal data are kept:

- a) the files relating to the tender procedures, including personal data, shall be kept in the department responsible for the procedure until the completion of the procedure, and in the archives for a period of at least five years from the date on which the European Parliament grants discharge in respect of the financial year to which the last payment relates (see Article 75 of the Financial Regulation). At the end of the above period, the files are transferred to the Archives department, where they are kept for 15 years. At the end of this period, the tender files containing personal data are sampled and transferred to the archives for conservation. The non-sampled files are destroyed.
- b) the conservation period is extended beyond the one mentioned in point a), the case being, until the end of any audit or administrative or judicial procedure.

10. Are the personal data collected used for automated decision-making, including profiling?

The CoR will not use your personal data to take automated decisions about you. “Automated decisions” are defined as decisions taken without human intervention.

11. Will your personal data be further processed for a purpose other than that for which data have been obtained?

Your data will not be further processed for another purpose.

12. Who can you contact if you have questions or complaints?

For any questions concerning your rights, feel free to contact the service responsible for processing the data, using the contact details mentioned in the invitation to tender, and explicitly specify your request.

You can also contact the CoR Data Protection Officer (data.protection@cor.europa.eu) and/or the European Data Protection Supervisor (edps@edps.europa.eu) at any time.