

1. TITLE	<b>PROCUREMENT PROCEDURES AND CONTRACT MANAGEMENT</b>
2. REF NUMBER	<b>DPR-14</b>

**PART I (PUBLIC)**

CONTROLLER/S OF THE DATA PROCESSING OPERATION	
3. CONTROLLER	<b>NIALL MCHALE – HEAD OF UNIT 1</b> EUROPEAN AGENCY FOR FISHERIES CONTROL (EFCA) AVDA. GARCÍA BARBÓN, 4, E-36201 VIGO
ORGANISATIONAL UNIT	Unit 1 Resources and IT Finance and Procurement
CONTACT PERSON/S	Tuula JUTILA +34 986 12 06 87 / +34 674 784 301 Tuula.JUTILA@efca.europa.eu procurement@efca.europa.eu
4. DATA PROTECTION OFFICER (DPO)	EFCA-DPO@efca.europa.eu

WHERE APPLICABLE:

5. JOINT CONTROLLER	DG BUDGET (ABAC Service Level Agreement) DG DIGIT (e-Prior Service Level Agreement)
6. PROCESSOR/S	N/A
EXTERNAL CONTACT/S	

7. PURPOSE/S	<b>Management and administration of procurement procedures by EFCA, including in particular the provision of evidence of the technical and professional capacity of tenderers, their staff and subcontractors.</b> <b>For the management of resulting contracts and grant agreements, personal data are processed for the purpose of (1) the service provision or supplies and the organisation of cooperation activities outlined in the respective contract or grant agreement and (2) for the execution of the contract or grant agreement in all its modalities.</b>
DESCRIPTION	Procurement procedures involve the management, coordination and organisation of calls for tenders including in particular the reception of tenders and requests to participate (referred to as tenders), their opening, evaluation, negotiations, ranking, copying, distributing, using, filing,

<sup>1</sup> 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

	<p>archiving and destruction. Also the preparation of the evaluation report, award decision and contract, correspondence with tenderers or candidates willing to tender (ref as tenderers) and the publication of results of the relevant procedure in the Official Journal of the EU and or at the ECFA website.</p> <p>In all these procedures, personal data are processed within the duration of the particular procedure or if applicable up to the provision of publicity of the results of that procedure and until the discharge.</p> <p>In most cases the tenderers must provide a declaration on their honour that they are not in a situation of exclusion as referred to in the Financial Regulation applicable to EFCA, and the Financial Regulation applicable to the general EU budget. The Early Detection and Exclusion System (<a href="#">EDES</a> database).</p> <p>Some tenderers can be legal entities of one persons (experts, translators) directly allowing the identification of the natural person. Therefore, some personal data may be contained in the above mentioned documents.</p> <p>Personal data in paper format is stored in the EFCA Budget &amp; Finance archive. Personal data in electronic form is stored on servers of the EFCA's computer centre, physically under the control of ICT.</p> <p>See also DPR-29 on financial transactions and DPR-61 Calls for expression of interest</p>												
8. CATEGORIES OF DATA SUBJECTS	<table border="1"> <tr> <td data-bbox="470 745 518 779"></td> <td data-bbox="518 745 1426 779">EFCA STAFF (TA, CA, SNE)</td> </tr> <tr> <td data-bbox="470 779 518 813"><b>X</b></td> <td data-bbox="518 779 1426 813">EFCA EXTERNAL STAFF, TRAINEES</td> </tr> <tr> <td data-bbox="470 813 518 846"><b>X</b></td> <td data-bbox="518 813 1426 846">OTHER</td> </tr> </table> <ul style="list-style-type: none"> <li>• Persons willing to participate in procurement procedures of EFCA</li> <li>• Tenderers – natural persons</li> <li>• Staff of tenderers and or</li> <li>• Subcontractors – natural persons</li> <li>• Persons concerned in the relevant contract</li> </ul>		EFCA STAFF (TA, CA, SNE)	<b>X</b>	EFCA EXTERNAL STAFF, TRAINEES	<b>X</b>	OTHER						
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8BIS. CATEGORIES OF PERSONAL DATA	<table border="1"> <tr> <td data-bbox="470 994 518 1028"><b>X</b></td> <td data-bbox="518 994 1426 1028">NAME AND SURNAME</td> </tr> <tr> <td data-bbox="470 1028 518 1061"><b>X</b></td> <td data-bbox="518 1028 1426 1061">CONTACT DETAILS</td> </tr> <tr> <td data-bbox="470 1061 518 1095"></td> <td data-bbox="518 1061 1426 1095">EDUCATION, TRAINING, EMPLOYMENT</td> </tr> <tr> <td data-bbox="470 1095 518 1128"></td> <td data-bbox="518 1095 1426 1128">FAMILY, LIFESTYLE, SOCIAL CIRCUMSTANCES</td> </tr> <tr> <td data-bbox="470 1128 518 1162"><b>X</b></td> <td data-bbox="518 1128 1426 1162">FINANCIAL DETAILS</td> </tr> <tr> <td data-bbox="470 1162 518 1196"></td> <td data-bbox="518 1162 1426 1196">OTHER</td> </tr> </table> <ul style="list-style-type: none"> <li>• Name;</li> <li>• Function;</li> <li>• Contact details (e-mail address, business telephone number, mobile telephone number, fax number, postal address, company and department, country of residence, internet address);</li> <li>• Certificates for social security contributions and taxes paid, extract from judicial records;</li> <li>• Bank account reference (IBAN and BIC codes), VAT number;</li> <li>• Information for the evaluation of selection criteria: expertise, technical skills and languages, educational background, professional experience including details on current and past employment</li> </ul> <p>Since the information is often provided on CV, the tenderers, staff or subcontractors may might supply additional information, which is not necessary for the purpose of procurement (such as gender, age, nationality).</p> <p>Data processing on implementation of contract may require other types of data as specified in the relevant documents.</p>	<b>X</b>	NAME AND SURNAME	<b>X</b>	CONTACT DETAILS		EDUCATION, TRAINING, EMPLOYMENT		FAMILY, LIFESTYLE, SOCIAL CIRCUMSTANCES	<b>X</b>	FINANCIAL DETAILS		OTHER
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9. TIME LIMIT	<p>For successful tenderers: files relating to tender procedures, including personal data, are to be retained in the service in charge of the procedure until the procedure is finalised. Tender files are retained in the archives for at least five years from the date on which the European Parliament grants discharge for the budgetary year in which the contract terminates;</p> <p>For unsuccessful tenderers: files relating to tender procedures, including personal data, are to be retained in the service in charge of the procedure until the procedure is finalised. Tender files are retained in the archives for at least five years from the date on which the European Parliament grants discharge for the budgetary year in which the contract is signed;</p> <p>The above limits can be extended until the end of a possible audit if one started before the end of the above period. Successful tenderers: files are to be retained in the service in charge of the procedure until it is finalised.</p>												
10. RECIPIENTS	<table border="1"> <tr> <td data-bbox="470 1865 518 1899"><b>X</b></td> <td data-bbox="518 1865 1426 1899">DESIGNATED EFCA STAFF</td> </tr> <tr> <td data-bbox="470 1899 518 1933"></td> <td data-bbox="518 1899 1426 1933">CONTRACTORS</td> </tr> <tr> <td data-bbox="470 1933 518 1966"><b>X</b></td> <td data-bbox="518 1933 1426 1966">EU INSTITUTIONS AND BODIES</td> </tr> <tr> <td data-bbox="470 1966 518 2000"></td> <td data-bbox="518 1966 1426 2000">MEMBER STATES AUTHORITIES</td> </tr> <tr> <td data-bbox="470 2000 518 2022"></td> <td data-bbox="518 2000 1426 2022">OTHER</td> </tr> </table>	<b>X</b>	DESIGNATED EFCA STAFF		CONTRACTORS	<b>X</b>	EU INSTITUTIONS AND BODIES		MEMBER STATES AUTHORITIES		OTHER		
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	<p>All recipients are on a "need to know" basis:</p> <ul style="list-style-type: none"> <li>• Staff of operational and financial units of the EFCA participating in procurement procedures as defined and to the bodies charged with a monitoring or inspection task in application of Union law (e.g. internal control, internal audit);</li> </ul> <hr/> <ul style="list-style-type: none"> <li>• External experts and contractors participating in the evaluation of tenders when external expertise is required.</li> <li>• Members of the public in accordance with the EFCA's obligation to publish information on the outcome of the procurement procedure at the EFCA Financial Regulation and General Financial Regulation. Name and address linked to the project and the amount awarded will be published in supplement S of the Official Journal of the European Union and/or on the website of the EFCA.</li> <li>• Staff of the contractor who need to have access to the data strictly for performance, management and monitoring of the contract.</li> </ul>		
<b>11. ARE THERE ANY TRANSFERS OF PERSONAL DATA OUTSIDE THE EU/EEA?</b>			
YES	NO		
	<b>X</b>	TO THIRD COUNTRY RECIPIENTS	N/A
	<b>X</b>	TO INTERNATIONAL ORGANISATIONS	N/A
	<b>X</b>	PUBLISHED ON THE INTERNET	N/A
<u>IF YES. ON WHAT GROUNDS?</u>			
Declaration of absence of conflict of interests and of confidentiality (standard DG BUDG template), signed before data transfers.			
<b>12. GENERAL DESCRIPTION OF SAFEGUARDS TAKEN</b>			
A number of technical and organisational measures have been put in place by the Agency. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access. 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.			
<b>13. SPECIFIC PRIVACY STATEMENT (WHERE APPLICABLE)</b>			
Available at the EFCA website: <a href="https://www.efca.europa.eu/content/personal-data-protection">https://www.efca.europa.eu/content/personal-data-protection</a>			