



# INFORMATION SHEET ON THE PROTECTION OF PERSONAL DATA

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## COURT OF JUSTICE OF THE EUROPEAN UNION

Everyone has the right to the protection of personal data.

The processing of personal data by the institutions, bodies, offices and agencies of the European Union is governed by Regulation (EU) 2018/1725 (OJ 2018 L 295, p. 39).

This information sheet explains why and how your personal data is used in the processing concerned.

### PUBLIC CONTRACTS

#### Who is the data controller?

The data controller for the processing is the Court of Justice of the European Union ('the Court').

#### Why do we need your data?

We need to consult various categories of your personal data, as a candidate/tenderer and as an employee or subcontractor of the candidate/tenderer in a call for tenders, in particular, data relating to:

- identification;
- contact details;
- function;
- criminal record;
- certificates of (non-)payment of social security contributions or taxes;
- bank account details;



- information for the evaluation of the criteria of technical and financial capacity (curriculum vitae, list of main projects or publications, bank statements or proof of occupational risks insurance) and exclusion (sworn statement that they have not been subject to exclusion).

The consultation and processing of personal data as part of an application to participate in a call for tenders is carried out in order to manage the tendering procedure for the supply of goods and services to meet the needs of the Court.

The processing is necessary in order to comply with the obligations laid down by Financial Regulation 2018/1046 ('the FR'), in particular Articles 136 to 141, 160 to 179 and Annex I thereto, which governs the contract award procedures of the institutions.

### **How did we obtain your data?**

We obtained your data from a set of personal documents that you submitted to the Court in the course of an application to take part in a tendering procedure.

### **Who has access to your data?**

Your data will be accessible to:

- persons working under the authority of the competent Authorising Officer of the Court who are assisting him in the management of the contract award procedure;
- members of the tender opening committee and the committee for the evaluation of tenders and requests to participate (which may be interinstitutional);
- members of the Advisory Committee for Public Contracts (ACPC);
- certain members of staff of the Directorate for Budgetary and Financial Matters in order to supply data to the financial and accounting management system and in order to check the proper conduct of operations;
- legal counsel in relation to administrative matters;
- the specialised financial irregularities panel, in accordance with Article 143 of the FR;



- the General Court and the lawyers and agents of the parties in the event of a dispute concerning the procurement procedure, and the Court of Justice in the case of an appeal against a judgment of the General Court;
- the competent court (normally the Luxembourg court) and the parties' lawyers in the event of a dispute concerning the performance of the contract;
- the President and the Registrar of the Court of Justice, and the officials who assist them in the course of duties delegated to them by Article 20(4) of the Rules of Procedure of the Court of Justice;
- auditors of the European Court of Auditors in connection with the task conferred on them by Article 287 TFEU;
- the public: certain personal data of the recipients of public contracts must be published in accordance with Article 163 of the FR and point 3 of Annex I to the FR in the S Series of the *Official Journal of the European Union* and/or the website of the Court.

### How long are your data be kept?

Documents related to public procurement procedures will be kept for 10 years from 1 January following the year in which the last act in the performance of the contract was carried out, or the year in which the contractual or legal guarantee accorded to the contracting authority under the contract expires.

That period may be extended if an audit by the Court of Auditors or a dispute is ongoing on the last date of the period indicated in the preceding paragraph.

The forms and documents you send to us are also electronically archived in the accounting system.

### What are your rights?

In accordance with the applicable rules, you have the right to ask the data controller for access to your data, for their rectification, erasure or for limited processing.

In addition, you may object to the processing of your data for compelling legitimate reasons relating to your specific situation.

Please note the consequences of a request for erasure, which may result in a modification of the terms of the tender and lead to its rejection in accordance with



Article 141 of the FR.

### **How can you exercise your rights? Who to contact?**

You may contact the data controller (Court of Justice of the European Union) by the following methods:

Email: [marchespublics-contrats@curia.europa.eu](mailto:marchespublics-contrats@curia.europa.eu)

Postal address: Court of Justice of the European Union  
L - 2925 Luxembourg

We will respond to your request as soon as possible and, in any event, within one month. If necessary, that period may be extended.

You may also contact the Data Protection Officer of the Court:

Contact / [DataProtectionOfficer@Curia.europa.eu](mailto:DataProtectionOfficer@Curia.europa.eu)

### **European Data Protection Supervisor**

You have the right to lodge a complaint with the European Data Protection Supervisor if you consider that the processing of your personal data does not comply with Regulation (EU) 2018/1725.