



INFORMATION SHEET ON THE PROTECTION OF PERSONAL DATA

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 are 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 the personal data provided by you as a candidate/tenderer and as an employee or subcontractor of the candidate/tenderer in a call for tenders, including 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 criteria (declaration on honour confirming that they are not excluded);
- the content of your tender.

The consultation and processing of personal data as part of an application to participate in a call for tenders are carried out in order to manage the tendering



procedure for the supply of goods and services to meet the needs of the Court.

If a contract is signed with the Court, the following data relating to you may also be processed for the purpose of potential publication: the payee, the region, the country, the amount and the subject matter of the contract.

The processing is necessary in order to comply with the obligations laid down by Financial Regulation 2024/2509 ('the FR'), in particular Articles 38, 138 to 143, 163 to 182 and Annex I thereto, which govern the contract award procedures of the institutions.

In accordance with the FR, you must therefore provide the personal data in question.

If you do not wish to provide your data, you will be unable to participate in the tendering procedures organised by the Court.

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 or her 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;
- persons working under the authority of the European Commission. As some tendering procedures are organised using electronic tools managed by the European Commission, that institution is a subcontractor vis-à-vis the data in



those procedures;

- the public: certain personal data of the recipients of public contracts must be published, where appropriate by other entities, such as the Publications Office of the European Union and the European Commission (which is responsible for the Financial Transparency System, or FTS), in order to comply with the provisions of the FR. The data concerned are the following: the payee, the region, the country, the subject matter of the contract and its value.

How long will 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.

Personal data publishes on the Court's website and on the FTS managed by the Commission are to remain available on those sites for a period of two years. Data published on the website of the Publications Office of the European Union are to remain available.

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 them to be rectified or erased, or for their processing to be limited.

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 it being rejected in accordance with Article 143 of the FR.



How can you exercise your rights? Who to contact?

You can contact the data controller (the Court) using any of the following methods:

Email: dataprotection_finance@curia.europa.eu

Postal address: Court of Justice of the European Union
L – 2925 Luxembourg
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 Court's Data Protection Officer:
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.