



EUROPEAN MEDICINES AGENCY
SCIENCE MEDICINES HEALTH

3 December 2012
EMA/776289/2012
Directorate

Data protection notice for public procurement procedures

The personal data of candidates and tenderers for EMA's public procurement procedures are processed in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies on the free movement of such data.

Purpose of the processing

Upon receipt of your pre-qualification questionnaire for restricted tender procedures or your tender by EMA, your personal data is collected and further processed for the purpose of the management and administration of procurement award procedures by EMA.

Recipients of the data processed

For the purpose indicated above, access to your personal data is given to authorised staff members dealing with procurement procedures including procurement officers, staff dealing with financial matters, appointed members of evaluation committees, external experts or project managers responsible for contract implementation. Authorised staff members from external bodies (for example the European Court of Auditors or the Internal Audit service of the European Commission) may also have access to relevant personal data for audit control purposes.

Types of personal data

Personal data collected and further processed will concern the applicant or tenderer, its staff and any subcontractors. Information can relate to the following data:

- Name (title, first name, surname) and function;
- Contact details (company and department, postal address, country of residence, business telephone number, mobile telephone number, fax number, e-mail address, internet address);
- Bank account details (account number, name of the account holder, name and address of the bank, IBAN and BIC codes);
- Passport/ID number (natural persons) or company registration number (legal persons), VAT number and/or membership in a trade or professional organisation;
- Information for the evaluation of selection criteria: financial and economic capacity (bank statements or professional risk indemnity insurance or balance sheet or statement of turnover), expertise, technical and language skills, educational background, professional experience including details on current and past employment;
- Certificates for social security contributions and taxes paid, extracts from judicial records;



- Other personal data contained in CVs (gender, place and date of birth, nationality);
- Other personal data contained in the offer;
- Declaration on honour that the applicant or tenderer is not in a situation of exclusion.

Permission to use your data

The candidate or tenderer, the data subject, agrees that all data provided will be processed for the purpose stated above by submitting a completed pre-qualification questionnaire or a tender.

Protection and safeguarding of your data

The collected personal data and all related information are stored securely by EMA and on servers of EMA with appropriate levels of security.

Data retention

Files relating to procurement procedures are archived for a period of five years from the date of decision granting discharge in respect of implementation of the Agency's budget.

List of names for Curricula Vitae are destroyed following finalisation of the procurement procedure in question.

Right of access and rectification of your information

All candidates and tenderers have a right to access personal data concerning them and they also have a right to correct those data, together with all other rights under Regulation (45) 45/2001. Data subjects may at any time consult the Agency's Data Controller: data.controller@ema.europa.eu and additional information on data subjects' rights and data protection at EMA may be found on EMA's website:

http://www.ema.europa.eu/ema/index.jsp?curl=pages/home/general/general_content_000516.jsp&mid=

Right of recourse to the European Data Protection Supervisor (EDPS)

In case of conflict concerning the processing of personal data by EMA, the data subject has the right to lodge a complaint with the EDPS, as provided for by Article 32 of Regulation (EC) 45/2001.