

# **Privacy Statement**

## **Personal data protection**

The European Parliament is committed to protect your personal data and to respect your privacy. This privacy statement explains the purpose of the processing of personal data with regards to parliamentary questions, its legal basis, the procedures in place to ensure protection of all personal data provided, how that information is used, and what rights you have in relation to your personal data. It also specifies the contact details of the responsible Data Controller with whom you may exercise your rights, the European Parliament's Data Protection Officer and the European Data Protection Supervisor. The European Parliament applies the Regulation (EU) 2018/1725 on the protection of natural persons with regards to the processing of personal data by the Union institutions, bodies, offices and agencies, O.J. L 295 - 21/11/2018.

### **1) Who processes your personal data?**

The European Parliament is acting as the controller<sup>1</sup>, while the entity responsible for the processing is Members' Activities Unit represented by Mr Francisco Peyró Llopis (Head of Unit).

Please contact the controller/entity through the following functional mailboxes: [QuestOral@ep.europa.eu](mailto:QuestOral@ep.europa.eu), [QuestEcrit@ep.europa.eu](mailto:QuestEcrit@ep.europa.eu) and [interpellations@ep.europa.eu](mailto:interpellations@ep.europa.eu)

### **2) What is the purpose of the processing of your personal data?**

The Data controller processes your personal information only to the extent that this is necessary for performance of the work of the European Parliament, as parliamentary questions are a direct form of parliamentary scrutiny of other EU institutions and bodies. Personal data is processed for the purposes of handling of Questions for Written Answer, Questions for Oral Answer with Debate, and Interpellations.

Members' Activity Unit receives parliamentary questions via web application, and subsequently registers them, performs admissibility checks according to criteria defined by the Rules of Procedures, and transmits them to their addressees, including the President of the European Council, the Council, the Commission or the Vice-President of the Commission/ High Representative of the Union for Foreign Affairs and Security Policy.

For more information on the processing of personal data by the European Commission, please consult the Commission's [Privacy Statement](#) for handling of parliamentary questions.

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<sup>1</sup> A Controller is the public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of the personal data. The controller is represented by the head of the entity.

### **3) What is the legal basis for the processing?**

The legal basis for the processing includes Rules 136, 138 and 139 of the European Parliament Rules of Procedure, Annex III of the EP Rules of Procedure for Questions for Written Answer, and Regulation (EU) 2018/1725 of the European Parliament and 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.

### **4) What personal data is processed?**

Administrative personal data of the Member who prepares the question and any personal data contained in parliamentary questions received through the web application. The authors (individual Members, committees or political groups) may include personal data when drafting the questions if they consider it relevant for the subject matter. The content of the questions is the sole responsibility of their authors.

### **5) How will your personal data be processed?**

In order to carry out the processing as authorised by Union law, Members Activities Unit has put in place appropriate safeguards and internal procedures to secure the protection of data subjects' rights and freedoms.

The processing operation starts upon the receipt of parliamentary question via web application. Every particular situation/question containing personal data apart from the name(s) of the Member of the European Parliament is assessed on case by case basis.

The Unit performs in-depth research and online verification to establish whether the personal data concerned has been made public, in line with existing data protection provisions. Personal situation of the mentioned data subject is examined, taking into account the relevant legal basis for the processing.

The data processed may include special categories of personal data falling under Article 10 of Regulation (EU) 2018/1725, in which case the processing of special categories of personal data takes place in accordance with at least one of the following conditions of Article 10(2) of Regulation (EU) 2018/1725:

(a) the data subject has given explicit consent to the processing of those personal data for one or more specified purposes

(c) the processing is necessary to protect the vital interests of the data subject or of another person where the data subject is physically or legally incapable of giving consent;

(e) the processing relates to personal data which are manifestly made public by the data subject;

(g) the processing is necessary for reasons of substantial public interest, on the basis of Union law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

The processing of personal data related to 'criminal convictions and offences' is subject to the conditions of processing of Article 11 of Regulation (EU) 2018/1725.

Following the research of every individual case, when personal data in a parliamentary question is deemed to be of private character, and not complying with the above criteria, the Unit contacts the author(s), requesting to rephrase the question by removing any references to personal data considered inadmissible.

#### **6) For how long will your personal data be stored?**

Parliamentary questions are stored in the web application QP Plus. Following the end of their retention period of five years, files concerning parliamentary questions are transferred to Historical Archives of the European Parliament for historical purposes. The retention period for parliamentary questions is subject to retention schedule as defined by the Common Retention List on DG-level.

The final versions of parliamentary questions, as sent to their recipients following the admissibility and data protection checks, are publically available on the internet site *Europarl*, and in the Register of official Parliament documents.

#### **7) Who are the recipients of your personal data**

Internally, access to parliamentary questions, and any personal data they may contain, is limited to different categories of staff responsible for carrying out relevant operations. They may include, apart from Members' Activities Unit, DG TRAD for translation, DG ITEC for technical issues with web application, assistants of Members of the Parliament, and political groups and committees' staff.

Following the admissibility procedure described above, and after the removal of any personal data deemed unacceptable, the recipients of the data contained in parliamentary questions are other EU Institutions. They include the President of the European Council, the Council, the Commission or the Vice-President of the Commission/ High Representative of the Union for Foreign Affairs and Security Policy.

#### **8) Will your personal data be shared with a non-EU country or international organisation?**

Parliamentary questions that have passed the checks and verifications described above are publically available on the *Europarl* internet site, and in the Register of official Parliament documents.

**9) Are any automated processes<sup>2</sup> and/or profiling<sup>3</sup> used to make decisions which could affect you?**

No.

**10) If personal data have not been obtained from you, what is their source?**

All personal data originate from parliamentary questions drafted by individual Members of the Parliament, committees, or political groups, and the content of the questions is the sole responsibility of their authors. The controller cannot always verify the source of the personal information mentioned by the Member in a parliamentary question.

**11) What rights do you have?**

You have the following rights:

- Right of access to your personal data.
- Right to rectification of your personal data.
- Where applicable, right to erasure of your personal data.
- Where applicable, right to restriction of processing.
- Where applicable, right to data portability.
- Where applicable, right to object to processing.
- Where applicable, right to withdraw your consent at any time, without affecting the lawfulness of processing based on consent before its withdrawal.
- Right to contact the European Parliament's data protection officer at [data-protection@europarl.europa.eu](mailto:data-protection@europarl.europa.eu).
- Right to lodge a complaint with the [European Data Protection Supervisor](mailto:edps@edps.europa.eu) at [edps@edps.europa.eu](mailto:edps@edps.europa.eu).

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<sup>2</sup> Making a decision solely by automated means and without any human involvement. {Theoretical Examples: internet page were selecting certain options will automatically place you in different mailing lists were you are sent the corresponding monthly newsletter / using an automated system to mark "Multiple Choice" test answers and assign a pass mark according to the number of correct answers}.

<sup>3</sup> Profiling analyses aspects of an individual's personality, behaviour, interests and habits to make predictions or decisions about them. Used to analyse or predict aspects concerning the data subject's performance at work, economic situation, health, personal preferences or interests, reliability or behaviour, location or movements, etc. {Theoretical Example: when using social media tools data is collected and your trends registered. This data is then used to form new/different predictions on you.}