

July 2012

PRIVACY STATEMENT FOR  
INTERNAL INVESTIGATIONS  
(OLAF DPO-176)

### 1. DESCRIPTION OF THE PROCESSING OPERATION

Internal investigations are administrative investigations within the EU institutions, bodies, offices and agencies for the purpose of detecting fraud, corruption and any other illegal activity affecting the financial interests of the EU, or serious matters relating to the discharge of professional duties of Members, officials or other servants of the EU institutions, bodies, offices and agencies, and liable to result in disciplinary or criminal proceedings.

The legal basis for this processing operation is Article 4 of Regulation 1073/2001 and Article 2 of Commission Decision 1999/352.

### 2. WHAT PERSONAL INFORMATION DO WE COLLECT, FOR WHAT PURPOSE, AND THROUGH WHICH TECHNICAL MEANS?

During internal investigations, OLAF collects identification data, professional data and case involvement data.

This data may be used to evaluate the information received and assess whether wrongdoing has occurred; it may also be used for contact purposes. OLAF may use any of the means provided in its legal basis for collecting such data, including immediate and unannounced access to any information and to the premises of the EU institutions concerned; to inspect accounts; to take a copy of and obtain extracts from any documents or the contents of any data medium and to assume custody of such documents or data; to request oral information from members, officials or other servants; to carry out on-the-spot checks at the premises of economic operators according to Regulation 2185/96; and to ask any person for information. The evidence collected is relevant to the matter under investigation and collected for the purpose of the investigation, it will include inculpatory and exculpatory evidence.

### 3. WHO HAS ACCESS TO YOUR INFORMATION AND TO WHOM IS IT DISCLOSED?

Responsible OLAF staff has access. In addition, if an investigation is opened in accordance with the relevant legal provisions, your data may be transferred to designated persons in the EU institutions, bodies, offices and agencies, the relevant authorities in Member States and/or third countries and/or international organisations in order to ensure the appropriate conduct of the investigation.

Personal data collected in the course of this processing operation may be transferred to the OLAF Supervisory Committee when necessary for its monitoring of the implementation of OLAF's investigative function.

#### 4. HOW DO WE PROTECT AND SAFEGUARD YOUR INFORMATION?

In order to protect your personal data, a number of technical and organisational measures have been put in place. Concerning unauthorised access to equipment and data, the OLAF secure premises, protected by OLAF-specific physical security measures, host all hardware; network firewalls protect the logic perimeter of the OLAF IT infrastructure; and the main computer systems holding the data are security hardened. Administrative measures include the obligation for service providers maintaining the equipment and systems to be individually security cleared and to have signed non-disclosure and confidentiality agreements.

#### 5. HOW LONG DO WE KEEP YOUR DATA?

Your personal data may be retained in OLAF's case files which are stored for a maximum of 10 years after the closure of the investigation where no recommendations have been issued by OLAF. Where recommendations have been issued, your personal data may be retained for a maximum of 20 years.

#### 6. HOW CAN YOU VERIFY, MODIFY OR DELETE YOUR INFORMATION?

You have the right to access the personal data we hold regarding you and to correct and complete them. Upon request and within three months from its receipt, you may obtain a copy of your personal data undergoing processing. Any request for access, rectification, blocking and/or erasing your personal data should be directed to the Controller ([olaf-fmb-data-protection@ec.europa.eu](mailto:olaf-fmb-data-protection@ec.europa.eu)). Exemptions under Article 20 (1) (a) and (b) of Regulation 45/2001 may apply.

#### 7. RIGHT OF RECOURSE

You have the right to have recourse to the European Data Protection Supervisor ([edps@edps.europa.eu](mailto:edps@edps.europa.eu)) if you consider that your rights under Regulation 45/2001 have been infringed as a result of the processing of your personal data by OLAF.