



European Committee  
of the Regions

## Data Protection Notice

### Access to documents

#### 1. Introduction

The European Committee of the Regions (CoR) is committed to respecting and protecting your personal data in accordance with [Regulation \(EU\) 2018/1725 \(EUDPR\)](#).

Your personal data may be collected and processed in order for CoR to be able to handle and reply to your request.

#### 2. Who is responsible for the processing of personal data?

The CoR is responsible (as controller) for the processing of personal data. The responsible service (delegated controller) is Directorate A, Unit A1 – Services to members, email: [transparence@cor.europa.eu](mailto:transparence@cor.europa.eu).

#### 3. What is the purpose of the processing?

The purpose is to handle requests for access to documents lodged under Regulation (EC) No 1049/2001 within the prescribed legal deadlines and of establishing an annual statistical report as required by Article 17(1) of the above Regulation.

Furthermore, certain processing of personal data contained in the documents to be disclosed may be necessary to provide public access to a register of documents, as foreseen by Article 11 of this Regulation and further specified in CoR Decision No 18/2020 of 9 October 2020 on public access to CoR documents. The CoR register of public documents is accessible via this [link](#).

The personal data may also be processed for the purpose of following up on an enquiry by the European Ombudsman or in case of court proceedings before the EU Court of Justice.

#### 4. What is the legal basis for the processing?

The legal basis for the processing of your personal data is Article 5(b) of Regulation (EU) 2018/1725, according to which the processing is necessary for compliance with a legal obligation to which the controller is subject.

An additional legal basis is also Article 11 and 17(1) of the Regulation EC 1049/2001 and the CoR Decision No.18/2020 on public access to CoRs documents.

#### 5. What personal data are processed?

a) Personal data of the individual who submits a request for access to documents held by the CoR under Regulation (EC) No 1049/2001:

- i) Mandatory personal data are: name and surname, e-mail, postal address (for requests submitted via mail);
- ii) Optional personal data are: phone number, postal address, organisation, legal representative, profile of the applicant;

- b) Personal data of the applicant and other individuals contained in the request as well as in any other correspondence exchanged between the applicant and the CoR (reply to the request, deadline extension letter, clarification request, etc.)
- c) Personal data of individuals that are contained in the documents requested if released under Regulation (EC) No 1049/2001 and CoR Decision 18/2020;
- d) Personal data of third party representatives who are consulted in the context of third-party consultations pursuant to Article 4(4) of Regulation (EC) No 1049/2001;
- e) When there are reasonable doubts concerning the identity of the natural person making the request, the CoR may ask the applicant to provide a copy of an identification document (for example, a passport or identity card) in order to verify his/her identity, in the following exceptional circumstances:

- where the documents concerned by the request contain the applicant's own personal data and the applicant is granted individual access to such documents;
- where there are legitimate reasons to consider that the right to access stemming from Regulation (EC) No 1049/2001 is being abused by that particular applicant.

The identification document should contain the applicant's name and, if applicable, his/her postal address, while any other data such as a photograph or any personal characteristics may be blacked out.

The processing operation concerning any 'special categories of data' which fall(s) under Article 10(1) shall be prohibited unless any of the reasons under Article 10(2) applies.

#### **6. Who are the recipients or categories of recipients of your personal data?**

Your application for access to document is transferred by the Access to documents and Transparency Unit to another service within the CoR, when necessary to collect the requested document and to coordinate the response, so notably with the service responsible for the requested documents, the DPO and the Legal Affairs unit.

Personal data submitted by the applicants are not disclosed outside the CoR, except to the extent necessary for dispatching a letter by registered mail or if required so by law.

Personal data that appear in the documents requested may be disclosed to the public following an assessment under Regulation (EC) No 1049/2001, read in conjunction with Article 9 of Regulation (EU) 2018/1725. If the applicant resides outside the EEA, personal data included in the documents disclosed may be transferred if such transfer additionally fulfils the conditions of Chapter V of the latter Regulation.

#### **7. Are your personal data transferred to a third country or international organisation?**

The CoR may reply to your request for access to documents under Regulation 1049/2001 even if you reside in any country outside the EU.

Apart from your own personal data, the CoR only discloses personal data to you, in case you are residing outside the EU, if the conditions for a transfer of personal data to a third country or an international organisation under Chapter V of Regulation (EU) 2018/1725 are met.

#### **8. How can you exercise your rights?**

You have the right to access your personal data, to rectify any inaccurate or incomplete personal data, to restrict (under certain conditions) the processing of your personal data, to request the deletion of your personal data (if processed unlawfully) and, where applicable, the right to data portability.

You can direct your queries to [transparence@cor.europa.eu](mailto:transparence@cor.europa.eu). Your query will be dealt without undue delay and in any event within one month of receipt of the request. That period may be extended by two further months where necessary.

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

**9. How long are your personal data kept for?**

The retention period is maximum five (5) years after the closure of a case-file.

A file is considered closed after the CoR decision has become final, unless follow-up is required by an enquiry of the European Ombudsman or annulment before the EU Court of Justice. In such a case, a file is considered closed when the European Ombudsman or the EU Court confirms the decision or when the CoR completes the follow-up requested by the Ombudsman or the EU Court in its judgment.

**10. Are the personal data collected used for automated decision-making, including profiling?**

The CoR will not use your personal data to make automated decisions about you. "Automated decisions" are defined as decisions made without human intervention.

**11. Will your personal data be further processed for a purpose other than that for which data have been obtained?**

Your personal data will not be further processed for a different purpose.

**12. Who do I contact if I have queries or complaints?**

If you have any further questions about the processing of your personal data, please contact first of all the data controller, via the email: [transparence@cor.europa.eu](mailto:transparence@cor.europa.eu).

You may also contact the CoR data protection officer ([data.protection@cor.europa.eu](mailto:data.protection@cor.europa.eu)) and/or the European Data Protection Supervisor ([edps@edps.europa.eu](mailto:edps@edps.europa.eu)) at any time.