



DECISION OF THE COLLEGE OF THE EUROPEAN PUBLIC PROSECUTOR'S OFFICE OF 7 JUNE 2023

AMENDING THE DECISION 009/2020 OF THE COLLEGE OF THE EUROPEAN PUBLIC PROSECUTOR'S OFFICE OF 28 OCTOBER 2020 ON RULES CONCERNING THE PROCESSING OF PERSONAL DATA BY THE EUROPEAN PUBLIC PROSECUTOR'S OFFICE

Having regard to Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') ('the EPPO Regulation'),

Having regard to Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions and bodies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC ('the Data Protection Regulation'),

Having regard to the Internal Rules of Procedure of the EPPO ('the IRP'), adopted by the College of the EPPO on 12 October 2020,

Whereas:

- (1) The EPPO shall be responsible for investigating, prosecuting and bringing to judgment the perpetrators of, and accomplices to, criminal offences affecting the financial interests of the Union which are provided for in Directive (EU) 2017/1371,
- (2) Article 16 of the Treaty on the Functioning of the European Union enshrines the right to the protection of personal data,
- (3) The EPPO Regulation sets out the principles and rules applicable to processing of operational personal data by the EPPO.
- (5) Implementing rules should also be adopted in relation to the temporary processing of personal data for operational purposes and the related storage limits,

(7) The European Data Protection Supervisor was consulted and provided its opinion on these rules on 13 April 2023,

Has adopted the following Decision:

Article 1

Article 17(3) of the DECISION 009/2020 of the College of the European Public Prosecutor's Office of 28 October 2020 on Rules Concerning the Processing of Personal Data is amended as follows:

Personal data processed for this purpose shall not be stored longer than necessary for the assessment and transfer in line with paragraph 1 to occur, and in any event, no longer than 6 months after receipt by the EPPO. Where the information is found to be manifestly outside of the competence, the personal data shall be further stored allowing for a judicial review of the decision and to ensure the integrity of the assessment of duplicate reports for a period of one year after the process was concluded, or in case a judicial review is ongoing until such process is finalised, at which point they shall be automatically deleted and/or destroyed.

Article 2

This Decision shall enter into force on the day following that of its adoption by the College.

Done at Luxembourg on 7 June 2023.

On behalf of the College,

Andrés RITTER



Deputy European Chief Prosecutor

