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## V

(Announcements)

## ADMINISTRATIVE PROCEDURES

## EUROPEAN COMMISSION

## EUROPEAN DATA PROTECTION SUPERVISOR

**Publication of a vacancy notice for the positions of European Data Protection Supervisor and Assistant Supervisor****COM/2013/10338**

(2013/C 219 A/01)

**Background:**

The positions of the European Data Protection Supervisor and Assistant Supervisor are provided for by 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 and on the free movement of such data <sup>(1)</sup>. This Regulation establishes the principles under which European Union institutions, bodies, agencies and offices process personal data to ensure that they comply with the fundamental rights and freedoms of individuals, and in particular their right to privacy. Furthermore, it sets up an independent supervisory authority, called the European Data Protection Supervisor who will make sure that the provisions of the Regulation are correctly applied. The supervisory authority is headed by the European Data Protection Supervisor (Supervisor), who is assisted by the Assistant Supervisor. The Supervisor and the Assistant Supervisor act in complete independence in the performance of their duties.

The general budget of the European Union for 2013 has made a provision for a total budget of around EUR 1 million and for a total of approximately 45 staff.

The regulations and general conditions governing the performance of the duties of the Supervisor and Assistant Supervisor, including their salaries, allowances and any other benefit in lieu of remuneration are laid down by common accord by the European Parliament, the Council and the Commission in Decision No 1247/2002/EC <sup>(2)</sup>. In this respect, the Supervisor shall be on a par with a judge of the Court of Justice of the European Union and the Assistant Supervisor shall be on a par with the Registrar of the Court of Justice <sup>(3)</sup>.

The Supervisor and the Assistant Supervisor have their seat in Brussels.

**Job description:**

The Supervisor and Assistant Supervisor monitor and apply the provisions of Regulation (EC) No 45/2001; to this end, they shall fulfil the duties provided for and exercise the powers granted by this Regulation. Additionally they will provide advice to European Union institutions and bodies and data subjects on all matters concerning the processing of personal data.

<sup>(1)</sup> OJ L 8, 12.1.2001, p. 1.

<sup>(2)</sup> OJ L 183, 12.7.2002, p. 1.

<sup>(3)</sup> The basic monthly salary shall be equal to the amount resulting from the application of the following percentages to the basic salary of an official of the European Union on the third step of grade 16:  
Judge: 112,5 %  
Registrar: 101 %.

In general terms, the Supervisor is responsible for ensuring that the fundamental rights and freedoms of natural persons, and in particular their right to privacy, are respected by European Union institutions, bodies, agencies and offices with respect to the processing of personal data. He/she monitors and ensures the application of the provisions of the Regulation and any other European Union act relating to the protection of the fundamental rights and freedoms of natural persons with regard to the processing of personal data by a European Union institution, body, agency or office.

The Assistant Supervisor assists the Supervisor in all the latter's duties and acts as his/her replacement when he/she is absent or prevented from attending to them.

The tasks of the Supervisor and the Assistant Supervisor can be described as follows:

- provide advice to European Union institutions, bodies, agencies and offices on all matters concerning the processing of personal data as well as monitor relevant new developments in the area of information and communication technologies, in so far as they have an impact on the protection of personal data,
- handle, hear and investigate complaints and inform data subject of their outcome,
- conduct inquiries on his/her own initiative or on the basis of a complaint, and inform data subjects of the outcome,
- participate in networks of supervisory authorities. The Supervisor shall cooperate with national supervisory authorities in the European Economic Area to the extent necessary for the performance of their respective duties, and participate in the activities of the Working Party on the Protection of Individuals with regard to the Processing of Personal Data set up by Article 29 of Directive 95/46/EC of the European Parliament and of the Council (\*). The Supervisor also cooperates with supervisory data-protection bodies established in the context of police and justice cooperation within the Union particularly with a view to improving consistency in applying the respective data protection rules and procedures,
- manage exceptions, safeguards, authorisations and conditions for data processing operations,
- manage the registration and prior checking of processing operations,
- control the transfer of data to recipients, other than European Union institutions, bodies, agencies and offices, which are not subject to Directive 95/46/EC (which provides for a harmonised level of protection within the Union),
- represent the European Data Protection Supervisor in litigation before the Court of Justice,
- operate as data-protection supervisory authority for the 'Eurodac' system; which assists Member States in determining who is competent for asylum applications and to facilitate the application of the Dublin Convention; namely to ensure that the rights of data subjects are not violated by the processing or use of the data and to monitor the lawfulness of the transmission of personal data to the Member States by the central unit,
- operate as data-protection supervisory authority under the Visa Information System (VIS) and the Second Generation Schengen Information System (SIS II), the Internal Market Information System (IMI), Frontex, the Customs Information System (CIS) and other specific databases in the framework of customs legislation. These activities could be enlarged to other European agencies and bodies not being subject to its supervision for the time being.

The Supervisor and Assistant Supervisor could be called to take over new tasks and competences when the new EU data protection legal framework, currently under consideration by the European Parliament and the Council, would enter into force. These duties might include assuming the task of Secretariat of the European Data Protection Board.

#### **Selection criteria:**

Candidates **should** have:

- proven experience in data protection issues, either as a member of a data protection supervisory authority or in a large private or public organisation,
- a good knowledge of and experience in European Union data protection policies,

(\*) OJL 281, 23.11.1995, p. 31.

- practical experience with regard to implementation of and ensuring compliance with data protection rules, preferably acquired in large scale private or public sector organisations,
- experience in the assessment of the impact of European Union policies in the area of data protection on European citizens, enterprises and public administrations,
- ability to develop and communicate a vision, to think in global terms of systems and processes, and to propose concrete recommendations and practicable solutions,
- high level management experience and necessary leadership skills to manage a highly specialised team of data protection experts and its budget, as well as a diverse community of stakeholders,
- ability to act with the required independence,
- experience in communication and networking, in order to represent the European Data Protection Supervisor at the highest levels and to develop and maintain effective relationships with stakeholders in other European Union Institutions, Member States, third countries and other international organisations,
- good knowledge of English or French in view of the requirements of internal and inter-institutional communication.

**Eligibility criteria:**

- (1) Be a citizen of one of the Member States of the European Union.
- (2) Have either:
  - (i) a level of education which corresponds to completed university studies attested by a diploma when the normal period of university education is four years or more; or
  - (ii) a level of education which corresponds to completed university studies attested by a diploma and professional experience of at least one year when the normal period of university education is at least three years.
- (3) Have at least 15 years' professional experience following the date on which the qualification in point 2 was obtained. This experience must be of a kind appropriate to the level of that qualification. At least five years of that professional experience must have been gained in a management function at high level.

In their CVs applicants have to indicate at least for these five years during which high level management experience has been acquired: (1) title and role of management positions held, (2) numbers of staff overseen in these positions, (3) the size of budgets managed, and (4) numbers of hierarchical layers above and below and number of peers.
- (4) Have a thorough knowledge of one of the official languages of the European Union (main language) and a satisfactory knowledge of at least another official language (second language).

**Recruitment policy:**

The European Union applies an equal opportunities policy.

**Appointment procedure:**

The European Parliament and the Council appoint by common accord the European Data Protection Supervisor and the Assistant Supervisor for a term of five years on the basis of a list drawn up by the European Commission following a public call for candidates.

The European Commission will draw up this list in accordance with its selection and recruitment procedures (see also: Compilation Document on Senior Officials Policy <sup>(5)</sup>). To this end, it establishes a pre-selection panel which assesses all applications against above mentioned eligibility criteria and identifies candidates whose profile best match the selection criteria. These candidates will be invited for an interview with the pre-selection panel.

Following interviews with the pre-selection panel, candidates can be invited for further interviews with the Commission's Consultative Committee on Appointments. These candidates will go through an assessment centre run by external recruitment consultants prior to this interview.

<sup>(5)</sup> [http://ec.europa.eu/civil\\_service/docs/official\\_policy\\_en.pdf](http://ec.europa.eu/civil_service/docs/official_policy_en.pdf)

Once the European Commission has drawn up a list, it will transmit this list to the European Parliament and the Council. These institutions can decide to hold further interviews with the candidates whose name is mentioned on the list.

Please note that for functional reasons and in order to complete the selection procedure as quickly as possible in the interest of the candidates as well as that of the institutions, the selection procedure will be carried out in English and/or French only <sup>(6)</sup>.

Unless otherwise specified by the candidates, applications will be considered to be for both posts, European Data Protection Supervisor and Assistant Supervisor. Each application will be examined according to the procedure for filling both posts. The list of candidates shall be public.

### **Application procedure:**

***Before submitting your application, you should carefully check whether you meet all the eligibility criteria, particularly concerning the types of diploma and professional experience required.***

If you want to apply, you must **apply via the internet** by going to the website

<https://ec.europa.eu/dgs/human-resources/seniormanagementvacancies/>

and follow the instructions there concerning the various stages of the procedure.

You have to complete your online application on time. We strongly advise you not to wait until the last few days before applying, since heavy internet traffic or a fault with your internet connection could lead to the online application being terminated before you complete it, thereby obliging you to repeat the whole process. Once the deadline for submission of applications has passed, you will no longer be able to apply. Late registrations via normal e-mail will not be accepted as a general rule.

You need a valid e-mail address. This will be used to confirm the creation of your dossier and to keep you informed about the outcome of the selection procedure. Please, inform the European Commission about any change in your e-mail address.

You will have to upload a CV in WORD or PDF format and to enter, online, a motivation letter (maximum 8 000 characters). Both the CV and letter should be written in English, French or German.

On completion of your application, you will receive a registration number; please keep this number, since it will be used for further contacts during the selection procedure. When you receive your registration number, the application process is finished — it is confirmation that you have registered your data correctly.

### **If you do not receive a registration number, your application has not been registered!**

Please note that it is **not** possible to monitor the progress of your application online. You will be contacted directly regarding the status of your application.

*If you have a disability that prevents you from registering online, you may submit your application (CV and letter of motivation) on paper by registered mail <sup>(7)</sup>, postmarked no later than the closing date for registration. All subsequent communication between the Commission and you will be by post. In this case, you must enclose with your application a certificate attesting your disability, issued by a recognised body. You should also set out on a separate sheet of paper any special arrangements you think are needed to make it easier for you to take part in the selection.*

If you require more information and/or encounter technical problems, please send an e-mail to [HR-A2-MANAGEMENT-ONLINE@ec.europa.eu](mailto:HR-A2-MANAGEMENT-ONLINE@ec.europa.eu)

<sup>(6)</sup> The selection panel will ensure that no undue advantage is given to native speakers of these languages.

<sup>(7)</sup> European Commission, Directorate-General Human Resources and Security, Unit for Executive Staff and CCA Secretariat, COM/2013/10338, SC11 8/35, 1049 Bruxelles/Brussel, BELGIQUE/BELGIË.

**Closing date:**

The closing date for registration is 20 September 2013. Online registration will not be possible after 12.00 noon Brussels time.

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## REVIEW OF 'COMPETITION' C A OJs

Please find below the list of C A published during the present year.

Unless otherwise indicated, OJs are published in all language versions.

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