

Introduction

The EU Member States are committed to protecting and respecting your privacy.

As *EU Customs Trader Portal* processes personal data, Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (GDPR) is applicable.

This privacy statement explains the reasons for processing personal data, the way they are collected, handled and the way protection of all personal data is ensured. This privacy statement covers in addition:

- The personal data processed;
- How personal data are used;
- For how long personal data are preserved/stored;
- Who has access to the personal data;
- What are your rights as the data owner; and
- How you can exercise them.

The processing of personal data occurs by the National Authorities of Member States, acting as controllers, hereafter referred to as “we”.

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1. What do we do?

With the EU Customs Trader Portal, the Member States, acting as controllers, process your personal data and enable access to economic operator and other persons to the related EU customs systems: European Binding Tariff Information (EBTI) system and the Authorised Economic Operator (AEO) system. The Commission acts on behalf of Member States as processor.

As of 1 June 2020, EU Customs Trader Portal will also connect to the Information Sheets for Special Procedures (INF).

We collect this data to identify the user, enable him/her access and provide him/her the possibility to receive notifications from these customs systems.

2. Why do we process your personal data?

2.1 PURPOSE OF PERSONAL DATA PROCESSING IN LINE WITH THE LEGAL BASE

(a) We are authorised to process your personal data based on

- Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code (UCC);
- Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 (UCC/IA), articles 21 (4) and 30 (1);
- Commission Implementing Decision (EU) 2016/578 of 11 April 2016, Annex, II, A, item 4.

The UCC and the UCC Implementing acts establish the intention to offer an EU Harmonised trader interface respectively art. 21(4) for EBTI and art. 30(1) for AEO to the economic operators and other persons. Consequently, the creation of the EU Customs Trader Portal with a single access point for trade will successively reduce the number of connections of economic operators and other persons to the different Member States' customs authorities and the different IT systems in operation.

2.2 PURPOSE OF PROCESSING EXPLAINED

(b) We process your personal data for the following purposes:

- Authentication and authorisation to access the related EU customs systems (EBTI, AEO, and in 2020 INF)
- Notification of updated data records concerned to the e-mail address specified by the user: for each of these systems, it is possible to receive notifications when specific actions are required, or to be notified on an updated status of an interaction with the system. These notifications are presented to the user via the portal dashboard. The EU Customs Trader Portal allows the economic operators and other persons the possibility to register one or more email addresses, in order to receive the notifications via electronic messaging.

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2.3 LAWFULNESS OF PROCESSING

(c) The processing is lawful and necessary for:

- Compliance with a legal obligation to which the controller is subject;
- The data subject has given consent to the processing of his or her personal data for one or more specific purposes.

3. Which personal data we collect and process?

(a) Personal data in this context means any information relating to an identified or identifiable natural person. The following (categories of) personal data are being processed:

- First and last name of the economic operator or representative
- Address of the economic operator or representative
- Name of the trader, company or undertaking
- E-mail address of the economic operator or representative
- Economic Operator's Registration and Identification number (EORI)

4. How do we obtain your personal data?

4.1 DIRECTLY

- To execute our activity, your personal data are directly requested and obtained from the data subject (from "you").

4.2 INDIRECTLY

- Consent of the data subject regarding collecting and processing personal data has been obtained by the EORI system and authenticated via the Uniform User Management and Digital Signature system (UUM&DS).

5. To whom does the personal data that we process belong?

The personal data belongs to the following (categories of) data subjects:

- Economic operators and other persons (representatives)

6. Who has access to your data and to whom is it disclosed?

6.1 INTERNALLY

Access to your data is provided to authorised employees according to the “need to know” principle. Such staff abide by statutory, and when required, additional confidentiality agreements.

The information is disclosed to the authorised National Administrations, while the security management is enforced by a TEMPO quality management system.

6.2 EXTERNALLY

(a) Transfer of personal data inside the EU/EEA

We have the necessary safeguards and agreements in place with our partners to ensure that the adequate level of protection of your personal data is not undermined.

- The contractors have a nominated security officer whose role is to ensure adequate security implementation. Compliance with data protection regulation is required by its individual contract.

7. How do we protect your data?

We guarantee all the appropriate organisational and technical security measures aimed at protecting your personal data against accidental and unlawful destruction or loss, as well as against non-authorised access, alteration or transmission.

We implemented, amongst other, but not limited to, the following security measures:

Authentication and authorisation is ensured by the Uniform User Management and Digital Signature system (UUM&DS). This system is protected by firewalls and provides limited access to encrypted user data.

All data in electronic format (e-mails, documents, uploaded batches of data etc.), are stored, on behalf of the Member States, either on the servers of the European Commission or of its contractors; the operations of which abide by the European Commission’s security decision of 10 January 2017 (EU, Euratom) 2017/46 concerning the security of information systems in the European Commission.

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The Commission's contractors are bound by a specific contractual clause for any processing operations of your data on behalf of the Commission, and by the confidentiality obligations deriving from the transposition of Regulation (EU) 2018/1725.

8. How long do we keep your data?

We only store your data as long as is necessary for the predefined purpose of the processing.

The data is stored as long as the user decides to retain his access to the system. If the user requests to annul his access, or if his access is to be denied by unlawful use or the removal of certain rights, the data will no longer be available when the account is deactivated.

9. What are your rights and how can you exercise them?

9.1 YOUR RIGHTS

You are at any given moment entitled to the access and rectification of your personal data in case the data is inaccurate or incomplete. You have the rights to (if applicable) request restriction of processing or erasure ('right to be forgotten'), to data portability, to object to the processing, to withdraw your consent, and not to be subject to automated individual decision making, including profiling.

9.2 EXERCISING YOUR RIGHTS

You can access your information, verify its accuracy and – if necessary – correct it by contacting [your National Service Desk contact point](#).

9.3 RESTRICTIONS TO YOUR RIGHTS

As a data subject you also have the right to object to the processing of your personal data on legitimate compelling grounds, except when it is collected in order to comply with a legal obligation, or is necessary for the performance of a contract to which you are a party, or is to be used for a purpose for which you have given unambiguous consent.

If you feel that your rights are violated in any way, you are entitled to file a complaint with [the National Authorities of Member States](#).

9.4 WHAT WILL BE DONE IN CASE OF DATA BREACHES

In case of a data breach, we will fulfil our obligation in compliance with our duties stipulated in the GDPR.

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Where that personal data breach is likely to result in a high risk to your rights and freedoms we are committed to inform you immediately in order to allow you to take the necessary precautions.

10. Contact information

If you have comments or questions, any concerns or a complaint regarding the collection and use of your personal data, please feel free to contact the Data Controller using the following contact information:

The Data Controller:

- is identified for each of the **MSS** and handling the requests with the economic operator and other persons. **MSs provide their respective contact details.**

11. Recourse

Complaints can be addressed to **the National Authorities of Member States.**