Basic information

2001/2150(ACI) ACI - Interinstitutional agreement procedure	Procedure completed
Regulations and general conditions governing the performance of the European Data Protection Supervisor's duties Repealed by 2017/0002(COD) **Subject** 1.20.09 Protection of privacy and data protection 8.40.08 Agencies and bodies of the EU	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Citizens' Freedoms and Rights, Justice and Home Affairs	PACIOTTI Elena Ornella (PSE)	13/09/2001

Committee for opinion	Rapporteur for opinion	Appointed
BUDG Budgets	BUITENWEG Kathalijne Maria (V/ALE)	13/09/2001
JURI Legal Affairs and Internal Market	HARBOUR Malcolm (PPE-DE)	11/09/2001

Council of the European Union

Council configuration	Meetings	Date
Agriculture and Fisheries	2441	2002-06-27

European Commission

Commission DG	Commissioner
Financial Stability, Financial Services and Capital Markets Union	

Key events

Date	Event	Reference	Summary
18/07/2001	Non-legislative basic document published	COM(2001)0411	Summary
03/09/2001	Committee referral announced in Parliament		
20/02/2002	Vote in committee		Summary

20/02/2002	Committee report tabled for plenary	A5-0054/2002	
11/03/2002	Debate in Parliament		
12/03/2002	Decision by Parliament	T5-0095/2002	Summary
13/06/2002	Decision by Parliament	T5-0308/2002	Summary
27/06/2002	Act adopted by Council after consultation of Parliament		
01/07/2002	End of procedure in Parliament		
12/07/2002	Final act published in Official Journal		

Technical information

Procedure reference	2001/2150(ACI)
Procedure type	ACI - Interinstitutional agreement procedure
Procedure subtype	Interinstitutional agreement
Amendments and repeals	Repealed by 2017/0002(COD)
Legal basis	Rules of Procedure EP 154
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/5/15030

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, single reading		A5-0054/2002	20/02/2002	
Text adopted by Parliament, partial vote at 1st reading /single reading		T5-0095/2002 OJ C 047 27.02.2003, p. 0025-0070 E	12/03/2002	Summary
Text adopted by Parliament, single reading		T5-0308/2002 OJ C 261 30.10.2003, p. 0385-0481 E	13/06/2002	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(2001)0411 OJ C 304 30.10.2001, p. 0178 E	18/07/2001	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EU	Implementing legislative act	32004D0055 OJ L 012 17.01.2004, p. 0047-0047	22/12/2003	Summary

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Final act	
Decision 2002/1247 OJ L 183 12.07.2002, p. 0001	Summary

Regulations and general conditions governing the performance of the European Data Protection Supervisor's duties

2001/2150(ACI) - 13/06/2002 - Text adopted by Parliament, single reading

By adopting the report by Mrs Ornella PACIOTTI (PES, I), the European Parliament approved the proposal for a decision subject to amendments. The Parliament intends to specify that the data protection rules are designed to protect the fundamental rights and freedoms of individuals, in particular their private and family life, with regard to processing of personal data, in particular in Article 6 of the Treaty on the European Union and with due regard to Articles 7 and 8 of the EU Charter of Fundamental Rights. Those fundamental rights are to be interpreted, under case law of the Court of Justice of the European Communities, in the light of Article 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms and the constitutional traditions common to the Member States. The objective of the data protection must be met while taking into account the objective of not restricting the information about public activities. Moreover, the Rules of Procedure of the European Data Protection Supervisor should contain, in particular, procedural provisions governing the manner in which he exercises his powers. The European Data protection Supervisor is bound by Community law and should comply with Regulation 1049/2001/Ecregarding public access to European Commission documents. The Parliament requests that the European Data Protection Supervisor and the Assistant Supervisor shall be appointed following a public call for candidates, the competent committee of the European Parliament may decide to arrange a hearing in order to enable it to express a preference.

Regulations and general conditions governing the performance of the European Data Protection Supervisor's duties

2001/2150(ACI) - 22/12/2003 - Implementing legislative act

LEGISLATIVE ACT : Decision 2004/55/EC of the European Parliament and of the Council appointing the independent supervisory body provided for in Article 286 of the EC Treaty (European Data Protection Supervisor) CONTENT : Article 42 of Regulation 45/2001/EC provides that the European Parliament and the Council must appoint by common accord the European Data Protection Supervisor and the Assistant Supervisor, for a term of five years. Therefore, this Decision provides that the following are appointed for a term of five years, with effect from the date of publication of the Decision: - European Data Protection Supervisor: Mr Peter Johan HUSTINX, - Assistant Supervisor: Mr Joaquin BAYO DELGADO. DATE OF EFFECT : 17/01 /04.

Regulations and general conditions governing the performance of the European Data Protection Supervisor's duties

2001/2150(ACI) - 12/03/2002 - Text adopted by Parliament, partial vote at 1st reading/single reading

The European Parliament approved the proposal on a European Data Protection Supervisor drafted by its rapporteur Elena Ornella Paciotti (PES, Italy). (Please refer to the document dated 20/02/02.) One amendment states that the Supervisor will be appointed following a public call for candidates. The competent committee of the Parliament will be informed of all those who have applied and fulfill the requirements for the position, and will arrange a hearing in order to establish a preference.

Regulations and general conditions governing the performance of the European Data Protection Supervisor's duties

2001/2150(ACI) - 01/07/2002 - Final act

PURPOSE : to specify certain aspects of the general conditions governing the performance of the European Data-protection Supervisor's duties. COMMUNITY MEASURE : Decision 1247/2002/EC of the European Parliament, of the Council and of the Commission on the regulations and general conditions governing the performance of the European Data-protection Supervisor's duties. CONTENT : the Council adopted a Decision on the general conditions governing the performance of the duties of the European Data Protection Supervisor, the independent supervisory authority entrusted with monitoring the processing of personal data within Community institutions and bodies. This decision stipulates that the European Data-protection Supervisor shall be on a par with a judge of the Court of Justice of the European Communities as regards the determination of remuneration, allowances, retirement pension and any other benefit in lieu of remuneration. The Assistant Supervisor shall be on a par with the Registrar of the Court of Justice of the European Communities as regards the determination of remuneration, allowances, retirement pension and any other benefit in lieu of remuneration. The European Data-protection Supervisor and the Assistant Supervisor shall be appointed following a public call for candidates. The call for candidates shall enable all interested parties throughout the Community to submit their applications. The list of candidates shall be public. On the basis of the list drawn up by the Commission in accordance with Article 42(1) of Regulation 45/2001/EC, the competent committee of the European Parliament may decide to arrange a hearing in order to enable it to express a preference. The European Data-protection Supervisor and the Assistant Supervisor shall have their seat in Brussels. ENTRY INTO FORCE : 13/07/2002.

Regulations and general conditions governing the performance of the European Data Protection Supervisor's duties

2001/2150(ACI) - 18/07/2001 - Non-legislative basic document

PURPOSE : to present a proposal for a Decision on the regulations and general conditions for the performance of the duties of the European Data Protection Supervisor. CONTENT : the Community institutions and bodies commonly deal with personal data in the course of their activities. To ensure the protection of natural persons as regards the processing of these data by the Community institutions and bodies, and to avoid these exchanges being called into question by the Member States on the grounds of data protection, the Treaty signed in Amsterdam introduced, in the Treaty establishing the European Community, a specific provision to that effect. Article 286 lays down that, from 1 January 1999, the Community institutions and bodies must apply the Community rules on the protection of personal data and that the application of those rules must be monitored by an independent supervisory body. The Community legislator responded to this call in the Treaty be means of Regulation 45/2001/EC 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. The Regulation lays down a series of principles to which the processing of personal data by the Community institutions and bodies is subject. Alongside these substantive provisions, the Regulation sets up an independent supervisory authority, entitled the European Data Protection Supervisor, which is entrusted with ensuring the application of the provisions of the Regulation. It is assisted by an Assistant Supervisor. The Regulation also lays down that the European Parliament, the Council and the Commission shall by common accord determine the regulations and general conditions governing the performance of the European Data Protection Supervisor's duties and, in particular, his or her salary, allowances and any other benefits in lieu of remuneration. However, two essential aspects of the regulations and the general conditions governing the performance of the duties of the European Data Protection Supervisor remain to be determined - the remuneration of the Supervisor and the seat of the body. As regards the Supervisor's remuneration, it is important to ensure regulations for the European Supervisor which correspond to his duties of supervising the Community institutions and bodies, his powers and his independence. In addition, account must be taken of the influence which the figure of the European Mediator has had on the institutional profile of the Supervisor in the Regulation. It is therefore proposed that the European Data Protection Supervisor receive the same remuneration as the European Mediator who, in turn, is on the same footing as a judge of the Court of Justice of the European Communities as regards his remuneration, allowances and retirement pension. As regards the remuneration of the Assistant Supervisor, it is therefore proposed that he be on the same footing as the Registrarof the Court of Justice. Moreover, it is proposed that the seat of the European Data Protection Supervisor be established in Brussels.