



Direction de l'Aviation Civile
Grand-Duché de Luxembourg

INFORMATION NOTE ON DATA PROTECTION

PNCQ checks

The purpose of this information note is to inform data subjects on the processing of their personal data by the Directorate of Civil Aviation (“DAC”) in the context of National Quality Control Programme (“PNCQ”) checks.

Identity and contact details of the controller

Direction de l'Aviation Civile (DAC)

4, rue Lou Hemmer

L-1748 Findel (Luxembourg)

Tel.: 00352 247 74900

E-Mail: civilair@av.etat.lu

Purpose and legal basis for the processing

Personal data are processed in the context of PNCQ audits, inspections, tests and evaluations in order to guarantee aviation security.

The legal bases for this processing are the following:

- Regulation (EC) No 300/2008 of the European Parliament and of the Council of 11 March 2008 on common rules in the field of civil aviation security and repealing Regulation (EC) No 2320/2002,
- Commission regulation (EU) No 18/2010 of 8 January 2010 amending Regulation (EC) No 300/2008 of the European Parliament and of the Council as far as specifications for national quality control programmes in the field of civil aviation security are concerned,
- Commission implementing regulation (EU) 2015/1998 of 5 November 2015 laying down detailed measures for the implementation of the common basic standards on aviation security,
- Commission regulation (EU) No 72/2010 of 26 January 2010 laying down procedures for conducting Commission inspections in the field of aviation security,
- Grand-Ducal Regulation of 2 May 2011 determining the structure of the national quality control programme and defining the conditions of its publicity and distribution,
- Grand-Ducal Regulation of 24 February 2016 determining the requirements for certification of regulated agents, known consignors and regulated supplier, as well as the requirements for the designation of account consignors in the context of aviation security controls.

Recipients (or categories of recipients) of the personal data

Personal data are accessible and processed by the DAC Security Department.

Final PNCQ reports, possibly containing personal data, related to aerodromes and regulated agents, known consignors and regulated suppliers are transmitted to the Police grand-ducale and the Administration des Douanes et Accises.

Transfer to a third country or international organisation

No personal data is transferred to a third country or an international organisation.

Period for which personal data will be stored

Personal data are stored for a maximum period of 10 years after the date of the final PNCQ report.

Right to request access to and rectification or erasure or restriction of processing and to object to processing

The data subject has the right to request from the controller access to and rectification or erasure of personal data or restriction of processing concerning the data subject or to object to processing.

Data protection officer (“DPO”)

If the data subject wants to assert the rights to request access to and rectification or erasure or restriction of processing and to object to processing, or suspects a violation of personal data, they may contact the DAC’s DPO:

- via mail: dpo@av.etat.lu,
- via regular post to the aforementioned address.

Proof of identity has to be included in the request (ex. copy of identity card or passport, licence number, etc.).

Right to lodge a complaint with a supervisory authority

The data subject has the right to lodge a complaint with the national supervisory authority CNPD (*“Commission nationale pour la protection des données”*, <https://cnpd.public.lu/en.html>).

Nature of requirement to provide personal data and possible consequences of failure to provide these data

The provision of personal data is a statutory requirement. The data subject is obliged to provide these data in order to verify compliance to the European requirements. Failure to provide these data will lead to a non-compliance stated in the final PNCQ report.

Existence of automated decision-making

Personal data processed by the DAC are not subject to automated decision-making.

