



## Data Protection Notice

### For Management of projects under the 2014-2020 CEF 1 programme (legacy)

In accordance with Regulation (EU) 2018/1725 of 23 October 2018 on data protection (hereinafter the Regulation), the European Climate, Infrastructure and Environment Executive Agency (hereafter CINEA) collects your personal data only to the extent necessary to fulfil the precise purpose related to its tasks.

- 1) The **controller** is CINEA:
  - a) The relevant Unit of Department B - Sustainable networks and investments  
Chaussée de Wavre 910  
W910  
BE – 1049 Brussels
  - b) Person responsible for the processing: The Head of Unit in charge of the project (see unit indicated in the grant agreement)
  - c) Email: [CINEA-B1@ec.europa.eu](mailto:CINEA-B1@ec.europa.eu), [CINEA-B2@ec.europa.eu](mailto:CINEA-B2@ec.europa.eu), [CINEA-B3@ec.europa.eu](mailto:CINEA-B3@ec.europa.eu), [CINEA-B4@ec.europa.eu](mailto:CINEA-B4@ec.europa.eu)

#### 2) The **purpose of the processing**

The purpose of this processing is to collect personal data to allow the management and implementation of grants under the 2014-2020 CEF 1 programme (for Transport and Energy) throughout the whole project lifecycle, in particular:

- Grant agreement management including processing via a dedicated information system (TENtec) and communication activities ;
- Financial management including transactions in the Commission's accounting system and payment;
- Organisation of meetings with project beneficiaries and experts where applicable;
- Security clearance for access to Agency and Commission building for physical meetings where applicable;
- Information relating to management, monitoring, policy feedback, assessment of the CEF1 programme and related initiatives such as project mapping, client's (beneficiaries) satisfaction surveys and similar;
- Aggregated data (not personal) is also used for :
  - Publication of project summaries/project fiches;
  - Statistics and reporting

#### 3) The **data subjects** concerned by this notice are:

- Legal representatives of beneficiaries;
- Contact persons / coordinator of beneficiaries;
- 'Key personnel', i.e. responsible managers and other staff of the beneficiary participating in the action;
- Staff of sub/contractors;
- Authorised staff of the European Commission or of the Agency;
- Experts that supported the evaluation of proposals, etc .

***Under this programme, grants are not provided to natural persons but to legal entities (beneficiaries).***

4) The **categories of personal data** collected and used for the processing operations are:

- Identification data: first name, last name, position/function, date of birth, nationality, (may be requested with CVs, see below), ID number, passport number may be requested if meetings in Agency/Commission buildings are organised;
- Contact details: telephone, mobile, e-mail, fax, website, street address, post code, country;
- Legal entity form and Bank Account form of the organisation (incl. VAT number (if applicable), which may include the identification data of the legal representative;
- A declaration on honour that the applicants/beneficiaries (legal persons) as entity are not in one of the exclusion situation referred to in the Financial Regulation;
- Curriculum vitae with info on the relevant experience for the project, employment history, education, academic background, training, personal skills, competences, languages, technical skills, date of birth, nationality of the staff involved in the action as beneficiary, affiliated entity, implementing body or (sub)contractor;
- Staff categories which may include hourly rates (timesheets, etc);
- Declaration of absence of conflict of interest and confidentiality;
- Financial information to prove the financial capacity of the entities (only applicable to private undertakings or bodies): balance sheet, profit and loss for the most recent year;
- No data relating to health or extract of judicial records of natural persons are requested by the Agency

Data processed via the TENtec IT tool may also encompass names, user names and function of CINEA staff in charge of the CEF 1 projects and experts evaluating proposals.

In addition, personal data based on consent might be collected during the project implementation: for example, pictures, web streaming of events or videos that are needed for communications purposes on project outcomes

5) The **recipients** of the data are on a "need to know" basis :

- Authorized staff of the Agency and Commission (e.g. DG ENER and MOVE, DG BUDG, etc) involved in the implementation of the CEF 1 Programme (i.e. project managers, financial officers, communication officer, legal advisers, auditors, management, administrative assistants and for the TENtec Information Service, the IT Sector, etc);
- The Research Executive Agency Validation Services, under the Single Electronic Data Interchange Area (SEDIA) procedure for certain checks (linked to financial capacity etc) and calls.
- Members of the public but only for information published externally: e.g. : social media (e.g. photos of project event in the Twitter account of the Agency, etc).

In addition, data may be disclosed to public authorities in accordance with Union and Member State law such as the European Court of Justice or a national judge as well as the lawyers and the agents of the parties in case of a legal procedure, Investigation and Disciplinary Office of the European Commission (IDOC), the competent Appointing Authority in case of a request or a complaint lodged under Articles 90 of the Staff Regulations, European Anti-Fraud Office (OLAF), the Internal Audit Service of the Commission, the Court of Auditors ,the European Ombudsman, the European Data Protection Supervisor and the European Public Prosecutor's Office .

## 6) **Data Subjects rights:**

- You have the right at any time to access, rectify, erase ('right to be forgotten') your personal data or to request for the restriction of its processing;
- You are also entitled to object to the processing of your personal data on grounds relating to your particular situation at any time unless CINEA demonstrates compelling and overriding legitimate grounds or in case of legal claims;

You can exercise your rights by sending an email with the requested change(s) to the controller via the functional mailbox indicated here-above in Section 1.

In any cases your data will be modified or removed accordingly and as soon as practicable (maximum within 15 working days).

When processing is based on your consent, you have the right to withdraw your consent at any time, without affecting the lawfulness of the processing before such a withdrawal.

There is no processing based solely on automated means.

However, in line with Article 25 of the Regulation, **the data controller may restrict the rights of the data subjects based on the [Decision of the Steering Committee \(2020\) 26 of 14/10/20](#)** (OJEU L 45 on 9.2.2021, p. 80), in case where such restriction constitutes a measure necessary to safeguard the protection of the data subjects or the rights and freedoms of other data subjects, etc.

## 7) **How does CINEA protect and safeguard your data?**

Technical and organisational security measures are in place to safeguard the processing of your personal data: the Agency stores personal data on password protected computers in files with restricted access on servers of the Agency/Commission and in locked cupboards or archives for paper files where applicable. IT tools use EU login protection and access rights restrictions apply. The Agency is subject to the European Commission's security Decision 2017/46 of 10 January 2017 on the security of information systems used by the European Commission. Access to the building is subject to security clearance.

## 8) **The legal basis of the processing are:**

- Council Regulation 58/2003 of 19 December 2002, laying down the Statute for executive agencies to be entrusted with certain tasks in the management of EU programmes;
- Regulation (EC) n° 1653/2004 of 21 September 2004 on a standard Financial Regulation for the executive agencies pursuant to Council Regulation (EC) n°58/2003 of 19 December 2002 laying down the statute for executive agencies to be entrusted with certain tasks in the management of Community programme;
- Commission Implementing Decision (EU) 2021/173 of 12 February 2021 establishing the European Climate, Infrastructure and Environment Executive Agency and repealing Implementing Decision 2013/801/EU;
- Commission Decision C(2021)947 of 12 February 2021 delegating powers to the European Climate, Infrastructure and Environment Executive Agency with a view to the performance of tasks linked to the implementation of Union programmes in the field of transport and energy infrastructure; climate, energy and mobility research and innovation; environment, nature and biodiversity; transition to low-carbon technologies; and maritime and fisheries;

- Regulation (EU) n° 1316/2013 of 11 December 2013 establishing the Connecting Europe Facility, amending regulation (EU) N° 913/2010 and repealing Regulations (EC) N° 680/2007 and (EC) N° 67/2010 (OJ L 348/2013 of 20/12/2013);
- Regulation 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, repealing Regulation No 66/2012.

9) The **time limits for keeping** the data are the following:

Files relating to grant procedures, including personal data, are to be retained in the service in charge of the procedure until it is finalised and in the archives for a period of 10 years following the end of the implementation of the grant agreements.

However, applications from unsuccessful applicants have to be kept only for 5 years following the finalization of the call.

These time limits apply unless they need to be extended due to audits or proceeding and for the duration of these procedures.

Data will be deleted at the end of this period or anonymised in the IT tool used to process the CEF 1 Programme (TENtec).

After the period mentioned above has elapsed, the grant files containing personal data are sampled to be sent to the historical archives of the Commission for further conservation. The non sampled files are destroyed.

**10) Contact information**

In case you have any questions about the collection/processing of your personal data, you may contact the data controller who is responsible for this processing activity by using the email address mentioned here above in Section 1.

You may contact at any time the Data Protection Officer of the Agency ([CINEA-DPO@ec.europa.eu](mailto:CINEA-DPO@ec.europa.eu)). You have the right to have recourse at any time to the European Data Protection Supervisor ([edps@edps.europa.eu](mailto:edps@edps.europa.eu)).