



EUROPEAN COMMISSION

European Climate, Infrastructure and Environment Executive Agency

RECORD OF PERSONAL DATA PROCESSING ACTIVITY

In accordance with Article 31 of the [Data Protection Regulation for EUIs](#)¹ (hereinafter referred to as the Regulation), individuals whose personal data are processed by the European Climate, Infrastructure and Environment Executive Agency (hereinafter referred to as CINEA or Agency) in any context whatsoever are to be protected with regard to the processing of personal data and the Agency has to keep records of their processing activities.

Record No: 2021-007/C-PROG-09
Created on (date): 21/10/21
Last update (date): 26/10/21

NAME OF THE PROCESSING ACTIVITY

Selection of members of Commission expert groups and other similar entities

GROUND FOR THE RECORD:

- Regularisation of a data processing activity already carried out
- Record of a new data processing activity prior to its implementation
- Change of a data processing activity (e.g.: update of a record).

¹ Regulation (EU) 2018/1725 of 23 October 2018

1. MANDATORY RECORD UNDER ARTICLE 31 OF THE REGULATION²

1.1. Name and contact details of controller

- a. CINEA Department C
Chaussée de Wavre 910
W910
BE – 1049 Brussels
- b. The Head of Department C
- c. Email: CINEA-HE-MISSION-BOARD-ADMIN@ec.europa.eu

Name and contact details of the Data Protection Officer (DPO)

CINEA DPO

CINEA-DPO@ec.europa.eu

1.2. Name and contact details of joint controller (where applicable)

European Commission (DG RTD and Secretariat General for the publication of personal data in the REGISter of expert groups tool")

1.3. Purpose of the processing

The data controller collects and uses personal data to select and manage expert groups, in particular by selecting the following types of members to expert groups:

- individuals appointed in personal capacity who are to act independently and in the public interest;
- individuals appointed to represent a common interest shared by stakeholders in a particular policy area,

This is to support the European Commission and CINEA in implementing the Horizon Europe Missions.

To select among the applicants who best fulfil the selection criteria mentioned in the call for applications, the data controller collects and assesses personal information of representatives and candidate (and where applicable selected) members of the expert group. This may also encompass the processing of data about their immediate family members.

For the purpose of this record, the term “expert groups” describes Commission expert groups, and their sub-groups, in the sense of Article 2(1) of Commission Decision C(2016)3301 of 30 May 2016 establishing horizontal rules on the creation and operation of Commission expert groups. It also describes other similar entities, and their sub-groups, in the sense of Article 2(2) of Commission Decision C(2016)3301.

1.4. Legal basis for the processing

- Commission Decision C(2016)3301 of 30 May 2016 establishing horizontal rules on the creation and operation of Commission expert groups;

- Council Regulation (EC) No 58/2003 of 19 December 2002 laying down the statute for executive agencies to be entrusted with certain tasks in the management of Community programmes;
- Commission Implementing Decision (EU) 2021/173 of 12 February 2021 establishing the European Climate, Infrastructure and Environment Executive Agency, and repealing Implementing Decisions 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) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013

1.5. Categories of data subjects

Data subjects are external to the European Commission and Executive Agencies, who fall in the following description:

- Candidate members of the expert groups,
- Selected members of the expert groups to be appointed either in their own personal capacity and /or to represent a common interest shared by stakeholders in a particular policy area,
- Representatives of these members (organisations) if representing a common area, and
- Their immediate family members, if appointed in personal capacity.

1.6. Categories of personal data

- Name;
- Function/title;
- Contact details (for example, e-mail address, telephone number/mobile telephone number, postal address, company and department, country of residence, IP address), Expert ID Horizon Europe Expert database (if available);
- Information for the evaluation of selection criteria or eligibility criteria (for example, expertise, technical skills and languages, educational background, professional experience, including details on current and past employment, etc.);
- Nationality;
- Gender;
- Interest represented (only for individuals applying to be appointed as members of expert groups or sub-groups representing a common interest shared by stakeholders in a particular policy area and for organisations applying to be

appointed as members of expert groups or sub-groups, as well as for their designated representatives);

- Information included in the declarations of interests (DOI) filled in by candidate members to be appointed as members in personal capacity who are to act independently: this is to enable the Commission Services and/or CINEA to verify in the process of selection the experts' independence in providing advice to the Commission.
- Sensitive personal data relating to accessibility to office/ meetings, etc. if relevant and where applicable criminal records

For the purpose of disseminating information and for establishing the attendance list and the minutes:

- signature,
- audio-visual recording or webstreaming of the meeting (if applicable).

1.7. Retention time (time limit for keeping the personal data)

a) Retention period:

The Controller only keeps personal data for the time necessary to fulfil the purpose of collection or further processing in the light of the EC Retention List . The following modalities apply:

- The competent CINEA services keep personal data submitted to them as part of rejected applications for three years after the end of the selection process and do not process them for other purposes; these personal data are not published on the REGISter of expert groups.
- The expert group and some types of personal data of its members and observers, are published on the REGISter of expert groups during the duration of existence of the expert group.
- When an individual is no longer member or representative of a member of the expert group listed in the REGISter of expert groups, all personal data related to this individual, including a declaration of interests, is removed from the REGISter and is therefore not public anymore.
- The competent CINEA services keep personal data for the period during which the relevant individual is a member or a representative of a member of the group and for five years after the date on which the individual is no longer member or representative of a member of the group.
- When a group is closed down, it remains published in the REGISter of expert groups for five years, with the indication 'Closed'. Those types of personal data other than the declarations of interests of members appointed in personal capacity that were published while the group was active remain visible on the REGISter of expert groups during these five years. On the contrary, the declarations of interests are removed from the REGISter after closure of a group and are therefore not public anymore; they are however kept by CINEA and if applicable the competent Commission service for a period of five years after the closure of the group.
- Sensitive personal data relating to accessibility to premises, etc. is not kept for longer than 1 month after the end of the meeting/event. Criminal records are not kept longer as necessary with a maximum period of 2 years.

- Personal data necessary for reimbursements purposes and special allowances are also kept for maximum 5 years
- Recording from internally web-streamed meetings has a retention period of maximum 2 years
- Audio-visual recording of the meeting has a retention period of maximum 3 months after the meeting/event

b) Storage period: see above point 1.7.

c) Is any further processing for historical, statistical or scientific purposes envisaged, which would go beyond the normal retention period ?

Yes Archiving in the public interest.

The 'administrative retention period' is the period during which the CINEA is required to keep a file depending on its usefulness for administrative purposes and the relevant statutory and legal obligations. In accordance with the Commission- retention list, after the 'administrative retention period', files (and the personal data contained in them) may be transferred to the Historical Archives of the European Commission for historical purposes.

1.8. Recipients of the data

Access to personal data is provided to authorised staff in CINEA and to the relevant services of the European Commission and where applicable other Executive Agencies, which are responsible for carrying out each processing operation based on the necessity and data minimisation principles. Such staff abide by statutory, and when required, additional confidentiality agreements.

In addition, data may be disclosed public authorities, which are not regarded as recipient but may receive personal data in the frame of a particular inquiry in accordance with Union and Member State law, namely:

- 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;
- The competent Appointing Authority in case of a request or a complaint lodged under Articles 90 of the Staff Regulations;
- IDOC in line with Commission Decision of 12 June 2019 laying down general implementing provisions on the conduct of administrative inquiries and disciplinary proceedings - C(2019)4231 and Commission Decision (EU) 2019/165 of 1 February 2019 Internal rules concerning the provision of information to data subjects and the restriction of certain of their data protections rights in the context of administrative inquiries, pre-disciplinary, disciplinary and suspension proceedings;
- OLAF in case of an investigation conducted in application of Regulation (EC) No 1073/1999;
- The Internal Audit Service of the Commission within the scope of the tasks entrusted by article 118 of the Financial Regulation and by article 49 of the Regulation (EC) No 1653/2004;
- The Court of Auditors within the tasks entrusted to it by Article 287 of the Treaty on the Functioning of the European Union of the EC Treaty and Article 20, paragraph 5 of Regulation (EC) No 58/2003;

- The European Ombudsman within the scope of the tasks entrusted to it by Article 228 of the Treaty on the Functioning of the European Union;
- The European Data Protection Supervisor in accordance with Article 58 of the Regulation (EC) 2018/1725;
- The European Public Prosecutor's Office within the scope of Article 4 of Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office;

The transmission will be restricted to the information necessary for the competent entity to carry out its task.

1.9. Transfers of personal data to third countries or international organisations

Not applicable

1.10. Description of security measures

Data in electronic format (e-mails, documents, uploaded batches of data etc.) are stored either on the servers of the European Commission or of CINEA. All processing operations are carried out pursuant to Commission Decision (EU, Euratom) 2017/46 of 10 January 2017 on the security of communication and information systems in the European Commission.

In order to protect personal data, CINEA has put in place a number of technical and organisational measures. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the personal data being processed. Organisational measures include restricting access to the personal data solely to authorised persons with a legitimate need to know for the purposes of this processing operation. Operational instructions are provided to the secretariats of the expert groups,

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The data subjects can delete all cookies that are already on their computer and they can set most browsers to prevent the cookies from being placed. If they do this, however, they may have to manually adjust some preferences every time they visit a website and some services and functionalities may not work as intended.]

1.11. Data Protection Notice

A Data Protection Notice (DPN) relevant to this data processing activity is available on the Register of Commission Expert Groups and Other Similar Entities webpage ([here](#)).