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| Logo of the European Commission, 12 yellow stars on a blue background arranged in a circle and framed by two light grey graphic elements representing the Berlaymont building, which is the headquarter of the European Commission. | EUROPEAN CLIMATE, INFRASTRUCTURE ANDENVIRONMENT EXECUTIVE AGENCY (CINEA)CINEA.D - Natural resources, climate, sustainable blue economy and clean energy**D.3 - Sustainable Blue Economy** |

**Data Protection Notice**
(insert name of the personal data processing activity)

General instructions:

* This template provides the general structure of a data protection notice. It must be customised by the contractor depending on the activity carried out on behalf of the Agency and discussed with the Contract Manager in CINEA before its use.
* The text in black is a standard text.
* The text in blue is instructions only: it must be deleted once read and before the finalisation of the document.
* Options [in square brackets] which are not used are to be deleted. Square brackets are removed if the option is maintained.
* Parts in grey need to be filled in.

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:

*The Head of Unit*

*Unit D.3 – Sustainable Blue Economy*

*European Climate, Infrastructure and Environment Executive Agency – CINEA*

 *W910 5/259*

*B–1049 Brussels*

*Email:* *CINEA-EMFAF-CONTRACTS@ec.europa.eu*

1. The **purpose of the processing** is for the controller and its contractor(s) *(insert name) ([[1]](#footnote-1))* to

*(Insert very concise description of what you intend to achieve, meaning the reason and objective(s) for processing the personal data)*

1. The **data subjects** concerned by this notice are:

*(Insert the type of natural persons concerned by this processing and whose personal data is being processed, e.g.: CINEA staff members, grant beneficiaries, experts, applicants, stakeholders etc.)*

1. The **categories of personal data** collected and used for the processing operations are:

*(Insert the type of personal data used for instance:*

* *Identification data: fist name, last name, position/function;*
* *Date of birth, nationality;*
* *Contact details (e-mail address, business telephone/GSM numbers, fax number, postal address, company and department, country of residence, internet address);*
* *Curriculum vitae*
* *technical skills etc.)*

*(In case personal data have not been obtained from the data subject, please indicate from which source the personal data originate, and if applicable, whether it came from publicly accessible sources)*

1. All **recipients** are on a "need to know" basis. The recipients to whom the personal data will or might be disclosed are::

*(Please insert: Who will have access to the data within the Agency? Who will have access to* the data outside the Agency? For instance:

* *CINEA HR Staff,*
* *Contractor WX)*

In case of audits or proceedings, etc., personal data may be provided to CINEA’s Internal Controller, DPO, Legal Sector, Staff Committee, etc.

In addition, data may be disclosed to public authorities such as for instance the below ones, which may not be regarded as recipient in accordance with Union and Member State law. The processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purpose of the processing:

1. Bodies in charge of a monitoring or an inspection task in application of Union law (e.g. internal audit, IAS, Court of Auditors, etc.);
2. 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;
3. OLAF in case of an investigation conducted in application of Regulation (EC) No 1073/1999;
4. 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;
5. The European Data Protection supervisor in accordance with Article 58 of the Regulation (EC) 2018/1725;
6. 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 contractor(s) will not share your personal data with any third parties without your express consent, except where we may be required to do so by law.

1. **Data Subjects rights**:

You have the right at any time to access, rectify, erase ('right to be forgotten') your personal data. You are also entitled to object to the processing or request for the restriction of the processing.

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.

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

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.

In order to grant or not the data subjects rights, CINEA will carry out a case-by-case assessment of each individual request and give the reasons underlying its decision, considering the type of information held and whether any exceptions of the internal rules are applicable.

The restrictions will continue applying as long as the reasons justifying them remain applicable and may be lifted if these reasons would no longer apply, if the exercise of the restricted right would no longer negatively impact the applicable procedure or adversely affect the rights or freedoms of the data subjects.

1. **How does CINEA protect and safeguard your data?**

*(Please modify as appropriate or discuss with your Contract Manager in CINEA in case of doubts).*

All personal data in electronic format (e-mails, documents, databases, uploaded batches of data, etc.) are stored on the servers of the European Commission, CINEA or of its contractors (and possibly their subcontractors).

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 your 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.

The processors (contractors and their sub-contractors) are bound by a specific contractual clause for any processing operations of your personal data on behalf of the data controller. The processors have put in place appropriate technical and organisational measures to ensure the required level of security.

1. **The legal basis of the processing** **are**:

*(Please discuss with your Contract Manager in CINEA and indicate the legal basis for the processing activity, for instance see below)*

in accordance with Article 5(1)(a) of the Regulation (processing is necessary for the performance of a task carried out in the public interest including for the management and functioning of CINEA) [and Article 5(1)(d) of the Regulation (consent of the

data subject)], notably:

1. 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;
2. 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;
3. Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund and repealing Council Regulations (EC) No 328/2003, (EC) No 861/2006, (EC) No 1198/2006 and (EC) No 791/2007 and Regulation (EU) No 1255/2011 of the European Parliament and of the Council; *(for EMFF)*
4. Regulation (EU) 2021/1139 of the European Parliament and of the Council of 7 July 2021 establishing the European Maritime, Fisheries and Aquaculture Fund and amending Regulation (EU) 2017/1004; *(for EMFAF)*
5. 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 966/2012;
6. Commission Implementing Decision (EU) 2021/173 of 12 February 2021 establishing the European Climate, Infrastructure and Environment Executive Agency, the European Health and Digital Executive Agency, the European Research Executive Agency, the European Innovation Council and SMEs Executive Agency, the European Research Council Executive Agency, and the European Education and Culture Executive Agency and repealing Implementing Decisions 2013/801/EU, 2013/771/EU, 2013/778/EU, 2013/779/EU, 2013/776/EU and 2013/770/EU;
7. 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.
8. The **time limits for keeping** the data are the following:

*(Please discuss with your Contract Manager in CINEA & update as applicable, depending on the type of activity for with the DPN is produced).*

CINEA keeps data in accordance with the 2022 Retention List of the Commission[[2]](#footnote-2) (10 years after the end of the contract/reception of last document). The contractor keeps data in accordance with the time limit agreed with CINEA (xx years after the end of the contract/payment of the balance) *(Please check Art.II.9 and Art.II.24 of your contract).*

1. **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). You have the right to have recourse at any time to the European Data Protection Supervisor (edps@edps.europa.eu).

1. () [The data protection policy of the contractor *[add name]* is available here *[insert link]*] [↑](#footnote-ref-1)
2. SEC (2022) 400 – Ares(2022)8801492 – 19/12/2022 [↑](#footnote-ref-2)