



EUROPEAN CLIMATE, INFRASTRUCTURE AND
ENVIRONMENT EXECUTIVE AGENCY (CINEA)

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: 2020-005/R-HOR-01
Created on (date): 15/11/2019
Last update (date): 28/10/2021

NAME OF THE PROCESSING ACTIVITY

Internal Control Activities

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).

This record replaces notification HOR-1 issued under the repealed Data Protection Regulation 1045/2001

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

1. MANDATORY RECORD UNDER ARTICLE 31 OF THE REGULATION

1.1. Name and contact details of controller

- a. CINEA Department A - Programme Support & Resources
Chaussée de Wavre 910
W910 03/007
BE – 1049 Brussels
- b. The Head of Department A
- c. Email: CINEA@ec.europa.eu

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

CINEA DPO
CINEA-DPO@ec.europa.eu

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

Not applicable

1.4. Name and contact details of processor (where applicable)

Not applicable

1.5. Purpose of the processing

Assessment of the internal control systems of CINEA in particular for verifying the compliance with a set of targets defined in the Internal Control Framework of the Agency, notably the Internal Control Monitoring indicators.

Compliance may not be verified if access to personal data is not granted. This particularly refers to, but not exclusively, access to data of Human Resources nature.

The Internal Control Manager receives mostly lists that allow drawing the bigger picture in relation to a series of aspects that impact the overall internal control system of the Agency. The purpose is not to gather personal data but, by default, in these lists personal data is included.

1.6. Legal basis for the processing

Lawfulness: Article 5.1 (a) (b) of the Regulation:

- (a) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Union institution or body.
- (b) processing is necessary for compliance with a legal obligation to which the controller is subject.

The need for an annual assessment of the presence and effective functioning of internal controls is laid down in Art. 74.9(c) of the EU Financial Regulation², according to which Authorising Officers by Delegation must report on the efficiency and effectiveness of internal control systems, including an overall assessment of the costs and benefits of controls. Furthermore, the annual assessment of internal controls has

² Regulation (EU, Euratom) 2018/1046 of 18 July 2018

traditionally been one of the core characteristics of the Internal Control Frameworks of the European Commission.

The relevant legal basis encompasses:

- 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;
- Commission Regulation 1653/2004, of 21 September 2004, on a standard financial regulation for the executive agencies pursuant to Council Regulation 58/2003 laying down the Statute for executive agencies to be entrusted with certain tasks in the management of Community programmes amended by Commission Regulation 1821/2005 and by Commission Regulation 651/2008;
- Regulation (EU, Euratom) 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, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012;
- Commission Decision (EU) 2018/1520 of 9 October 2018 repealing Delegated Regulation (EU) No 1268/2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union.

1.7. Categories of data subjects

All CINEA Staff

1.8. Categories of personal data

- First name and last name
- Office address/number
- Telephone number (business)
- e-mail (business)
- Information on the attendance to trainings
- Type of contract
- Duration of contract

- Grade
- Access rights to IT tools

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

a) Retention period:

CINEA applies the principles and retention periods indicated in Common Retention List of the Commission³ by analogy. Files covering the definition, adoption, application and coordination of the implementation of internal controls are kept for 7 years. Following this period they are transferred to the historical archives.

b) Storage period:

The storage periods are the same as indicated for the retention period in point 1.9 a).

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

No

1.10. Recipients of the data

- CINEA's internal control manager (and its backup(s))
- Head of Department of risk management and internal control
- The Director of CINEA
- Legal Affairs Sector

In addition, data may be disclosed: to public authorities, which are not regarded as recipient per se 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

³ SEC(2019)900/2

- 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

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

Not applicable

1.12. Description of security measures

Access to data is only possible on a need-to-know basis and for the set purposes. Data is kept confidential and stored in restricted folders. Access is granted only to those whose role and level of responsibility require them to have access.

Access to data is safeguarded by the internal European Commission IT systems, which protect against external users accessing the data. Access to electronic files is protected via the Commission security measures (use of password & ECAS authentication system, etc). The use of SECEM encryption applies where necessary.

CINEA is bound by Commission Decision 2017/46 of 10/1/17 on the security of communications & information systems in the EC.

1.13. Data Protection Notice

A Data Protection Notice (DPN) relevant to this data processing activity is available on the CINEA Intranet:

[https://cineanet.cinea.cec.eu.int/emop/internal-control/internal-control-framework-
assessment](https://cineanet.cinea.cec.eu.int/emop/internal-control/internal-control-framework-
assessment)