



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.

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Record No: 2021-002/ R01-EVA-2
 Created on (date): 9/02/21
 Last update (date): 11/05/21

NAME OF THE PROCESSING ACTIVITY

Processing personal data during evaluation of project proposals for the Innovation Fund Programme

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

² *The Record number in the central register will be provided during the consultation with the DPO*

1. MANDATORY RECORD UNDER ARTICLE 31 OF THE REGULATION

1.1. Name and contact details of controller

- a. CINEA C4 -Innovation Fund
Chaussée de Wavre 910
BE – 1049 Brussels
- b. the Head of Unit C4
- c. Email: CINEA-Innovationfund-calls@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

The purpose of the processing is to enable CINEA to ensure the management and administration of evaluation procedures relating to the EU funded Innovation Fund programme for which the implementation is entrusted to the Agency. This concerns processing of personal data which are necessary for CINEA for such a management and fall outside the scope of the [Funding and tenders opportunities portal of the European Commission](#), which is covered under a specific data protection notice.

1.6. Legal basis for the processing

- 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, 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;
- 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 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;
- Commission delegated Regulation (EU) 2019/856 of 26 February 2019 supplementing Directive 2003/87/EC of the European Parliament and of the Council with regard to the operation of the Innovation Fund;
- Commission Decision C(2020) 8188 of 1 December 2020 amending Decision C(2020) 4352 of 2 July 2020 as regards the launch of the call for proposals for small-scale projects in 2020.

1.7. Categories of data subjects

Proposals submitted by natural persons are not eligible under the Innovation Fund programme. Hence, the personal data handled under this processing concern mainly the data relating to the natural persons (data subjects) who are the legal representatives and/or the contact persons of the entities involved in the grant award procedure (applicants, selected beneficiaries, coordinators, affiliated entities, subcontractors, etc...). Data subjects may also be f the staff involved in the project and for whom personal data relating to expertise and technical skills are included in the project proposals.

1.8. Categories of personal data

- Names;
- Function;
- Contact details (e-mail address, business telephone/GSM numbers fax number, business postal address, company and department, country of business, internet address);
- Expertise & technical skills, which are included in the proposals as regards the staff involved in the project (e.g.: languages, educational background, professional experience, etc.)

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

a) Retention period: In accordance with the 2019 Retention List of the Commission:

- For beneficiaries receiving EU funding, personal data is retained for 10 years after the end of the year following closure of the action.
- For unsuccessful applicants, personal data is retained for up to 5 years after the closure of the call for which the data have been collected or updated.
- For calls with multiple cut-off dates, personal data is retained for up to 5 years after the date of the cut-off following the submission of the proposal.
- In case updates are made to the personal data of legal entities' representatives, the data will be kept for 5 years after their last update.

b) Storage period: same period as above retention period

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

All recipients are on a "need to know" basis:

- CINEA Services in charge of the evaluation process under the Innovation Fund programme and in case of review or proceedings its internal controller, legal service and its DPO;
- Staff of the relevant unit(s) of the Parent DG(s) (e.g. DG CLIMA) and of the Joint Research Centre of the European Commission (JRC) in charge of the Innovation Fund programme ;
- The Translation Service of the Commission if the application is not provided in English by the applicant and translation has to be requested by the Agency;
- External contractors supporting the Parent DG(s) in programme implementation tasks;
- The European Investment Bank (EIB) for the purpose of Project Development Assistance (PDA);
- External experts in charge of evaluating project proposals;
- 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:
 - Bodies in charge of a monitoring or an inspection task in application of Union law (e.g. internal audit, IAS, Court of Auditors, etc.);
 - 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;
 - OLAF in case of an investigation conducted in application of Regulation (EC) No 1073/1999
 - 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

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 via restricted access on an individual need to know basis and through User-ID and password. Personal data resides on the servers of the European Commission, which abide by strict security measures implemented by DG DIGIT to protect the security and integrity of the relevant electronic assets

All EC IT systems are compliant with the Commission Decision (EU, Euratom) 2017/46 of 10 January 2017 on the security of communication and information systems in the European Commission

Access rights and controls are secured via the ECAS (European Commission Authentication Service) granted to persons authorised to get access to specific documents (call management, grant management, etc.). All stakeholders involved in the evaluation and granting process are reminded to use the personal data received only for the purpose for which they were transmitted and not to retain any irrelevant and excessive data received with the proposals ("need to know" principle).

1.13. Data Protection Notice

A Data Protection Notice (DPN) relevant to this data processing activity is available on CINEA website on the page dedicated to Innovation Fund: https://cinea.ec.europa.eu/innovation-fund_en