



EUROPEAN COMMISSION
Executive Agency for Small and Medium-sized Enterprises (EASME)

RECORD OF PERSONAL DATA PROCESSING ACTIVITY

Based on Article 31 of the Regulation (EU) 2018/1725¹ on the protection of natural persons with regards to the processing of personal data by the Union Institutions, bodies, offices and agencies and on the free movement of such data, each responsible EASME data controller has to maintain a record of the processing activities under his/her responsibility.

Record No: R-2019-01 **Initial approval by Data Controller:** [see the date of Ares signature](#)

Previous Notification (if applicable): DPO-2017-08 **Update (s)** (if applicable): n/a

NAME OF THE PROCESSING ACTIVITY

Grant management under the European Maritime and Fisheries Fund - EMFF (outside F&T portal)

IDENTIFICATION OF THE DATA CONTROLLER

Executive Agency for Small and Medium-sized Enterprises (EASME), Head of Unit A.3 EMFF.

GROUND FOR THIS RECORD (select relevant ground)

- Record of a new type of processing activity of personal data (before its implementation)
- Record of a processing activity of personal data that is already in place (ex-post)
- Change/Amendment/ Update of an already existing previous record (or previous notification to DPO)

DESCRIPTION OF THE PROCESSING ACTIVITY

Personal data gathered by the EASME in the framework of the calls for proposals, applications for funding, evaluation, grant agreement preparation, management including payment and follow-up of European Maritime and Fisheries Fund - EMFF (2014-2020)¹.

Applications are received in both paper and electronic format (on USB sticks or CD rooms attached to their paper proposal) in response to calls for proposals under the EMFF programme, if necessary with the participation of an Opening or Ad-hoc Committee for examination of the cases of late or failed submission. Proposals are evaluated against the admissibility/eligibility, exclusion, selection and award criteria by an Evaluation Committee appointed by the authorising officer and composed of EASME and parent (or other) DG staff and with the contributions of external experts evaluators (whenever needed).

In case a grant is awarded, grant agreement for actions, either with a single beneficiary or with multiple beneficiaries.

¹ [Regulation \(EU\) 2018/1725](#) of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295/39 of 21.11.2018).

Rejected applicants are informed as soon as possible of the outcome of the evaluation of their application, at the latest within 15 calendar days after information has been sent to successful applicants.

Unsuccessful applicants are informed on the possibility to request a review of the admissibility/ eligibility or the evaluation of their proposal². Specific Review Committees are appointed by the Authorising Officers of the Agency to advise him/her on alleged procedural shortcomings. The Review Committee members are staff of the Agency and the competent parent DG and sign a declaration of absence of conflict of interest and confidentiality (see Annex V).

In general, applications have to be submitted by the legal representatives of the legal person entities applying for funding, including personal information of applicants or beneficiaries' or sub-contractors' staff taking part in the action.

1. INFORMATION ON THE PROCESSING ACTIVITY of Grant management under the European Maritime and Fisheries Fund - EMFF (outside F&T portal)

This processing activity is performed in accordance with **Regulation (EU) No 2018/1725**² on the protection of individuals with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data.

1.1. The Data Controller is:

Head of Unit A.3 at the Executive Agency for Small and Medium-sized Enterprises (EASME), Place Charles Rogier 16, B-1049 Brussels and can be contacted at: EASME-EMFF-CALLS@ec.europa.eu.

1.2. The following entity(ies) is/are acting as Processor(s): Not applicable

1.3. The legal basis for the processing based on Article 5(1) of Regulation 2018/1725:

- (a)** the 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 body³;
- (a2)** the processing is necessary for the **management and functioning** of the Union Institutions or bodies (Recital (22) of Regulation 2018/1725) ;
- (b)** the processing is necessary for **compliance with a legal obligation** to which the controller is subject, which are publication of beneficiaries' data to comply with EASME's obligation to publish information on the beneficiaries of funds deriving from the budget of the Union;
- (c)** the processing is necessary for the **performance of a contract** to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- (d)** the data subject has given **consent for non-mandatory personal data** to the processing of his or her personal data for one or more specific purposes;
- (e)** the processing is necessary in order to protect the **vital interests** of the data subject or of another natural person.

1.4. The purpose(s) of this processing is/are to:

The personal data collected by the EASME has the purpose of allowing the EASME to manage the proposals for funding under the EMFF programme all along the project lifecycle, in particular³:

- Receipt, registration and acknowledging of receipt of grant proposals.
- Compliance checks against the admissibility, exclusion, eligibility and selection criteria.
- Evaluation of proposals and their ranking, including information sharing with independent external experts and members of the evaluation committee, including staff of DG MARE and other DGs of the European Commission.
- Communication with the applicants and beneficiaries, related to the proposals, grant or related to the programme; follow-up activities of the event/related to the topic of the event, including feedback collection and specific, related communication activities.
- Grant agreement preparation and management.

² [Regulation \(EU\) 2018/1725](#) of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295/39 of 21.11.2018).

³ EASME Act of Establishment: Commission Implementing Decision C(2013/771/EU) of 17 December 2013 establishing the 'Executive Agency for Small and Medium-sized Enterprises' and repealing Decisions 2004/20/EC and 2007/372/EC and 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 2328/2003, (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 (OJ L 149/1 of 20.5.2014) (EMFF programme).

- Financial management including transactions in the Commission's accounting system and payment.
- Publication of project summaries.
- Statistics, reporting and information relating to management, monitoring, policy feedback, mid-term and final assessment of the EMFF programme and other initiatives such as EASME project mapping, EASME client's (beneficiaries/contractors) satisfaction surveys and similar.
- Security clearance for access to Agency and Commission building.

1.5. The categories of data subjects concerned by this processing are:

Data subjects can be either citizens or residents of the European Union or third countries and are: 1) 'Key personnel', i.e. responsible managers and other staff of the applicant or beneficiary participating in the action; 2) Legal representatives of applicants or beneficiaries; 3) Contact persons / coordinator of applicants or beneficiaries; 4) Staff of sub-contractors.

1.6. The following personal data are collected:

The following mandatory personal data are collected:

- identification data: First name, last name; Position/function; Date of birth, nationality, 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;
- VAT number (if applicable); Bank account details of the Organisation (Legal Entity Form and Bank Account Form of the European Commission) which can only include the identification data of the legal representative;
- Declaration on the honour that the person does not fall within exclusion criteria;
- Curriculum vitae containing the following: the relevant experience, employment history, education, academic background, training, personal skills, competences, languages, technical skills;
- Staff category which may include hourly rates;

Data is provided directly by the data subjects or the organisations they belong to. EASME staff members collecting these data are aware that only relevant and necessary data may be processed

The above mentioned personal data are **mandatory** for the purpose(s) outline above. In addition, **non-mandatory** personal data might be collected during the project implementation for example pictures, web streaming of events or videos.

1.7. The recipients to whom of the personal data will or might be disclosed are:

- The Controller (Head of Unit EMFF), Deputy Head of Unit, Head of Sectors EMFF,
- The Director of the Agency, Head of Department A,
- The EASME staff members, who take part in the evaluation of EMFF proposals and in the monitoring and control of EMFF project implementation (project officers and advisers, financial officers, legal officers, officers in charge of audit), or who assisted the evaluation committee (SEC),
- External expert evaluators,
- Staff of the parent DG MARE involved in the evaluation of proposals.
- EASME & Commission staff as members of Ad hoc & Review Committees and Commission staff on need to know basis as well as
- bodies charged with monitoring or inspection tasks in application of EU law (e.g. internal audits, European Anti-fraud Office – OLAF).

1.8. Personal data will not be transferred to third countries or international organisations.

1.9. The processing of this personal data will not include automated decision-making (such as profiling).

1.10. The following technical and organisational security measures are in place to safeguard the processing of this personal data:

Personal data is stored on password protected computers on files with restricted access on servers of the Controller/Commission and in locked cupboards. IT tools use of EU login protection and access rights restrictions apply. All servers used by the Agency/Commission abide by the European Commission's security decision of 16 August 2006 (C(2006) 3602) on the security of information systems used by the European Commission. Members of the Committees sign a declaration of confidentiality and of absence of conflict of interests, including external expert evaluator and observers. Access to the building is subject to security clearance.

1.11. The personal data concerned will be kept for a maximum period of ten years after the end of the EMFF programme for successful grant applicants.

For unsuccessful applicants **five years** after the end of the particular procedure to allow for all possible appeals. This applies also to data contained in previous outdated versions of proposals and in withdrawn proposals. Data will be deleted at the end of this period.

1.12. Data Subjects are informed on the processing of their personal data via a **data protection notice on their rights** :

- to access their personal data held by a controller;
- to request their personal data held by a controller to be corrected;
- to obtain in some situations erasure of their personal data held by a controller, e.g. when data are held unlawfully (right to be forgotten);
- to withdraw consent at any time, without affecting the lawfulness of processing based on consent before its withdrawal;
- **of recourse** at any time to the **EASME Data Protection Officer** at EASME-DPO@ec.europa.eu and to the **European Data Protection Supervisor** at <https://edps.europa.eu>.

In case of pre-investigations linked to potential irregularities or OLAF investigations, some restrictions based on Article 25 of Regulation 2018/1725 may be put in place for example the right to request access or erasure of personal data held by the data controller or the right to be forgotten in order not to infringe the OLAF investigation .

Request from a data subject to exercise a right will be dealt within **one month**.

Any queries concerning the processing of personal data, have to be addressed to the Data Controller indicated above in 1.1. at EASME-EMFF-CALLS@ec.europa.eu.
