



Data Protection Notice

For the processing of Personal Data for grant management under the legacy LIFE+ programme (outside Funding & Tender Opportunities Portal)

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:

a) CINEA Unit D.2

Chaussée de Wavre 910

W910 03/011

BE – 1049 Brussels

b) Person responsible for the processing: The deputy Head of Unit D2

c) Email: CINEA-LIFE-ENQUIRIES@ec.europa.eu

2) The **purpose of the processing**

The purpose of this processing is to collect personal data by CINEA and its contractor Neemo EEIG¹ to:

- allow the management and implementation of grants under the 2014-2020 LIFE programme throughout the whole project lifecycle;
- allow the selection and management of experts to monitor projects.

in particular:

- Grant agreement management;
- 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 LIFE programme and other initiatives such as project mapping, client's (beneficiaries/contractors) satisfaction surveys and similar;
- Security clearance for access to Agency and Commission building where applicable;
- Organisation of on-line meetings with project beneficiaries and experts where applicable.

3) The **data subjects** concerned by this notice are:

Under this programme, grants is not provided to natural persons but to legal entities.

Data subjects can be either citizens or residents of the European Union or third countries and are:

- Legal representatives of beneficiaries;

¹ Data protection policy of the contractor Neemo is available here:

<https://neemo.eu/wp-content/uploads/2021/04/NEEMO-Data-protection-policy.pdf>

- Contact persons / coordinator of beneficiaries;
- 'Key personnel', i.e. responsible managers and other staff of the beneficiary participating in the action;
- Staff of sub/contractors;
- Authorised staff of the European Commission or of the Agency,
- experts to support proposal evaluation and grant management.

4) The **categories of personal data** collected and used for the processing operations are:

The following mandatory personal data are collected:

- Identification data: first name, last name, position/function, date of birth, nationality, (may be requested with CVs, see below), 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 of the organisation (if applicable), bank account details of the organisation/expert (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;
- Declaration of absence of conflict of interest and confidentiality;
- Curriculum vitae containing the following: the relevant experience, employment history, education, academic background, training, personal skills, competences, languages, technical skills, date of birth, nationality;
- Staff categories, which may include hourly rates (timesheets).

Data is provided directly by the data subjects or the organisations they belong to. Authorised staff of the Agency and its and monitoring contractors 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) outlined above. In addition, **non-mandatory** personal data might be collected during the project implementation for example pictures, web streaming of events or videos, which are needed for communications purposes on project outcomes.

5) The **recipients** of the data are:

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

For the purpose detailed above, access to project proposal and the personal data they include is given on a need to know basis to the following persons:

- authorised Commission and Agency staff;
- Experts and staff of the contractors who work on behalf of the Agency for the purposes of grant management;
- Members of the public but only for information concerning the contact person of the beneficiary for each financed proposal, via the LIFE public database available on the LIFE website: <https://webgate.ec.europa.eu/life/publicWebsite/index.cfm>.

In addition, data may be disclosed to public authorities in accordance with Union and Member State law such as 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, Investigation and Disciplinary Office of the European Commission (IDOC), the competent Appointing Authority in case of a request or a complaint lodged under Articles 90 of the Staff Regulations, European Anti-Fraud Office (OLAF), the Internal Audit Service of the Commission, the Court of Auditors, the European Ombudsman, the European Data Protection Supervisor and the European Public Prosecutor's Office.

6) Data Subjects rights:

- You have the right at any time to access, rectify, and/or 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.

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

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.

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.

7) **How does CINEA protect and safeguard your data?**

The following technical and organisational security measures are in place to safeguard the processing of this personal data: the Agency stores personal data on password protected computers in files with restricted access on servers of the Agency/Commission and in locked cupboards in personal offices or archives. IT tools use EU login protection and access rights restrictions apply. The Agency is subject to the European Commission's security Decision 2017/46 of 10 January 2017 on the security of information systems used by the European Commission. The contractor abides to similar rules via contractual obligations. Experts sign a declaration of confidentiality, Access to the building is subject to security clearance, including for the contractor.

8) **The legal basis of the processing are:**

- 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 1293/2013 of the European Parliament and of the Council of 11 December 2013 establishing a Programme for the Environment and Climate Action (LIFE), and repealing Regulation (EC) No 614/2007;
- 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 66/2012.

9) The **time limits for keeping** the data are the following:

- Files relating to grant procedures, including personal data, are to be retained in the service in charge of the procedure until it is finalised, and in the archives for a period of 10 years following the end of the implementation of the grant agreements or decisions. However, applications from unsuccessful applicants have to be kept only for 5 years following the finalization of the call;
- Extract from judicial records are kept up to 2 years after the finalisation of the call;
- Until the end of a possible audit if one started before the end of the above period;
- After the period mentioned above has elapsed, the grant files containing personal data are sampled to be sent to the historical archives of the Commission for further conservation. The non sampled files are destroyed.

10) 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).