



PROTECTION OF YOUR PERSONAL DATA

This privacy statement provides information about the processing and the protection of your personal data

Processing operation: DG GROW NOISE

Data Controller: European Commission, Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs, Unit H.2, Machinery & Equipment (hereinafter “DG GROW Unit H.2” or the “Data Controller”)

Record reference: DPR-EC-00084

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1. Introduction

The European Commission (hereafter ‘the Commission’) is committed to protect your personal data and to respect your privacy. The Commission collects and further processes personal data pursuant to [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 (repealing Regulation (EC) No 45/2001).

This privacy statement explains the reason for the processing of your personal data, the way we collect, handle and ensure protection of all personal data provided, how that information is used and what rights you have in relation to your personal data. It also specifies the contact details of the responsible Data Controller with whom you may exercise your rights, the Data Protection Officer and the European Data Protection Supervisor.

The information in relation to processing operation “DG GROW NOISE” (hereinafter “NOISE Application”), undertaken by the Data Controller is presented below.

2. Why and how do we process your personal data?

The Data Controller processes your personal data to comply with the requirements set in the Directive 2000/14/EC on Noise Emissions by Outdoor Equipment, Article 16 on collection of noise data. The NOISE Application allows manufacturers, or their authorised representatives, to register their noise emission related EC declarations of conformity (DoC) for equipment placed on the EU market. It also permits Member State authorities and third-party conformity assessment bodies (notified bodies) to consult and assess the received EC declarations of conformity.

The NOISE Application also intends to allow the Commission services to publish the relevant technical information on the characteristics and performances of equipment, collected from the EC declarations of conformity, through a public output made available on the Commission’s sectoral webpage in EUROPA.

The publication of the relevant technical information on the characteristics and performances of equipment, collected from the **DoCs** and made available on the [sectoral website on EUROPA](#), does not imply disclosure of any personal data of the users of the **NOISE** application.

Your data will not be used for an automated decision-making, including profiling.

3. On what legal ground(s) do we process your personal data?

We process your personal data, because processing is necessary for compliance with a legal obligation to which the controller is subject (Article 5(1)(b) of Regulation (EU) 2018/1725), as well as the economic operators (manufacturers and their authorised representatives) according to Article 16 of Directive 2000/14/EC relating to the noise emission in the environment by equipment for use outdoor, which is based on Article 95 of the EC Treaty (now replaced by Article 114 of the TFEU) concerning the approximation of the laws of the Member States in order to prevent obstacles to the free movement of goods.

4. Which personal data do we collect and further process?

In order to carry out this processing operation, the Data Controller processes the following categories of personal data:

- Authentication data from your EU Login: covered by record DPR-EC-03187 (see the respective [privacy statement](#)).
- Authentication data to provide you access to the IT system (mandatory) for:
 - Manufacturer: your role in the NOISE Application, your company name, your address, your post code, your city, your telephone, your country and the starting date;
 - Technical keeper: your role in the NOISE Application, your first name, your last name, your company name, your address, your city, your country and your e-mail;
 - Authorised representative: your role in the NOISE Application and your name.

- Data to register noise emission related EC declarations of conformity for equipment placed on the market (mandatory): name of the legal declarant in the company, position or job title.
- Contact and profile data (optional): contact person, department, telephone, fax, e-mail, department, physical address.

We have obtained your personal data from you or another Commission department (NANDO database for Notified Bodies).

5. How long do we keep your personal data?

The Data Controller only keeps your personal data for the time necessary to fulfil the abovementioned purpose. For each of the categories of personal data that is processed, please find below the retention details:

- Authentication data and data to register EC declarations of conformity will be kept in the IT system until the user or economic operator does not delete (or ask to delete) them;
- The optional data mentioned above can be deleted at any moment upon your request, as it is not necessary for getting access to the platform itself.

6. How do we protect and safeguard your personal data?

All personal data in electronic format (e-mails, documents, databases, uploaded batches of data, etc.) are stored on the servers of the European Commission. All processing operations are carried out pursuant to the [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, the Commission 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.

7. Who has access to your personal data and to whom is it disclosed?

Access to your personal data is provided to the Commission staff responsible for carrying out this processing operation and to authorised staff according to the “need to know” principle. Such staff abide by statutory, and when required, additional confidentiality agreements.

Please note that pursuant to Article 3(13) of Regulation (EU) 2018/1725 public authorities (e.g. Court of Auditors, EU Court of Justice) which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients. The further processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing.

The information we collect will not be given to any third party, except to the extent and for the purpose we may be required to do so by law.

8. What are your rights and how can you exercise them?

You have specific rights as a ‘data subject’ under Chapter III (Articles 14-25) of Regulation (EU) 2018/1725, in particular the right to access, rectify or erase your personal data and the right to restrict the processing of your personal data. Where applicable, you also have the right to object to the processing or the right to data portability.

You have the right to object to the processing of your personal data, which is lawfully carried out pursuant to Article 5(1)(a), on grounds relating to your particular situation.

You can exercise your rights by contacting the Data Controller, or in case of conflict the Data Protection Officer. If necessary, you can also address the European Data Protection Supervisor. Their contact information is given under Heading 9 below.

Where you wish to exercise your rights in the context of one or several specific processing operations, please provide their description (i.e. their Record reference(s) as specified under Heading 10 below) in your request.

Any request for access to personal data will be handled within one month. Any other request mentioned above will be addressed within 15 working days.

9. Contact information

- The Data Controller

If you would like to exercise your rights under Regulation (EU) 2018/1725, or if you have comments, questions or concerns, or if you would like to submit a complaint regarding the collection and use of your personal data, please feel free to contact the Data Controller,

European Commission - Unit GROW H.2 - Machinery & Equipment - E-mail: GROW-H2@ec.europa.eu and GROW-DIR-NOISE@ec.europa.eu.

- The Data Protection Officer (DPO) of the Commission

In case of disagreement with the Data Controller, you may contact the Data Protection Officer (DATA-PROTECTION-OFFICER@ec.europa.eu) with regard to issues related to the processing of your personal data under Regulation (EU) 2018/1725.

- The European Data Protection Supervisor (EDPS)

You have the right to have recourse (i.e. you can lodge a complaint) to the European Data Protection Supervisor (edps@edps.europa.eu or https://edps.europa.eu/data-protection/our-role-supervisor/complaints_en) if you consider that your rights under Regulation (EU) 2018/1725 have been infringed as a result of the processing of your personal data by the Data Controller.

10. Where to find more detailed information?

The Commission DPO publishes the register of all processing operations on personal data by the Commission, which have been documented and notified to him. You may access the register via the following link: <http://ec.europa.eu/dpo-register>.

This specific processing operation has been included in the DPO's public register with the following record reference: DPR-EC-00084.