PROTECTION OF YOUR PERSONAL DATA

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

Processing operation: Technical Regulation Information System (TRIS)

Data Controller: European Commission - DG GROW (DIRECTORATE-GENERAL FOR INTERNAL MARKET, INDUSTRY, ENTREPRENEURSHIP AND SMES) / Directorate B / Unit B.2 - Prevention of Technical Barriers

Record reference: DPO-3705 (DPR-EC-00149 upcoming)

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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 reasons for the processing of your personal data, the way the Commission collects, handles and ensures 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 in the context of Technical Regulation Information System (TRIS) 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 implement Directive (EU) 2015/1535 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services. The data processing is intended to inform you about draft national technical regulations and allow you to participate in the procedure established by Directive (EU) 2015/1535.

In this context:

(i) The Technical Regulation Information System (TRIS) supports all the notification procedure under Directive (EU) 2015/1535, from the moment in which a Member State (or EEA Member, Switzerland or Turkey) notify a draft technical regulation until the moment in which the notification process is closed either because the notification is withdrawn or because the final text is notified. In particular, the data controller collects and uses personal information of national contact points in charge of the implementation of Directive (EU) 2015/1535 to:

- Manage user access to TRIS.

- Enable users to upload the relevant draft national technical regulations and thus proceed to their formal notification; to follow up to and participate in the notification process; and to react to the notifications made by Member States.

(ii) The contact information of Member States’ and Commission’s staff responsible for the implementation of Directive (EU) 2015/1535 is made public alongside the public TRIS, to facilitate the provision of information on notification procedures and the organisation of ad-hoc meetings when required by the complexity or importance of a notification.

(iii) Any third party can subscribe to receive automatic TRIS alerts of new notifications in certain Member States or fields, which imply the processing of the relevant personal data.

(iv) Personal data is processed for ensuring an adequate organization, follow-up, communication and promotion of the meetings of the Committee established by Article 2 of Directive (EU) 2015/1535. This includes, for example, the management of lists and mailings-lists for contacts, invitations and distribution of reports/minutes; the management of attendance lists; the feedback on reports, meetings follow-up and presentations; as well as audio recording of speakers and participants.

In any of these scenarios, your data will not be used for an automated decision-making, including profiling.
Please note that only information related to an identified or identifiable natural person is considered personal data for these needs. Therefore, for example, functional mailboxes, telephone numbers or postal addresses not related to an identified person are not personal data.

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

We process your personal data because processing is necessary for the compliance with the obligations laid down in Articles 2, 3, 5 and 6 of Directive (EU) 2015/1535.

Processing operations linked to restricted TRIS users’ access, alert subscription and publication of contact details in the website and in the restricted TRIS, as well as voice recordings during the Committee meeting and disclosure of e-mails addresses in communications between the Commission and Member States’ staff for the needs of the Committee, take place based on the explicit consent of the data subject. The data subjects give their consent via a clear affirmative act by respectively subscribing to the TRIS alert or answering to a consent request.

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

In order to carry out the above processing operations, the following personal data is processed:

1. For access to restricted TRIS by Member States users, from your EU Login (mandatory data):
   - Your surname
   - Your given name
   - Your telephone number/fax
   - Your department
   - Your location or physical address
   - Your EU Login ID
   - Your email address

2. For access to restricted TRIS by Commission department users (mandatory data):
   - Your surname
   - Your given name
   - Your telephone number/fax
   - Your department
   - Your internal address
   - Your Extranet login
   - Your password

3. For making public contact information of national contact points (optional data):
   - Your surname
• Your given name
• Your telephone number/fax
• Your position or job title
• Your department
• Your location or physical address
• Your country
• Your email address

4. For your subscription to the TRIS alert system (mandatory data):
• Your email address
• Your country of origin
• Your organisation
• Your preferred language

5. For the meetings of the Committee established by Article 2 of Directive (EU) 2015/1535 (mandatory data):
• Your surname
• Your given name
• Your department
• Your country
• Your email address
• Your signature
• Your voice recording

Also the following data may be processed for those Committee meetings (optional):
• Your telephone number
• Your position or job title
• Your location or physical address

In addition, for access control purpose by security guards to the Commission's premises (mandatory data), see record DPO-26381:
• Your identity/passport number and its expiration date
• Your date of birth

Also, as member/observer of a Commission Experts Group, some of your personal data (listed in record DPO-21942) may be made publicly available in the Commission's Register of Expert Groups (http://ec.europa.eu/secretariat_general/regexp/) for as long as the membership upholds and/or until removal from the public site is requested, in view of the transparency policy of the European Institutions and the need to inform the public of the identity and qualifications of the experts advising the Institution.

1 http://ec.europa.eu/dpo-register/detail/DPO-2638-4
2 http://ec.europa.eu/dpo-register/detail/DPO-2194-8
As regards your participation in a CIRCABC community group, see record DPO-10083.

Finally, to make the TRIS website work properly, the Commission sometimes places small data files called cookies on your device, which do not aim at collecting your personal data or profile. You can consult the Commission cookies policy here: http://ec.europa.eu/growth/cookies/

5. How long do we keep your personal data?

The Data Controller only processes and keeps your personal data for the time necessary to fulfil the purpose of guaranteeing your participation in the notification procedure under Directive (EU) 2015/1535, your information about the notifications and, where relevant, your participation in Committee meetings organised for the purposes of implementing the Directive. Therefore, your personal data will be deleted within one month after we are informed that that you are no longer responsible for the implementation of Directive (EU) 2015/1535 or that you no longer need access to the Technical Regulation Information System (TRIS).

The optional data mentioned above can be deleted at any moment upon your request, as it is not necessary for getting access to the database itself.

You can unsubscribe to the TRIS alerts at any moment at the following website: http://ec.europa.eu/growth/tools-databases/tris/en/the-20151535-and-you/being-informed/mailing-list/unsubscribe/.

Personal data related to access to the Commission’s premises, attendance lists of meetings and audio recordings will be deleted from the Data Controller’s files one year after the respective meeting.

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.

3 http://ec.europa.eu/dpo-register/detail/DPO-1008-4
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, for the needs of restricted TRIS, to authorised staff in Member States according to the “need to know” principle. Such staff abide by statutory, and when required, additional confidentiality agreements.

Personal data of the national contact points may be published upon consent on http://ec.europa.eu/growth/tools-databases/tris/en/ to enable any third interested party to contact them, residing in the EU or in third countries.

The Data Controller does not share personal data with third parties for direct marketing.

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 consented to publish or provide your non-mandatory personal data to DG GROW Unit B2 for some of the above processing operation. You can withdraw your consent at any time by notifying the Data Controller at GROW-DIR2015-1535-CENTRAL@ec.europa.eu. The withdrawal will not affect the lawfulness of the processing carried out before you have withdrawn the consent.

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.

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 B2 – Prevention of Technical Barriers - E-mail: GROW-DIR2015-1535-CENTRAL@ec.europa.eu
- The Data Protection Officer (DPO) of the Commission

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) 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 Data Protection Officer (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: DPO-3705 (DPR-EC-00149 upcoming).