

Lisbon 05 Aug 2021

RECORDING OF PROCESSING ACTIVITY

NOTIFICATION TO THE DATA PROTECTION OFFICER (ARTICLE 31 REGULATION 2018/1725)

NAME OF PROCESSING ACTIVITY¹:

6th MED Implementing Regulation – Online consultation with EU MS Authorities for MED, ETFA MS Authorities for MED and MED related Industry Representatives (NB, ILAMA, SEaEurope and CIRM)

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| 1) Controller(s) ² of data processing operation (Article 31.1(a)) |
| <p>Controller: European Maritime Safety Agency (EMSA)</p> <p>Organisational unit responsible³ for the processing activity: Unit 2.1</p> <p>Contact person: Francisco Broissin, Senior Project Officer for Marine Equipment, Francisco.Broissin-Capo@emsa.europa.eu</p> <p>Data Protection Officer (DPO): Radostina Nedeva-Maegerlein: dpo@emsa.europa.eu</p> |
| 2) Who is actually conducting the processing? (Article 31.1(a)) ⁴ |
| <p>The data is processed by EMSA itself <input checked="" type="checkbox"/></p> <p>The organisational unit conducting the processing activity is: 2.1.</p> |
| <p>The data is processed by a third party (contractor) or the processing operation is conducted together with an external third party <u>indicate third party</u> <input type="checkbox"/> NO</p> <p>Contact point at external third party (e.g. Privacy/Data Protection Officer): Not applicable (N.A)</p> |

¹ **Personal** data is any information relating to an identified or identifiable natural person, i.e. someone who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity. This information may, for example, be the name, date of birth, a telephone number, biometric data, medical data, a picture, professional details, etc.

Processing means any operation or set of operations which is performed on personal data, whether or not by automatic means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

² In case of more than one controller (e.g. joint operations), all controllers need to be listed here

³ This is the unit that decides that the processing takes place and why.

⁴ Is EMSA itself conducting the processing? Or has a provider been contracted?

3) Purpose of the processing (Article 31.1(b))

Why are the personal data being processed? Specify the rationale and underlying reason for the processing and describe the individual steps used for the processing.

- EMSA provides the Commission with technical and scientific advice for the yearly update of the Marine Equipment Directive Implementing Regulation (MED IR) addressing the requirements for the certification of over 300 pieces of equipment according to their relevant testing standards and follow up of factory productions.
- In order to do this project the Unit 2's Marine Equipment Team has the task of carrying out a yearly consultation on the draft text for the next MED IR among the EU MS Representatives, EFTA MS Representatives and Industry Representatives, (NB management, ILAMA, SEaEurope and CIRM)
- The said activity is planned to work online from 15 August 2021 to 30 September 2021 and the registration of the participants need to be processed for them to get access to the discussion online during the said period of time at 6th MED IR - Home Page (emsa-cloud.org) running from the EMSA Cloud.

4) Lawfulness of the processing (Article 5(a)–(d)): Processing necessary for:

Mention the legal basis which justifies the processing

- (a) a task carried out in the public interest or
in the exercise of official authority vested in EMSA **as per Article 2 'Core tasks of the Agency'**
(including management and functioning of the institution) ☐ ✓

(Examples of legal basis: e.g. Article 2 'Core tasks of the Agency', par.4 b) EMSA founding regulation)

- (b) compliance with a legal obligation to which EMSA is subject ☐ **N.A.**

- (c) necessary for the performance of a contract with the data subject or for the preparation of such a contract ☐ **N.A.**

Important Note

Consent may not be the most appropriate legal basis, in particular in the employment context. However, if you wish to use consent as legal basis, ensure that it complies with the following: it must be freely given, specific, informed and unambiguous consent. Contact the DPO if you need further clarifications.

- (d) Data subject has given consent (*ex ante*, explicit, informed) ☐ **N.A.**

Describe how consent will be collected and where the relevant proof of consent will be stored

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|---|--|
| | |
| 5) Description of the categories of data subjects (Article 31.1(c)) <i>Whose personal data are being processed?</i> | |
| EMSA staff (Designated EMSA only: Francisco Broissin, Przemek Torlop, Santiago Encabo, Marton Papp, Ioannis Mispinas, and Leendert Bal) | <input type="checkbox"/> <input checked="" type="checkbox"/> |
| Non-EMSA staff (contractors staff, external experts, trainees) EU MS Representatives, EFTA MS Representatives and Industry Representatives, (NB management, ILAMA, SEaEurope and CIRM) | <input type="checkbox"/> <input checked="" type="checkbox"/> |
| Visitors to EMSA building | <input type="checkbox"/> N.A. |
| Relatives of the data subject | <input type="checkbox"/> N.A. |
| Other (please specify): None | |
| 6) Categories of personal data processed (Article 31.1(c)) <i>Please tick all that apply and give details where appropriate</i> | |
| (a) General personal data: The personal data contains: | |
| Personal details (name, represented Institution/Organization and email address) | <input type="checkbox"/> <input checked="" type="checkbox"/> |
| Education & Training details | <input type="checkbox"/> N.A. |
| Employment details | <input type="checkbox"/> N.A. |
| Financial details | <input type="checkbox"/> N.A. |
| Family, lifestyle and social circumstances | <input type="checkbox"/> N.A. |
| Goods or services provided | <input type="checkbox"/> N.A. |

Other (please give details): **None.**

(b) **Sensitive personal data** (Article 10)

The personal data reveals:

Racial or ethnic origin ☐ **N.A.**

Political opinions ☐ **N.A.**

Religious or philosophical beliefs ☐ **N.A.**

Trade union membership ☐ **N.A.**

Genetic, biometric or data concerning health ☐ **N.A.**

Information regarding an individual's sex life or sexual orientation ☐ **N.A.**

Important Note

If you have ticked any of the sensitive data boxes, please contact the DPO before processing the data further.

7) Recipient(s) of the data (Article 31.1 (d))

Recipients are all parties who have access to the personal data

Data subjects themselves ☐ **✓**

EU MS Representatives, EFTA MS Representatives and Industry Representatives, (NB management, ILAMA, SEaEurope and CIRM)

Managers of data subjects ☐ **N.A.**

Designated EMSA staff members ☐ **✓**

(They are six people: Francisco Broissin, Przemek Torlop, Santiago Encabo, Marton Papp, Ioannis Mispinas, and Leendert Bal)

Designated Contractors' staff members ☐ **N.A.**

Other (please specify): **NONE**

8) Transfers to third countries or recipients outside the EEA (Article 31.1 (e))

If the personal data are transferred outside the European Economic Area, this needs to be specifically mentioned, since it increases the risks of the processing operation.

Data are transferred to third country recipients:

Yes ☐

No ☒

If yes, specify to which country:

If yes, specify under which safeguards:

Adequacy Decision of the European Commission ☐ **N.A.**

Standard Contractual Clauses ☐ **N.A.**

Binding Corporate Rules ☐ **N.A.**

Memorandum of Understanding between public authorities ☐ **N.A.**

Important Note

If no safeguards are applicable, please contact the DPO before processing the data further.

9) Technical and organisational security measures (Article 31.1(g))

Please specify where the data are stored during and after the processing

How is the data stored?

EMSA network shared drive

☐ **NO**

Outlook Folder(s)

☐ **NO**

Hardcopy file

☐ **NO**

Cloud (give details, e.g. public cloud)

☒ **✓**

EMSA Cloud [6th MED IR - Home Page \(emsa-cloud.org\)](https://emsa-cloud.org)

Servers of external provider

☐ **NO**

Other (please specify): **NONE**

10) Retention time (Article 4(e))

How long will the data be retained and what is the justification for the retention period? Keep in mind that there are pre-determined retention periods for most types of files. Those are explained in the Records Management Policy and Procedure of the Agency. You can check EMSA Records Management Policy and Procedure at the Intranet of the Agency.

All the Personal Data of the participants in the online consultation (OLC) for the making of the 6th MED IR are expected to be eliminated on 1 Oct 2021 at 00:15.

**Thank you for completing the form.
Now please send it to the DPO using the ARES workflow**