

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

NAME OF PROCESSING ACTIVITY: **Management of the external consultation survey for the draft European Maritime Safety Report (EMSAFE)**

1) Controller(s) of data processing operation (Article 31.1(a))
<p>Controller: European Maritime Safety Agency (EMSA)</p> <p>Organisational unit responsible for the processing activity: Unit 2.1 Safety and Security</p> <p>Contact: DPO-Queries-Dept3@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))
<p>The data is processed by EMSA itself <input checked="" type="checkbox"/></p> <p>The organisational unit conducting the processing activity is: Unit 2.1 Safety and Security</p>
<p>The data is processed by a third party (contractor) or the processing operation is conducted together with an external third party <input checked="" type="checkbox"/></p> <p>European Commission for the use of the EU Survey: EUSurvey - Privacy Statement</p> <p>Contact point at external third party (e.g. Privacy/Data Protection Officer): data-protection-officer@ec.europa.eu</p>

3) Purpose of the processing (Article 31.1(b))
<p><i>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.</i></p>
<p>EMSA publishes the European Maritime Safety Report (EMSAFE) every three years to provide a factual and comprehensive overview of various aspects of maritime safety in the EU. The report serves as a foundation for identifying challenges and opportunities in the sector. It covers a broad range of maritime safety topics, including an in-depth analysis of key technical areas such as the role of the flag States, port State control, accident investigation and emerging overarching topics such as MASS and alternative fuels safety.</p>

The report is prepared by EMSA using data collected from multiple internal and industry databases. The drafting process is enriched through consultations with the maritime community and stakeholders. To involve the maritime community in shaping the report, a survey will be launched via the online platform EU Survey.

The survey is designed to be anonymous, and participants are not required to provide personal data. However, participants may choose to voluntarily provide their name, email address, and organisation, provided they have been informed of the privacy statement, which will be made available for download within the survey. The provision of personal data is entirely optional and does not preclude the participant's ability to complete the survey. If a participant chooses to provide their contact information, it will be used solely for the purpose of following up on their input (if applicable). Participants may also be contacted after the publication of the EMSAFE report, for up to three years, during the preparation of the next edition.

EMSA will process participant's personal data and the survey responses together.

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 (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 ☐
- (c) necessary for the performance of a contract with the data subject or for the preparation of such a contract ☐
- (d) Data subject has given consent (*ex ante*, explicit, informed) ☒

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

Name, e-mail and organisation will be asked – only if the participant agrees to personal data collection – before filling in the survey. If the participant won't give consent for personal data collection, no personal data is asked for. Proof of consent is stored within the replies to the survey.

5) Description of the categories of data subjects (Article 31.1(c))

Whose personal data are being processed?

EMSA staff	<input type="checkbox"/>
Non-EMSA staff (contractors staff, external experts, trainees)	<input checked="" type="checkbox"/>
Data subjects may belong to the following type of organisation:	
Flag State Administration	
Classification Society	
P&I and Insurance	
Shipowner	
NGO	
Academia & Research	
Other Industry/Private Sector	
Other (Press, independent review,...)	
Visitors to EMSA building	<input type="checkbox"/>
Relatives of the data subject	<input type="checkbox"/>
Other (please specify):	
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, address etc)	<input checked="" type="checkbox"/>
Name and Surname	
Education & Training details	<input type="checkbox"/>
Employment details	<input checked="" type="checkbox"/>
Name of their organisation and work e-mail address	
Financial details	<input type="checkbox"/>

Family, lifestyle and social circumstances	<input type="checkbox"/>
Goods or services provided	<input type="checkbox"/>
Other (please give details):	
(b) Sensitive personal data (Article 10)	
The personal data reveals:	
Racial or ethnic origin	<input type="checkbox"/>
Political opinions	<input type="checkbox"/>
Religious or philosophical beliefs	<input type="checkbox"/>
Trade union membership	<input type="checkbox"/>
Genetic, biometric or data concerning health	<input type="checkbox"/>
Information regarding an individual's sex life or sexual orientation	<input type="checkbox"/>
7) Recipient(s) of the data (Article 31.1 (d))	
<i>Recipients are all parties who have access to the personal data</i>	
Data subjects themselves	<input type="checkbox"/>
Managers of data subjects	<input type="checkbox"/>
Designated EMSA staff members	<input checked="" type="checkbox"/>
Designated Contractors' staff members	<input type="checkbox"/>
Other (please specify):	

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 ☐

Standard Contractual Clauses ☐

Binding Corporate Rules ☐

Memorandum of Understanding between public authorities ☐

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 ☒

Outlook Folder(s) ☐

Hardcopy file ☐

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

Servers of external provider

☐

Other (please specify):

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.

Personal data will be retained for a maximum period of 3 years after the latest publication of the European Maritime Safety Report (EMSAFE), or until the publication of the next edition of the EMSAFE, whichever is later. This will enable the consideration of potential contributions to future editions, while also allowing for the attribution of input to its original source.