European Maritime Safety Agency

Privacy Statement on the processing of personal data in the context of carrying out visits to Member States, including the reporting thereof, as referred to in Article 10 of Regulation (EU) 2025/2434, to assist the Commission and the EFTA Surveillance Authority in monitoring the effective implementation of relevant binding Union legal acts

The protection of privacy is of high importance to the European Maritime Safety Agency (´EMSA´) and the European Commission, Directorate-General/Service for Mobility and Transport, ('DG MOVE'). EMSA and DG MOVE are responsible for the personal data they process. Therefore, we are committed to respecting and protecting the personal data of every individual and to ensuring efficient exercising of data subject's rights. All the data of a personal nature, namely data that can identify an individual directly or indirectly, will be handled fairly and lawfully with the necessary due care.

This processing operation is subject to Regulation (EU) 2018/1725 of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data. The information in this Privacy Statement is given pursuant to Articles 15 and 16 of Regulation (EU) 2018/1725.

DG MOVE processes the personal data received from EMSA in the context of the visits to Member States carried out by EMSA. In these circumstances, EMSA and DG MOVE are joint controllers in relation to the visits to Member States and have signed a Joint Controllership Arrangement which sets out the allocation of respective roles, responsibilities and practical arrangements between DG MOVE and EMSA as Joint Controllers pursuant to Article 28 of Regulation (EU) 2018/1725.

1. Nature and the purpose of the processing operation

The purpose of the processing of personal data is: The organisation, carrying out, reporting and follow-up of EMSA's visits to Member States requires that personal data concerning the persons participating in a visit and others persons who did not participate in a visit but are referred to in relevant documents, including their names, job titles, responsibilities and work carried out by them, is recorded in various documents including the visit programme, documents or other evidence obtained before, during and after a visit, and in the report complied afterwards and submitted to the Commission, the EFTA Surveillance Authority (where applicable) and to the Member State that has been visited.

This personal data needs to be referred to in EMSA's visit reports as a formal record of the persons who provided input or evidence, or are referred to therein, based on which the conclusions of a visit, including any findings identified in the effective implementation of the Union law the subject of the visit, have been based.

The personal data processed will not be reused for another purpose that is different to the one stated above.

The processing is not intended to be used for any automated decision making, including profiling.

2. Categories/types of personal data processed

The categories/types of personal data processed are the following: Name, education and training, employment details, goods or services provided, work carried out in the performance of their employment and/or the role(s) they perform in the organisation.

3. Processing the personal data

The processing of the personal data is carried out under the responsibility of, for EMSA, the Head of Unit 1.2, Visits and Inspections, Human Element, acting as delegated EMSA data controller and, for DG MOVE, the

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EMSA, Praça Europa 4, 1249-206 Lisbon, Portugal
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Head of Unit D.2, acting as Data Controller for Directorate-General for Mobility and Transport of European Commission.

4. Access to and disclosure of personal data

The personal data is disclosed to the following recipients: Responsible staff members in EMSA, the European Commission, the EFTA Surveillance Authority and the responsible administrations of the Member State being visited, as applicable.

The data is not used for any other purposes or disclosed to any other recipient.

The information in question will not be communicated to third parties, except where necessary for the purposes outlined above.

Personal data is not intended to be transferred to third countries.

5. Protecting and safeguarding personal information

The data controllers implement appropriate technical and organisational measures in order to safeguard and protect data subjects' personal data from accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to them.

All personal data collected for the performance and reporting of EMSA's visits is stored in secure IT applications according to the security standards of EMSA and the European Commission as well as in specific electronic folders accessible only to the authorised recipients. Appropriate levels of access are granted individually only to the above recipients.

The e-records are held securely so as to safeguard the confidentiality and privacy of the data therein.

6. Access, rectification, erasure or restriction of processing of personal data

Data subjects have the right to access, rectify, erase, and receive their personal data, as well as to restrict and object to the processing of the data, in the cases foreseen by Articles 17 to 24 of Regulation (EU) 2018/1725.

If data subjects would like to exercise any of these rights, they should send a written request explicitly specifying their query to the delegated data controller in EMSA, the Head of Unit 1.2, Visits and Inspections, Human Element.

The right of rectification can only apply to inaccurate or incomplete factual data processed within the context of the individual visit for which the personal data is recorded.

The above requests will be answered without undue delay, and in any event within one month of receipt of the request. However, according to Article 14(3) of Regulation (EU) 2018/1725, that period may be extended by two further months where necessary, taking into account the complexity and number of the requests. EMSA shall inform the data subject of any such extension within one month of receipt of the request, together with the reasons for the delay.

7. Legal basis for Data processing

Processing is based on Article 5.1 (a) of Regulation (EU) 2018/1725.

The personal data are collected and processed in accordance with Article 3(1)(a) of Regulation (EU) 2025/2434, which states that, "The Agency shall assist the Commission in monitoring the effective

implementation of relevant binding Union legal acts, in particular by carrying out visits and inspections as referred to in Article 10" and Article 10 'Visits to Member States and inspections' which states:

"1. In order to assist the Commission in fulfilling its duties under the TFEU, and in particular the assessment of the effective implementation of relevant Union law in the areas of maritime safety and the prevention of pollution, the Agency shall carry out visits to Member States, […], in accordance with a methodology established by the Management Board. […].

2. The Agency shall inform the Member State concerned, in accordance with the methodology referred to in paragraph 1, of the planned visit, the names of the authorised officials, and the date on which the visit starts and its expected duration. The Agency officials delegated to carry out such visits shall do so on presentation of a decision in writing from the Executive Director of the Agency specifying the purpose and the aims of their mission.

3. […]

4. […]

5. At the end of each visit or inspection referred to in this Article, the Agency shall draw up a report and send it to the Commission and to the Member State concerned.[…]."

8. Storing Personal data

The data controllers do not keep personal data longer than necessary for the purpose for which that personal data is collected.

The personal data is stored in accordance with the applicable retention policies. In the case of EMSA, this is for 20 years in accordance with EMSA's Records Management Policy and Procedure. Following the expiry of the aforementioned Administrative Retention Period, Sampling and selection and Second Review shall be performed in compliance with the provisions of the above policy. For the Commission this is 5 years in accordance with the Commission's Common level retention policy.

In the event of a formal appeal, all data held at the time of the formal appeal should be retained until the completion of the appeal procedures.

9. Data protection points of contact

Should data subjects have any queries/questions concerning the processing of your personal data, they should address them to the data controller, Head of Unit 1.2, Visits and Inspections, Human Element, at the following mailbox: VandI-DC@emsa.europa.eu.

Any data subject may also consult the EMSA Data Protection Officer at: DPO@emsa.europa.eu or the European Commission's Data Protection Officer at DATA-PROTECTION-OFFICER@ec.europa.eu with regard to issues related to the processing of your personal data under Regulation (EU) 2018/1725.

Recourse:

Complaints, in cases where the conflict is not resolved by the Data Controller and/or the Data Protection Officer, can be addressed at any time to the European Data Protection Supervisor: edps@edps.europa.eu.

Electronically signed on 21/01/2026 15:29 (UTC+01)