

Privacy Statement on the processing of personal data in the context of the use of the eTranslation tool to translate documents related to the visits to Member States and inspections referred to in Article 3 of Regulation (EC) No 1406/2002, as amended, carried out by EMSA to assist the European Commission and the EFTA Surveillance Authority in the effective implementation of relevant binding legal acts of the Union.

The protection of privacy is of high importance to the European Maritime Safety Agency ('EMSA'). EMSA is responsible for the personal data it processes. 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 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.

1. Nature and the purpose(s) of the processing operation

The purpose(s) of the processing of personal data is/are: The preparation of EMSA's visits and inspections may require that documents related to the implementation and application of the applicable Union law by the Member State being visited or the organisations or third countries being inspected are translated, for which the eTranslation tool is used.

In some cases, the documentation that is translated may include personal data including people's names, job titles, responsibilities and the work carried out or services provided by them.

EMSA will not reuse the personal data 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: Personal details, 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 an organisation.

3. Processing the personal data

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

Personal data is processed by EMSA staff using the tool.

4. Access to and disclosure of personal data

The personal data is disclosed to the responsible EMSA staff members on a need-to know basis and communicated to the tool as it is necessary for the purposes of the processing.

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

5. Protecting and safeguarding personal information

EMSA implements 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 processed using the eTranslation tool is stored in secure IT applications according to the security standards of the Agency 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, the Head of Unit 1.2, Visits and Inspections, Human Element.

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 the 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 2.2(b) of Regulation (EC) No 1406/2002, as amended, states that, "The Agency shall assist the Commission in the effective implementation of relevant binding legal acts of the Union, in particular by carrying-out visits and inspections as referred to in Article 3 of this Regulation" and Article 3 'Visits to Member States and inspections' which states:

"1. In order to perform the tasks entrusted to it and to assist the Commission in fulfilling its duties under the TFEU, and in particular the assessment of the effective implementation of relevant Union law, the Agency shall carry out visits to Member States in accordance with the methodology established by the Administrative Board.

2. [...]

3. The Agency shall carry out inspections on behalf of the Commission as required by binding legal acts of the Union regarding organisations recognised by the Union in accordance with Regulation (EC) No 391/2009 of the European Parliament and of the Council of 23 April 2009 on common rules and standards for ship inspection and survey organisations, and regarding the training and certification of seafarers in third countries in accordance with Directive 2008/106/EC.

4. [...]"

8. Storing Personal data

EMSA does not keep personal data longer than necessary for the purpose(s) for which that personal data is collected.

The data will be only retained for a maximum period of 20 years, in accordance with EMSA Records Management Policy and Procedure (EMSA 4.2 Visits and inspections. ARP 20 years. Sampling and selection, Second review).

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: Vandl-DC@emsa.europa.eu.

Any data subject may also consult EMSA Data Protection Officer at: DPO@emsa.europa.eu.

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.