

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

NAME OF PROCESSING ACTIVITY¹: Preliminary Market Consultation - RPAS Data Center Questionnaire

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 3.1 Maritime Digital Services</p> <p>Contact person: Ruben Rodrigues (Unit 3.1)</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: Unit 3.1 Maritime Digital Services</p> <hr/> <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 via the EU Survey 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))

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?

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 decided to launch a Preliminary Market Consultation - RPAS Data Center Questionnaire via the EU Survey on 15/05/2023, which will be open until 16/03/2023 (with a possibility of extension).

The questionnaire aims to achieve in-depth knowledge of the market structure and the technical feasibility aspects related to the provision of the RPAS DC service. The results will be used to align the tender requirements of a future procurement with the modern technological solutions provided by the industry.

The personal data collected via the survey, which is restricted to contact details, is being processed if EMSA needs to clarify any doubt related to the survey's answers.

RPAS companies are being invited to answer the survey voluntarily via e-mails and social media.

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

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

Whose personal data are being processed?

- EMSA staff ☐
- Non-EMSA staff (contractors staff, external experts, trainees) ☒
- Staff from RPAS providers
- Visitors to EMSA building ☐

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, Surname, e-mail and telephone number	
Education & Training details	<input type="checkbox"/>
Employment details	<input checked="" type="checkbox"/>
Employer Name and website	
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

☐

Information regarding an individual's sex life or sexual orientation

☐

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

Recipients are all parties who have access to the personal data

Data subjects themselves

☐

Managers of data subjects

☐

Designated EMSA staff members

☒

3.1 and 2.2 staff in charge of the survey

3.1 and 2.2 Head of Unit

3.1 and 2.2 Department

EMSA webmaster

Designated Contractors' staff members

☐

Other (please specify):

Also, if appropriate, access will be given to EU staff with the statutory right to access the data required by their function, i.e. the European Ombudsman, the Civil Service Tribunal, the Internal Audit Service, the European Court of Auditors, OLAF and the European Data Protection Supervisor.

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	<input checked="" type="checkbox"/>
If yes, specify to which country:	
If yes, specify under which safeguards:	
Adequacy Decision of the European Commission	<input type="checkbox"/>
Standard Contractual Clauses	<input type="checkbox"/>
Binding Corporate Rules	<input type="checkbox"/>
Memorandum of Understanding between public authorities	<input type="checkbox"/>
9) Technical and organisational security measures (Article 31.1(g)) <i>Please specify where the data are stored during and after the processing</i>	
How is the data stored?	
EMSA network shared drive	<input checked="" type="checkbox"/>
Outlook Folder(s)	<input checked="" type="checkbox"/>
Hardcopy file	<input type="checkbox"/>
Cloud (give details, e.g. public cloud)	<input type="checkbox"/>
Servers of external provider	<input type="checkbox"/>
Other (please specify): <i>EMSA teams channel, ARES</i>	
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.

EMSA will retain the personal data for a maximum period of one year after the closure of the survey.
The data retention of the EU Survey website can be found here: [EU Survey privacy statement](#)