

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

NAME OF PROCESSING ACTIVITY¹: Processing of personal data in relation to CISE Cooperation Agreement

Management of the Contact List of the Signatory parties of the CISE Cooperation Agreement:

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: Department 2, unit 2.0</p> <p>Contact person: Leendert Bal – Head of Department 2: cise@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: Department 2, unit 2.0</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 type="checkbox"/></p> <p>Contact point at external third party (e.g. Privacy/Data Protection Officer):</p>

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

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?

A Cooperation Agreement (hereby the Agreement) regulating the exchange of information within the Common Information Sharing Environment (CISE) network was drafted by a dedicated working group including representatives of EU Member States and EU Agencies coordinated by EMSA and was approved by the CISE Stakeholder Group (CSG) members at the 6th CISE CSG meeting (9 and 10 February 2021).

On 26/03/2021, EMSA contacted CSG member authorities to invite them to sign the Agreement and to specify their respective roles in Appendix 1 of the Agreement.

As per Article 3.4.b of the Agreement, whenever a new Party signs it, the CISE Secretariat is responsible for circulating the new version of the Agreement to all Parties. In order to do so, a specific form was set up with the aim to collect personal data of the representatives of the signatory Parties (see Annex 1).

The personal data form is sent via-email to the stakeholders returning a signed copy of the Agreement including Appendix 1 of the Agreement to the CISE Secretariat (cise@emsa.europa.eu).

The personal data contained in the form is processed with the sole purpose of enabling the CISE Secretariat to circulate via e-mail and via the collaborative platform in Microsoft Teams the new version of the Agreement to all signatory Parties, including the members of the CISE Stakeholder Group. Contact details of Parties representatives might be shared solely with the other Parties to the Agreement and CISE Stakeholder Group members. 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.

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)

The task attributed to EMSA is stated in Article 2(2)(d) of Regulation (EC) No 1406/2002 establishing a European Maritime Safety Agency, "The Agency shall support the Commission in the performance of any other task assigned to the Commission in legislative acts of the Union regarding the objectives of the Agency", further defined in the following documents:

- the Grant Agreement for "Setting up and enabling the transition phase to CISE Operations" (agreement number SI2.801889)
- the Grant Agreement for "Common Information Sharing Environment (CISE) transition" (agreement number SI2.833747)
- the "CISE Transitional Phase: Governance Structure" document agreed by The Member States Experts Sub-Group on the Integration of Maritime Security and Surveillance (MSeG)
- the "CISE Transitional Phase: Activities" document agreed by MSeG.

- (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)) <i>Whose personal data are being processed?</i>	
EMSA staff	<input checked="" type="checkbox"/>
Non-EMSA staff (representatives of Member States)	<input checked="" type="checkbox"/>
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) <i>Title, first name, last name, country, e-mail</i>	<input checked="" type="checkbox"/>
Education & Training details	<input type="checkbox"/>
Employment details <i>Job title, organisation</i>	<input checked="" type="checkbox"/>
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 ☐

Political opinions ☐

Religious or philosophical beliefs ☐

Trade union membership ☐

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 ☒

Designated Contractors' staff members ☐

Other (please specify):

The information concerning the personal data of the CISE Cooperation Agreement's Parties representatives will only be shared with the relevant stakeholders which include signatory Parties to the Agreement and Members of the CISE Stakeholder Group members.

The data are not used for any other purposes nor disclosed to any other recipient.

The information in question will not be communicated to third parties, except where necessary for the purpose(s) outlined above. Personal data are not intended to be transferred to third countries.

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) ☒

Microsoft Teams (Microsoft's cloud-based Office 365 platform)

Servers of external provider

☐

Other (please specify):

ARES, SHAPE

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 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 5 years in accordance with EMSA Records Management Policy and Procedure.

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.

Signed in Ares by Leendert Bal, Head of Department 2, on 12/07/2021

ANNEX 1 – PERSONAL DATA FORM



PERSONAL DATA FORM

CISE COOPERATION AGREEMENT - PARTIES REPRESENTATIVES

Please complete this form and return it to CISE Secretariat by email (cise@emsa.europa.eu)

	CISE NODE OWNER	PARTICIPANT	OTHER PARTY	DESIGNATED PARTY FOR AMENDMENT
<u>Title</u> (Mr/Ms)				
First name				
Last name				
Position / Job title				
Organisation				
Country				
E-mail				

Please add more columns if needed.



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