

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

NAME OF PROCESSING ACTIVITY¹: Use of DG Informatics (DIGIT) platform & modules for the EMSA e-Procurement process

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: 4.2. Legal, Financial & Facilities Support Unit</p> <p>Contact person: Andrea Iber; HelpdeskLF@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: 4.2. Legal, Financial & Facilities Support Unit</p> <hr/> <p>The data is processed by a third party (contractor) or the processing operation is conducted together with an external third party: European Commission - DG Informatics (DIGIT) <input checked="" type="checkbox"/></p> <ul style="list-style-type: none"> My Workspace: DPO Public Register Reference DPR-EC-06670 Privacy statements - My Workplace Documentation - EC Extranet Wiki (europa.eu) PPMT: PMT is part of the Commission eProcurement IT systems covered by the DPO record DPR -EC05067)

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?

Contact point at external third party (e.g. Privacy/Data Protection Officer): DATA-PROTECTION-OFFICER@ec.europa.eu

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

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.

The EMSA e-Procurement process involves usage of EU Commission platforms & modules. These are managed by DG Informatics (DIGIT) and are designed as a one stop shop type of platform which interlinks the different modules:

- PPMT (Annex 1)– procurement preparation management tool to replace TED eTendering, e-Submission – allowing electronic submission
- MyWorkplace – allowing monitoring of submissions, electronic opening, etc.

Proper functioning and full usage (benefiting of all available features) of each module depends on the on-boarding and usage of all, as these are interlinked.

As these modules will be used by all staff members involved in the procurement process in EMSA having access to it via the EU Login. For further information, please check the record of processing activity management of EU Login at EMSA.

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)



The DG Informatics (DIGIT) platform & modules, used by EMSA, are implementing the legal obligations in Articles 147-149 of the Financial Regulation guaranteeing integrity and confidentiality of tenderers' data

[Amendment 6 SLA DIGIT-026-06-Annex A -Data Protection to App 3, 7, 8, 10-6.docx](#)

(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 Officials, TAs, CAs	<input checked="" type="checkbox"/>
Non-EMSA staff (contractors staff, external experts, trainees) SNEs	<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) Name and surname via e-login	<input checked="" type="checkbox"/>
Education & Training details	<input type="checkbox"/>
Employment details Work e-mail via e-login	<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 ☒

EMSA single point of entrance for my workplace

Designated Contractors' staff members ☐

Other (please specify): DG Informatics (DIGIT) staff members and contractors supporting potential technical issues in their platform & modules

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)) <i>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.</i>	
<p>Data are transferred to third country recipients:</p> <p>Yes <input type="checkbox"/></p> <p>No <input checked="" type="checkbox"/></p> <p>If yes, specify to which country:</p> <p>If yes, specify under which safeguards:</p> <p>Adequacy Decision of the European Commission <input type="checkbox"/></p> <p>Standard Contractual Clauses <input type="checkbox"/></p> <p>Binding Corporate Rules <input type="checkbox"/></p> <p>Memorandum of Understanding between public authorities <input type="checkbox"/></p>	
9) Technical and organisational security measures (Article 31.1(g)) <i>Please specify where the data are stored during and after the processing</i>	
<p>How is the data stored?</p> <p>EMSA network shared drive <input type="checkbox"/></p> <p>Outlook Folder(s) <input type="checkbox"/></p>	

Hardcopy file

☐

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

☐

Servers of external provider

☐

Other (please specify): servers of DG DIGIT

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 [here](#).

For the personal data retention in the systems, please consult their privacy statements (Annex 2 Annex 3).