



## PRIVACY STATEMENT REGARDING THE ACCOUNTING SERVICES PROVIDED BY THE EUROPEAN UNION AGENCY FOR FUNDAMENTAL RIGHTS TO THE EUROPEAN INSTITUTE OF INNOVATION AND TECHNOLOGY

This privacy statement provides information on the processing of personal data in relation to the accounting services provided by the European Union Agency for Fundamental Rights (FRA) to the European Institute of Innovation and Technology (EIT) under the Service Level Agreement (SLA), with data processing carried out by both agencies.

The processing of personal data follows the provisions of Regulation (EU) 2018/1725<sup>1</sup> of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (hereinafter “Regulation”).

### What is personal data and what is a personal data processing operation?

**Personal data** shall mean any information relating to an identified or identifiable natural person (‘data subject’). An identifiable person is one 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 of that natural person.

**Processing** means any operation or set of operations which is performed on personal data or on sets of 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.

### Who are the data subjects?

The data subjects are all natural persons that, at one time, have (had) contractual and/or financial transactions with the EIT (e.g., beneficiaries of EU Funds, citizens, contractors, national detached experts and other experts, staff members of the EIT or of the European Commission and other EU institutions, agencies and bodies, detached officials, officials of national authorities, retired officials and agents, special advisers, temporary agents, auxiliary agents, contractual agents, competition candidates and trainees, etc.).

### Who is the controller of the data processing?

The data controller is the **Head of Administration Unit at the EIT**.

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<sup>1</sup> OJ L 295, 21.11.2018, p. 39–98



### **Who is the processor of the data processing?**

The data processor is the **European Union Agency for Fundamental Rights (FRA)**.

### **What is the purpose of the personal data processing?**

The purpose of processing personal data is to enable the provision of the services described in the SLA between the European Union Agency for Fundamental Rights and the European Institute of Innovation and Technology and for the implementation, management, and monitoring of this agreement by EIT.

The data processing operations include the collection, recording, organisation, storage, consultation, use, disclosure by transmission, erasure and destruction of personal data.

### **What types of personal data are processed?**

The following types of personal data are processed for the above-mentioned purposes in accordance with the Regulation:

- Name, First Name
- Permanent Address
- Personal number (for certain countries)
- Date and Place of Birth
- Email
- Phone
- Legal & Budgetary commitments
- Payments
- Bank account
- Bank name
- Address declared with the bank
- EDES flag

### **Who has access to the personal data of data subjects and to whom can they be disclosed?**

#### **Within the EIT:**

The personal data of the data subjects are processed by the authorised EIT Finance and Budget Section staff and the Head of Administrative Unit.

Access will be given to the Internal Auditor of the EIT by request if necessary for the performance of the duties of the Internal Auditor.

#### **Within the Commission and other EU institutions/bodies/agencies:**

Within FRA: the personal data of the data subjects are processed by the authorised FRA staff, who are FRA Accounting Officer and FRA Deputy Accounting Officer.



The authorized staff that may have access to relevant personal data for audit control or investigation purposes: Court of Auditors, Internal Audit Service of the European Commission, European Anti-Fraud Office (OLAF).

Access to the personal data may be granted also to the European Ombudsman and the European Data Protection Supervisor upon request, the General Court and the European Court of Justice to the extent necessary for handling the review procedure and litigation.

### **Third parties subject to the GDPR<sup>2</sup> and third parties not subject to the GDPR:**

We commit not to disclose or share any data with third parties, in accordance with the principles outlined in the Regulation (EU) 2018/1725.<sup>3</sup>

### **How long do we keep your data?**

The data processor (FRA) only keeps your personal data for the time necessary to fulfil the purpose of collection or further processing, that will not exceed the period referred to in Article 17 of the SLA (1 year, if the SLA is automatically renewed, the processing period will be extended accordingly).

For the data stored in ABAC please see the corresponding data protection record (section retention period): <https://ec.europa.eu/dpo-register/detail/DPR-EC-00301.3>

### **What are the rights of the data subject?**

In accordance with Articles 15, 17, 18, 19 of the Data Protection Regulation of European Institutions the data subjects have the **right for information**, the **right of access**, the **right of rectification** in case their personal data is not complete or not accurate and the **right to erasure** (“right to be forgotten”).

The data subjects have the right to obtain the **erasure** of their personal data in accordance with Article 19 of the Regulation and in particular in the cases when the personal data are no longer necessary in relation to the purposes for which they were collected, if the data subject withdraws its consent, or in case of unlawful processing.

Data subjects have also the **right to restriction** of processing of personal data in accordance with Article 20 of the Regulation, and the **right to object** on grounds listed in Article 23 of the Regulation.

The rights can be only exercised by sending a request in a written form to the [EIT-FINANCE@eit.europa.eu](mailto:EIT-FINANCE@eit.europa.eu). d(the Data Controller representative). As a general rule, the requests for information, access, rectification, erasure restriction are handled without undue delay and in any event within one month of receipt of the request; this period may be extended by further two months where necessary, taking into account the complexity and number of requests. In case the data subject contests the accuracy of the data, upon request,

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<sup>2</sup> Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation, OJ L 119, 4.5.2016, p. 1–88)

<sup>3</sup> OJ L 295, 21.11.2018, p. 39–98



the data is restricted immediately for the period of verification of the accuracy of the data, not exceeding one month.

Restrictions to the rights of data subjects may be applied by the EIT, in accordance with Article 25 of the Data Protection Regulation of the European institutions and the EIT internal rules on restrictions<sup>4</sup>.

### **Who should be contacted in case of queries or complaints?**

You have the right of recourse at any time to the EIT's Data Protection Officer (EIT-DPO@eit.europa.eu) and to the European Data Protection Supervisor (EDPS@edps.europa.eu) or contact the site: <http://www.edps.europa.eu/EDPSWEB/>.

### **Legal basis of the processing operation**

#### **General legal basis:**

- Regulation (EU) 2021/819 of the European Parliament and of the Council of 20 May 2021 on the European Institute of Innovation and Technology (recast) ('EIT Regulation')<sup>5</sup>
- Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 ('Financial Regulation')<sup>6</sup>
- Commission Delegated Regulation (EU) 2019/715 of 18 December 2018 on the framework financial regulation for the bodies set up under the TFEU and Euratom Treaty and referred to in Article 70 of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council, particularly Chapter 7 of Title IV<sup>7</sup>

#### **Specific EIT legal basis:**

- Decision 21/2019 of the Governing Board of the EIT on the Financial Regulation of the European Institute of Innovation and Technology<sup>8</sup>

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<sup>4</sup> <https://eit.europa.eu/who-we-are/legal-framework/data-protection>

<sup>5</sup> OJ L 170, 12.5.2021, p. 1.

<sup>6</sup> OJ L 193/30.07.2018, p. 1

<sup>7</sup> OJ L 122, 10.5.2019, p. 1-38

<sup>8</sup> Ares(2019)6810859



- Service Level Agreement between the European Union Agency for Fundamental Rights and the European Institute of Innovation and Technology (Appendix 3 Specific/detailed data protection clauses), signed on 18 July 2023.<sup>9</sup>

### Grounds for lawfulness

In line with Article 5(a) of Regulation No. (EU) 2018/1725, the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the EIT.

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<sup>9</sup> Ares(2023)5068072

