



## Privacy statement regarding the management of MFA ID cards of the staff of the European Institute of Innovation and Technology

This privacy statement provides information on the processing of personal data of EIT staff carried out by the European Institute of Innovation and Technology within the Host Agreement between the European Institute of Innovation and Technology and the Government of the Republic of Hungary (Act CLXVI of 2010 on the promulgation of the Headquarters Agreement between the European Institute of Innovation and Technology and the Government of the Republic of Hungary).

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 the staff of the EIT and the seconded national experts and their family members, as referred to in Article 16 of the Host Agreement signed between the EIT and Hungary.

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

The data controller is the Head Services and Finance Unit.

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



## **Purpose and short description of the personal data processing**

In line with the Host Agreement, the purpose of the processing of personal data is to ensure the registration of new EIT staff members (and seconded national experts) and the members of their family forming part of their household at the Protocol Office of the Ministry of Foreign Affairs of Hungary and Trade and to ensure the issuance (and renewal-replacement) of the special ID cards issued by the Ministry ('MFA ID cards'). MFA cards are issued for EIT staff members and seconded national experts if they are not nationals of or permanent residents in Hungary.

### **Notification of appointments, issuance of MFA ID cards:**

1. The Protocol Office of the Ministry of Foreign Affairs and Trade should be notified of the arrival of new staff members (or seconded national experts) of the EIT and family members forming part of their household. Notifications of arrival should be sent to the Protocol Office, together with a duly completed registration form ('Notification of appointment form' – 'Bejelentőlap') that may be downloaded from [www.kulugyminiszterium.hu/DTWebe/](http://www.kulugyminiszterium.hu/DTWebe/), passport(s), two passport photographs and a specimen signature within five working days of the arrival in Hungary. The registration form must be signed by the EIT Director and stamped with the EIT's official stamp.

Each year the EIT shall send a list of the names and addresses of the Director, the statutory staff, as well as the seconded national experts to the Ministry of Foreign Affairs and Trade.

2. At the request of the EIT, the Ministry of Foreign Affairs and Trade shall issue to the Director, the statutory staff, to the seconded experts and to the members of their family forming part of their household, provided they are not nationals of or permanent residents in Hungary, MFA ID cards certifying the position and status of the person.

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 Data Protection Regulation:

- First name, last name;
- Mother's maiden name;
- Place of birth;
- Passport photographs and specimen signature;
- Type of visa (if necessary);
- Name and rank of the predecessor and the date when he/she completed his/her tour of duty and left Hungary;
- Previous assignments – if any – in Hungary;
- Expected date of end of tour of duty;
- Address of Hungarian residence;



- In case of grown-up children between 23 and 26 years of age: valid certificate of school attendance for regular students of a Hungarian college/university, showing the grade or the class which is attended by the grown-up child.

### **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 EIT authorised staff: the Logistics Assistant(s), the HR Section, Head of Services and Finance Unit, Director.

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:**

The authorised 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:**

Personal data of the data subjects shall be disclosed to the Protocol Office of the Ministry of Foreign Affairs of Hungary, in line with the Host Agreement.

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

The EIT keeps the personal data for the time necessary to fulfil the purpose of collection or further processing, namely for *5 years* as from the approval of the request (as aligned with the EIT Specific Retention List).

### **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”).

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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)



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 [MFA@eit.europa.eu](mailto:MFA@eit.europa.eu) e-mail address. 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, the data is restricted immediately for the period of verification of the accuracy of the data, not exceeding on 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>3</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](mailto:EIT-DPO@eit.europa.eu)) and to the European Data Protection Supervisor ([EDPS@edps.europa.eu](mailto: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)<sup>4</sup>, and in particular Article 15, and Section 6 of the Statutes annexed to the EIT Regulation;
- The Protocol on the Privileges and Immunities of the European Union<sup>5</sup>, and in particular Article 18 thereof,
- Decision taken by Common Agreement between the Representatives of the Governments of Member States of 18 June 2008 on the location of the seat of the EIT (2008/634/EC) provides that the EIT shall have its seat in Budapest<sup>6</sup>;

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<sup>3</sup> Currently under adoption. The final version will be published at the following link: <https://eit.europa.eu/who-we-are/legal-framework/data-protection>

<sup>4</sup> OJ L 189, 28.5.2021, p. 61–90

<sup>5</sup> OJ C 326, 26.10.2012, p. 266–272

<sup>6</sup> OJ L 206, 2.8.2008, p. 16–16



- Host Agreement between the EIT and the Government of the Republic of Hungary (Act CLXVI of 2010 on the promulgation of the Headquarters Agreement between the European Institute of Innovation and Technology and the Government of the Republic of Hungary).

**Specific EIT legal basis:** None

### **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. In line with the Host Agreement, the purpose of processing personal data is to provide these data for the registration at the Protocol Office of the Ministry of Foreign Affairs and Trade of Hungary.