Annex 7 to the Call for proposals for financing the initiative “BeFORme”

**INFORMATION ON THE PROCESSING OF PERSONAL DATA** **in connection with the BeFORme initiative competition**

implemented as part of the Norwegian Financial Mechanism 2014-2021 and the European Economic Area (EEA) Financial Mechanism 2014-2021[[1]](#endnote-1)hereinafter referred to as the “EEA and Norway Grants.”

The controller of personal data processed in connection with the implementation of the BeFORme initiative competition is the Minister of Development Funds and Regional Policy, ul. Wspólna 2/4, 00-926 Warsaw, hereinafter referred to as the “Controller” or the “Minister.”

1. **The purpose of processing personal data**

The purpose of data processing is the implementation of the BeFORme initiative competition.

1. **Legal basis for the processing of personal data**

The legal basis for data processing is the implementation of the legal obligations incumbent on the Minister (Article 6(1)(c) of the GDPR[[2]](#endnote-2)), in connection with:

1. Agreement between the Kingdom of Norway and the European Union on the Norwegian Financial Mechanism for 2014-2021,[[3]](#endnote-3) the Memorandum of Understanding on the implementation of the Norwegian Financial Mechanism for 2014-2021,[[4]](#endnote-4) and the Regulations on the implementation of the Norwegian Financial Mechanism for 2014-2021;[[5]](#endnote-5)
2. Agreement between the European Union, Iceland, the Principality of Liechtenstein and the Kingdom of Norway on the EEA Financial Mechanism for 2014-2021,[[6]](#endnote-6) the Memorandum of Understanding on the implementation of the EEA Financial Mechanism for 2014-2021,[[7]](#endnote-7) and the Regulations on the implementation of the European Economic Area Financial Mechanism for 2014 -2021.[[8]](#endnote-8)
3. **Data storage period**

Personal data shall be retained for at least five years from the acceptance of the final report for the programme by the institutions representing the Donor States.

After the expiry of the above-mentioned period, personal data shall be archived in accordance with the provisions of the Act of 14 July 1983 on the national archival resource and archives.[[9]](#endnote-9)

1. **Types of processed data**

Name, job title, organisation name and address, telephone number, e-mail address.

Categories of people:

1. persons authorised to take binding decisions and to working contacts from institutions involved in the implementation of the programme, applicants, beneficiaries, grant recipients and partners,
2. participants of training, competitions, conferences, committees, meetings and assistance recipients,
3. other persons in connection with the examination of the eligibility of expenditure.
4. **Obligation to provide data**

Providing personal data is voluntary but necessary for the participation in the BeFORme initiative competition.

1. **Source of data origin**

Data subjects and other sources, in particular entities indicated in the categories of persons listed in point IV.

1. **Access to data**

Employees and associates of the Ministry of Development Funds and Regional Policy have access to personal data. In addition, personal data may be/are entrusted or made available to:

1. the Donor States and entities performing tasks in these States;
2. the Ministry of Finance as well as entities involved in the implementation of the EEA and Norway Grants;
3. contractors, including entities providing services related to the operation and development of ICT systems and ensuring communication for the Minister, in particular to IT solution providers and telecommunications operators, as well as entities performing the functions of experts, entities conducting audits, inspections, training, support and evaluations, providing hotel, insurance and transportation services;
4. public administration bodies (based on legal regulations), including the Statistics Poland and the Polish Social Insurance Institution (ZUS).
5. **Rights of the data subject**
6. the right to access and rectify personal data

When exercising this right, you can ask the Minister, *inter alia*, whether the Minister processes your personal data, what personal data are processed and where were they obtained, and what is the purpose of processing, its legal basis and how long such data will be processed.

If the data being processed turns out to be out of date, you can request the Minister to update them.

1. the right to request the restriction of processing – if the conditions set out in Article 18 of the GDPR are met

Restriction of processing of personal data means that the Minister may only store personal data. The Minister may not transfer such data to other entities, modify or delete them.

Restriction of processing of personal data is temporary and shall last until the Minister assesses whether the personal data are accurate, processed in accordance with the law and necessary to achieve the purpose of processing.

1. the right to obtain the erasure of personal data – if the conditions set out in Article 17 of the GDPR are met

The request to erase personal data is granted, among others, when further processing of data is no longer necessary to achieve the Minister’s purpose or the personal data have been unlawfully processed.

1. the right to lodge a complaint with the President of the Personal Data Protection Office.

Demand to exercise the rights listed in points (a)-(c) should be sent to the addresses indicated in point X. Correspondence should bear the note: “Personal data protection – EEA and Norway Grants 2014-2021.”

1. **Information on automated decision-making, including profiling**

Your data shall not be subject to automated decision-making, including profiling.

1. **Contact with the Data Protection Officer**

Data Protection Officer, address: ul. Wspólna 2/4, 00-926 Warsaw (e-mail: IOD@mfipr.gov.pl).

1. Non-repayable foreign aid granted by Iceland, Norway and Liechtenstein to new EU members – several countries of Central and Southern Europe and the Baltic countries. These grants are related to Poland’s accession to the European Union and the simultaneous accession of our country to the European Economic Area (which is made up of the EU countries as well as Iceland, Liechtenstein and Norway). In return for the financial assistance, the donor states benefit from access to the EU internal market, even though they are not members. The main goal of the EEA and Norway Grants is to contribute to reducing economic and social differences within the EEA and to strengthen bilateral relations between the donor states and the beneficiary state. More information available at: https://www.eog.gov.pl/. [↑](#endnote-ref-1)
2. 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) of 27 April 2016 [(OJ EU L No. 119 of 04.05.2016, p. 1)](https://sip.legalis.pl/document-view.seam?documentId=mfrxilrtgm2tsnrrguyts). [↑](#endnote-ref-2)
3. OJ EU L No. 141 of 28.05.2016, p. 11. [↑](#endnote-ref-3)
4. Memorandum of Understanding on the implementation of the Norwegian Financial Mechanism for 2014-2021 concluded on 20 December 2017 in Warsaw (M.P. of 2018, item 392). [↑](#endnote-ref-4)
5. Regulations on the implementation of the Norwegian Financial Mechanism for 2014-2021 adopted by the Norwegian Ministry of Foreign Affairs on 23 September 2016 pursuant to Article 10.5 of the Agreement between the Kingdom of Norway and the European Union on a Norwegian Financial Mechanism for the period 2014-2021, available at: https://www.eog.gov.pl/media/69456/Regulacje\_NMF\_na\_lata\_2014\_2021\_FINAL\_20190207.pdf. [↑](#endnote-ref-5)
6. OJ EU L No. 141 of 28.05.2016, p. 3. [↑](#endnote-ref-6)
7. Memorandum of Understanding on the implementation of the EEA Financial Mechanism for 2014-2021, between the Republic of Poland and the Republic of Iceland, the Principality of Liechtenstein and the Kingdom of Norway, concluded on 20 December 2017 in Warsaw (M.P. of 2018, item 378). [↑](#endnote-ref-7)
8. Regulations on the implementation of the European Economic Area Financial Mechanism for 2014-2021 adopted by the EEA Financial Mechanism Committee on 8 September 2016, pursuant to Article 10.5 of Protocol 38c to the EEA Agreement, and approved by the Standing Committee of the EFTA States on 23 September 2016, available at: https://www.eog.gov.pl/media/69455/Regulacje\_MFEOG\_na\_lata\_2014\_2021\_FINAL2019\_02\_07.pdf. [↑](#endnote-ref-8)
9. Journal of Laws of 2020 item 164. [↑](#endnote-ref-9)