

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

NAME OF PROCESSING ACTIVITY: **RuleCheck management**

<b>1) Controller(s)<sup>1</sup> of data processing operation (Article 31.1(a))</b>
<p>Controller: European Maritime Safety Agency (EMSA)</p> <p>Organisational unit <b>responsible<sup>2</sup></b> for the processing activity: Capacity Building Unit 1.3</p> <p>Contact person: Ignatios Nikolaou Unit 1.3</p> <p>Data Protection Officer (DPO): Radostina Nedeva-Maegerlein: <a href="mailto:dpo@emsa.europa.eu">dpo@emsa.europa.eu</a></p>
<b>2) Who is actually conducting the processing? (Article 31.1(a))<sup>3</sup></b>
<p>The data is processed by EMSA itself <input checked="" type="checkbox"/></p> <p>The organisational unit conducting the processing activity is: Capacity Building Unit 1.3 and Maritime Digital Services 3.1</p>
<p>The data is processed by a third party (contractor) <input checked="" type="checkbox"/> or the processing operation is conducted together with an external third party</p> <p>The contractor only has access to the personal data for the purpose of sending the RuleCheck Newsletters. No data is stored in their servers.</p> <p>KR Hellas</p> <p>STATUS CENTER, 41, Athinas AV. Vouliagmeni GR-166 71, Athens, Greece.</p> <p>Contact point at external third party (e.g. Privacy/Data Protection Officer): Ms Eleni Galaki, Deputy Manager, <a href="mailto:eleni@krs.co.kr">eleni@krs.co.kr</a>, <a href="mailto:krhellas@krs.co.kr">krhellas@krs.co.kr</a></p>

<sup>1</sup> In case of more than one controller (e.g. joint operations), all controllers need to be listed here

<sup>2</sup> This is the unit that decides that the processing takes place and why.

<sup>3</sup> Is EMSA itself conducting the processing? Or has a provider been contracted?

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.*

RuleCheck is an updated Repository of Maritime Legislation provides to users ( EU and EMSA Staff, Post State Control Officers, Flag States Officers, Accident Investigators, other maritime administrations staff).

The RuleCheck aims to assist the user community to perform more efficiently their daily tasks related to ship certification, inspections and audits by consulting the legislation available in the tool.

To access the tool, the users must apply for access rights via their national contact person or secretariat in case of non-EU MoUs. EMSA receive their application via JIRA managed by the EMSA's Academy. From JIRA, the application is processed by the Project officer responsible for RuleCheck.

Organisations may request their users list from EMSA for updating their records.

The user management is under the IdM system and requires the personal information such as:

- Name (First, Middle, Last)
- E-mail address
- Address
- Contacts (Phone)
- Member State
- Organisation

The contractor may access the personal data only to send out e-mails with a newsletter periodically for the users.

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 as part of operational support to the Member States (art2.3b of EMSA Founding Regulation) ☒

3. The Agency shall work with the Member States to b) develop technical solutions, including the provision of relevant operational services, and provide technical assistance, to the building up of the necessary national capacity for the implementation of relevant legal acts of the Union;

- (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 ( <i>ex ante</i> , explicit, informed)	<input type="checkbox"/>
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 Officials, Temporary Agents and Contract Agents	<input checked="" type="checkbox"/>
Non-EMSA staff (contractors staff, external experts, trainees) Seconded National Experts, Trainees, Interims, NEPTs, contractors staff	<input checked="" type="checkbox"/>
Visitors to EMSA building	<input type="checkbox"/>
Relatives of the data subject	<input type="checkbox"/>
Other (please specify): PSCO from various MoUs, including MoU outside EU territory (Tokyo, Black Sea, Mediterranean, etc)	
6) Categories of personal data processed (Article 31.1(c)) <i>Please tick all that apply and give details where appropriate</i>	
(a) <b>General personal data:</b> The personal data contains:	
Personal details (name, address etc) - Name (First, Middle, Last)	<input checked="" type="checkbox"/>
Education & Training details	<input type="checkbox"/>
Employment details - E-mail address - Address - Contacts (Phone)	<input checked="" type="checkbox"/>

- Member State
- Organisation

Financial details ☐

Family, lifestyle and social circumstances ☐

Goods or services provided ☐

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 Staff in the Unit 1.3 Capacity Building responsible for the RulerCheck and EMSA Academy Staff in the Unit 3.1 Maritime Digital Service responsible for the IdM management	<input checked="" type="checkbox"/>
Designated Contractors' staff members For the newsletter Other (please specify): Secretariats of MoU, upon relevant request	<input checked="" type="checkbox"/>

**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	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>
<b>If yes, specify to which country:</b>  <b>If yes, specify under which safeguards:</b>	
Adequacy Decision of the European Commission	<input type="checkbox"/>
Standard Contractual Clauses	<input type="checkbox"/>
Binding Corporate Rules	<input type="checkbox"/>
Memorandum of Understanding between public authorities	<input type="checkbox"/>

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)

☐

Servers of external provider

☐

Other (please specify): EMSA internal servers located at EMSA's data centre in Lisbon and replicated at EMSA's BCF facility at Madrid.

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.*

The user account is disabled by the RulerCheck administrator and personal data is marked as not available in the system interface.

The personal data is being retained by EMSA depending on the official retention of the maritime application.