

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

NAME OF PROCESSING ACTIVITY<sup>1</sup>: License management for Adobe Creative Cloud for EMSA activities.

1) Controller(s) <sup>2</sup> of data processing operation (Article 31.1(a))
<p>Controller: European Maritime Safety Agency (EMSA)</p> <p>Organisational unit <b>responsible</b><sup>3</sup> for the processing activity: Unit 3.3 Horizontal Digital Services</p> <p>Contact person: Roar Fondse</p> <p>Data Protection Officer (DPO): Radostina Nedeva-Maegerlein: <a href="mailto:dpo@emsa.europa.eu">dpo@emsa.europa.eu</a></p>
2) Who is actually conducting the processing? (Article 31.1(a)) <sup>4</sup>
<p>The data is processed by EMSA itself <span style="float: right;"><input checked="" type="checkbox"/></span></p> <p>The organisational unit conducting the processing activity is: Unit 3.3 Horizontal Digital Services</p>
<p>The data is processed by a third party (contractor) or the processing operation is conducted together with an external third party [indicate third party] <span style="float: right;"><input checked="" type="checkbox"/></span></p> <ul style="list-style-type: none"> <li>Adobe Systems Software Ireland Limited via the Enterprise License Agreement (ELA) – Master Agreement</li> </ul> <p>Contact point at external third party (e.g. Privacy/Data Protection Officer): DPO@adobe.com</p>

<sup>1</sup> **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.

<sup>2</sup> In case of more than one controller (e.g. joint operations), all controllers need to be listed here

<sup>3</sup> This is the unit that decides that the processing takes place and why.

<sup>4</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.*

EMSA buys and manages licenses of Adobe Creative Cloud to enhance their digital capabilities. Adobe Creative Cloud offers a suite of tools that are essential for creating high-quality graphics, videos, and other multimedia content. This can support the quality of EMSA's communications and other digital outputs, like those managed by the colleagues of the Communications (Executive Office) and the Virtual lab ( Unit 1.3 Capacity Building)

The licenses management and attribution are managed by the Service Desk from the Unit 3.3 Horizontal Digital Services. The EMSA license administrator uses the Adobe online platform to assign licenses to EMSA employees where necessary.

The names and e-mail addresses of EMSA Adobe Software users are being processed by Adobe to identify license usage. Every EMSA licensed Adobe user logs into the software with their e-mail address, that is being verified and monitored online for usage of each license.

Furthermore, EMSA documents, photos, and videos related to EMSA activities can be stored and edited on Adobe Cloud using Adobe Cloud Applications. Since Adobe Creative Cloud allows for file editing via their cloud storage, there is a possibility that some personal data could be stored in the cloud. These files are only accessible to authorised/licensed 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 or in the exercise of official authority vested in EMSA (including management and functioning of the institution) ☒  
(Examples of legal basis: e.g. Article 2 'Core tasks of the Agency', par.4 b) EMSA founding regulation )
- (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 ☒  
Designated staff on the Executive Office, Virtual lab or any other EMSA Adobe Software users
- Non-EMSA staff (contractors staff, external experts, trainees) ☒  
Designated staff on the Executive Office, Virtual lab or any other EMSA Adobe Software users
- Visitors to EMSA building ☐
- Relatives of the data subject ☐
- Other (please specify):

6) Categories of personal data processed (Article 31.1(c))

*Please tick all that apply and give details where appropriate*

(a) **General personal data:**

The personal data contains:

- Personal details (name, address etc) ☒  
Name and Surname
- Education & Training details ☐
- Employment details ☒  
e-mail address
- 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  | <input type="checkbox"/> |
| Political opinions   | <input type="checkbox"/> |
| Religious or philosophical beliefs                                   | <input type="checkbox"/> |
| Trade union membership   | <input type="checkbox"/> |
| Genetic, biometric or data concerning health                         | <input type="checkbox"/> |
| Information regarding an individual's sex life or sexual orientation | <input type="checkbox"/> |

7) Recipient(s) of the data (Article 31.1 (d))

*Recipients are all parties who have access to the personal data*

- |  |                                     |
|--|-------------------------------------|
| Data subjects themselves   | <input checked="" type="checkbox"/> |
| Managers of data subjects  | <input type="checkbox"/>            |
| Designated EMSA staff members                                    | <input checked="" type="checkbox"/> |
| Staff from the Service Desk in charge of the licenses management |                                     |
| Designated Contractors' staff members                            | <input type="checkbox"/>            |
| Other (please specify):  |                                     |

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 ☐

No ☒

**If yes, specify to which country:**

**If yes, specify under which safeguards:**

Adequacy Decision of the European Commission ☐

Standard Contractual Clauses ☐

Binding Corporate Rules ☐

Memorandum of Understanding between public authorities ☐

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) ☒

Adobe cloud

Servers of external provider

☐

Other (please specify):

All Adobe software is installed locally, although provided via the cloud (license checks, user management, software updates etc.). The projects (data) are stored locally on EMSA servers but users have also the possibility for storing via their cloud storage.

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.*

Data will be retained for the duration of the contract for the licensed software.