

## DATA PROTECTION PRIVACY STATEMENT

### **Data Protection Statement/Privacy Statement on the processing of personal data in the context of Questionnaire about information sharing on maritime cybersecurity incidents**

The protection of privacy is of high importance to the European Maritime Safety Agency ('EMSA'). EMSA is responsible for the personal data it processes. Therefore, we are committed to respecting and protecting the personal data of every individual and to ensuring efficient exercising of data subject's rights. All the data of personal nature, namely data that can identify an individual directly or indirectly, will be handled fairly and lawfully with the necessary due care.

This processing operation is subject to Regulation 2018/1725 of the European Parliament and of the Council *On the protection of individuals with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data*. The information in this Privacy Statement is given pursuant to Articles 15 and 16 of the Regulation 2018/1725.

#### **1. Nature and the purpose(s) of the processing operation**

The purpose(s) of the processing of personal data is/are:

The survey will be launched using the E-Survey Platform and is intended to, on the one hand, gather information from the EU and EFTA Member States about the current state-of-play regarding information sharing and incident reporting in their respective countries and, on the other hand, collect their views on the development of a mechanism at EU/EFTA level, potentially building on EMSA expertise on sharing maritime information. This will help EMSA understand the capabilities and the needs of the Member States in order to proceed accordingly in the future.

The Survey is fully anonymous and not linked to any email address, or entity.

Furthermore, it is not open to the public. It will be sent via email to the Maritime Security Regulatory Committee emails list, which EMSA regularly uses for communication with MS. The communication normally goes through a 'corporate' mailbox, however, processing of some 'residual' personal data is possible.

The questionnaire won't be published on EMSA website but will be put on-line on EUSurvey, the European Commission's official online survey management tool, which already foresees thorough measures about the processing and the protection of personal data: [EUSurvey - Privacy Statement \(europa.eu\)](https://eusurvey.europa.eu/privacy-statement)

The collected anonymous data will be analysed by the relevant EMSA staff to prepare the working sessions of the cyber conference to be hold on 3 October 2024.

EMSA will not reuse the personal data for another purpose that is different to the one stated above.

The processing is not intended to be used for any automated decision making, including profiling.

#### **2. Categories/types of personal data processed**

The categories/types of personal data processed are the following:

The communication normally goes through a 'corporate' mailbox, however, processing of some 'residual' personal data is possible. If this happens it is expected that name, surname and e-mail addresses of some of the participants in the Survey may be identifiable.

### **3. Processing the personal data**

The processing of the personal data is carried out under the responsibility of the Head of Unit 2.1, acting as delegated EMSA data controller.

### **4. Access to and disclosure of personal data**

The personal data is disclosed to the following recipients:

The information concerning the *Questionnaire about information sharing on maritime cybersecurity incidents* will only be shared with people necessary for the implementation of such measures on a need-to-know basis. The data are not used for any other purposes nor disclosed to any other recipient.

The information in question will not be communicated to third parties, except where necessary for the purpose(s) outlined above.

Personal data are not intended to be transferred to third countries.

### **5. Protecting and safeguarding personal information**

EMSA implements appropriate technical and organisational measures in order to safeguard and protect data subjects' personal data from accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to them.

All personal data related to *Questionnaire about information sharing on maritime cybersecurity incidents* are stored in secure IT applications according to the security standards of the Agency as well as in specific electronic folders accessible only to the authorised recipients. Appropriate levels of *access are granted* individually only to those recipients.

The e-records are held securely so as to safeguard the confidentiality and privacy of the data therein.

### **6. Access, rectification, erasure or restriction of processing of personal data**

Data subjects have the right to access, rectify, erase, and receive their personal data, as well as to restrict and object to the processing of the data, in the cases foreseen by Articles 17 to 24 of the Regulation 2018/1725.

If data subjects would like to exercise any of these rights, they should send a written request explicitly specifying their query to the delegated data controller, Head of Unit 2.1.

The right of rectification can only apply to inaccurate or incomplete factual data processed within the *Questionnaire about information sharing on maritime cybersecurity incidents*.

The above requests will be answered without undue delay, and in any event within one month of receipt of the request. However, according to article 14 (3) of the Regulation 2018/1725, that period may be extended by two further months where necessary, taking into account the complexity and number of the requests. EMSA

shall inform the data subject of any such extension within one month of receipt of the request, together with the reasons for the delay.

## **7. Legal basis for Data processing**

Processing is based on (Article 5(a) of the Regulation 2018/1725.

## **8. Storing Personal data**

EMSA does not keep personal data longer than necessary for the purpose(s) for which that personal data is collected.

The data will be only retained for as long as it is used in accordance with EMSA Records Management Policy and Procedure.

In the event of a formal appeal, all data held at the time of the formal appeal should be retained until the completion of the appeal procedures.

## **9. Data protection points of contact**

Should data subjects have any queries/questions concerning the processing of your personal data, they should address them to the data controller, Head of Unit 2.1 under the following mailbox: [MARSEC@emsa.europa.eu](mailto:MARSEC@emsa.europa.eu)

Any data subject may also consult EMSA Data Protection Officer at: [DPO@emsa.europa.eu](mailto:DPO@emsa.europa.eu).

### **Recourse:**

Complaints, in cases where the conflict is not resolved by the Data Controller and/or the Data Protection Officer, can be addressed at any time to the European Data Protection Supervisor: [edps@edps.europa.eu](mailto:edps@edps.europa.eu).

