

Data Protection Statement/Privacy Statement on the processing of personal data in the procedure/context of RuleCheck management

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:

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.

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:

Personal details: Name (First, Middle, Last)

- Employment details: E-mail address, Address', Contacts (Phone), Member State and Organisation

3. Processing the personal data

The processing of the personal data is carried out under the responsibility of the Head of Unit 1.3 - Capacity Building, acting as delegated EMSA data controller.

Personal data are processed by:

- Unit 1.3 - Capacity Building
- KR Hellas (contractor) - The contractor only has access to the personal data for the purpose of sending the RuleCheck Newsletters. No data is stored in their servers.

4. Access to and disclosure of personal data

The personal data is disclosed to the following recipients:

- 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
- Designated Contractors' staff members: for the newsletter only

The information concerning RuleCheck management 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 the RuleCheck management 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 the above recipients.

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 1.3 - Capacity.

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.

The personal data are collected and processed in accordance with art 2.3b of EMSA Founding Regulation.

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;

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 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.

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 1.3 - Capacity under the following mailbox: academy.helpdesk@emsa.europa.eu.

Any data subject may also consult EMSA Data Protection Officer at: 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.