



## Information clause of the Minister responsible for regional development

In order to comply with the obligation imposed by Articles 13 and 14 of the GDPR<sup>1</sup>, in conjunction with Article 88 of the Act on the principles of implementation of tasks financed from European funds in the 2021-2027 financial perspective<sup>2</sup>, we hereby inform you about the rules for the processing of your personal data:

### I. Controller

The separate controller of your data is:

1. The Minister responsible for regional development with its registered office at ul. Wspólna 2/4, 00-926 Warsaw.

### II. Purpose of data processing

Personal data will be processed in connection with the implementation of the FERS project, in particular for monitoring, reporting, communication, publication, evaluation, financial management, verification and auditing purposes, and for the purpose of determining the eligibility of participants.

The provision of data is voluntary but necessary for the above-mentioned purpose. Refusal to provide such data will make it impossible to take appropriate action by the data controller.

### III. Basis for processing

We will process your personal data because:

1. We are required to do so by **law** (Article 6(1)(c), Article 9(2)(g) and Article 10<sup>3</sup> of the GDPR)<sup>4</sup>:

- Regulation (EU) No. 2021/1060 of the European Parliament and of the Council of June 24, 2021, laying down common provisions for the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund, as well as the financial rules for those funds and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the instrument for financial support for border management and visa policy,
- Regulation (EU) 2021/1057 of the European Parliament and of the Council of 24 June 2021 establishing the European Social Fund Plus (ESF+) and repealing Regulation (EU) No 1296/2013 (OJ EU L 231 of 30.06.2021, p. 21, as amended)
- Act of 28 April 2022 on the principles of implementation of tasks financed from European funds in the 2021-2027 financial perspective, in particular Articles 87-93,
- § Act of 14 June 1960 - Code of Administrative Procedure,
- § Act of August 27, 2009 on public finance.

### IV. Method of data collection

We collect data directly from the persons to whom they relate, or from institutions and entities involved in the implementation of the Program, including in particular applicants, beneficiaries, and partners.

### V. Access to personal data

<sup>1</sup> Regulation (EU) 2016/679 of the European Parliament and of the Council of April 27, 2016, on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (OJ EU L 119 of May 4, 2016, pp. 1-88).

<sup>2</sup> Act of April 28, 2022 on the principles of implementation of tasks financed from European funds in the 2021-2027 financial perspective (Journal of Laws 2022, item 1079), hereinafter referred to as the "Implementation Act."

<sup>3</sup> Applies only to projects activating persons serving prison sentences

<sup>4</sup> One or more legal provisions should be indicated - they may be referred to to the extent necessary for the purposes of a specific clause.



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Your personal data is accessible to the administrator's employees and associates. In addition, your personal data may be entrusted or made available to:

1. entities to which we have outsourced tasks within FERS,
2. European Commission bodies, the minister responsible for public finance, the president of the social insurance institution,
3. entities that provide us with services related to the operation and development of IT systems, as well as ensuring connectivity, e.g. IT solution providers and telecommunications operators.

## **VI. Data retention period**

Personal data is stored for the period necessary to achieve the purposes specified in point II.

## **VII. Rights of data subjects**

You have the following rights:

1. the right to access your data and receive a copy thereof (Article 15 of the GDPR),
2. the right to rectify your data (Article 16 of the GDPR),
3. the right to erase your data (Article 17 of the GDPR) - unless the circumstances referred to in Article 17(3) of the GDPR apply,
4. the right to request the controller to restrict the processing of your data (Article 18 of the GDPR),
5. the right to transfer your data (Article 20 of the GDPR) - if the processing is based on a contract: for the purpose of its conclusion or performance (in accordance with Article 6(1)(b) of the GDPR), and in an automated manner<sup>5</sup>,
6. the right to lodge a complaint with the supervisory authority, the President of the Personal Data Protection Office (Article 77 of the GDPR) - if the person considers that the processing of their personal data violates the provisions of the GDPR or other national provisions regulating the protection of personal data applicable in Poland.

## **VIII. Automated decision-making**

Personal data will not be subject to automated decision-making, including profiling.

## **IX. Transfer of data to a third country**

Your personal data will not be transferred to a third country.

## **X. Contact with the data controller and Data Protection Officer**

If you have any questions regarding the processing of personal data by the minister responsible for regional development, please contact the Data Protection Officer (DPO) as follows:

- by traditional mail (ul. Wspólna 2/4, 00-926 Warsaw),
- by email (email address: [IOD@mifpr.gov.pl](mailto:IOD@mifpr.gov.pl)).

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<sup>5</sup> For the automation of the personal data processing process, it is sufficient that the data is stored



## INFORMATION CLAUSE OF THE NATIONAL RESEARCH AND DEVELOPMENT CENTER

In accordance with Articles 13 and 14 of the Regulation of the European Parliament of April 27, 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (hereinafter: "**GDPR**"), I hereby inform you that:

- 1) the controller of your personal data is the **National Center for Research and Development** (hereinafter: "**NCBR**") with its registered office in Warsaw (00-801), ul. Chmielna 69;
- 2) the data protection officer (DPO) can be contacted at the following e-mail address: and at the NCBR's mailing address indicated above with the note "Data Protection Officer";
- 3) personal data is processed for the purpose of implementing the project carried out under the European Social Development Fund 2021-2027 Program ("**ESDP**"), in particular for the purpose of project evaluation and selection, conclusion of a grant agreement, supervising the implementation of the project, reporting, communication, publication, evaluation, financial management, verification and control, audit, evaluation of information and promotion activities, its acceptance, evaluation and financial settlement, for the purposes of determining the eligibility of participants and, where applicable, establishing, pursuing or defending claims;
- 4) personal data is processed for the purpose indicated above, i.e. processing is necessary for the performance of a task carried out in the public interest (Article 6(1)(e) of the GDPR), and the NCBR is authorized to process your personal data pursuant to the Act of April 30, 2010 on the National Center for Research and Development in connection with the performance of the tasks specified therein and on the basis of the Act of April 28, 2022, on the principles of implementation of tasks financed from European funds in the 2021-2027 financial perspective, in particular Chapter 18 of this Act (Article 6(1)(c) of the GDPR);
- 5) personal data has been obtained directly from you or from public registers or from institutions and entities involved in the implementation of the project, including in particular from applicants, beneficiaries, partners;
- 6) NCBR processes your personal data contained in the grant application or provided in the course of performing the tasks specified in point 3 of this clause;
- 7) the provision of personal data is necessary for the fulfilment of the above-mentioned purpose. Refusal to provide such data will make it impossible to take appropriate action;
- 8) personal data will be processed for the period necessary to achieve the purpose specified in point 3), and then for archiving purposes for a period consistent with the NCBR's office instructions and the Uniform Subject File List;
- 9) the recipients of personal data will be public authorities and entities performing public tasks or acting on behalf of public authorities, to the extent and for the purposes resulting from legal provisions, as well as entities providing services necessary for the performance of tasks by the NCBR, in particular the entity supporting the performance of tasks is NCBR+ sp. z o.o. These data may also be transferred to IT partners, entities providing technical or organizational support, archiving and destruction of documents, postal, courier and payment services, marketing services;
- 10) You have the following rights in relation to the NCBR: the right to request access to your personal data, rectification, erasure, restriction of processing, and the right to object to the processing of your personal data. To exercise your rights, please contact the data protection officer at the email address provided in point 2 above;



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11) you also have the right to lodge a complaint with the President of the Personal Data Protection Office;

12) personal data will not be subject to automated decision-making, including profiling;

13) Your personal data will not be transferred to any third country.