



Appendix No. .... to the Subsidy Contract

**1. Information clause on data protection**

To comply with the obligation imposed by Articles 13 and 14 of the GDPR,<sup>1</sup> please see the principles below governing the processing of personal data:

**1. Data Controller**

The separate controllers of your data are:

1. The Minister of Funds and Regional Policy of the Republic of Poland, insofar as it performs the tasks of the Member State and performs the functions of the Managing Authority (MA) of the Interreg South Baltic Programme 2021-2027, with its registered office at ul. Wspólna 2/4, 00-926 Warsaw, Poland;
2. The Director of the Center for European Projects (CEP), insofar as it fulfils the functions of the Joint Secretariat for the Interreg South Baltic Programme 2021-2027<sup>2</sup>, with its registered office at ul. Domaniewska 39A, 02-672 Warsaw, Poland;
3. The competent authority which has been designated to carry out the tasks of the first level controller, designated in accordance with Article 46 item 4 of the Interreg Regulation.<sup>3</sup>
4. Lead Partner in the project .....<sup>4</sup>
5. ....<sup>5</sup>

**2. Purpose of data processing**

The provided personal data will be processed in connection with the implementation of the .....<sup>4</sup> project, in particular to enable the verification of the application form, the conclusion of the contract and the confirmation of the eligibility of expenditure settled under the project.

The provision of data is voluntary, but necessary to fulfil the above-mentioned purpose. Refusal to provide these data means that no action can be undertaken.

**3. Basis for processing**

The Data Controllers identified in item 1 shall process your personal data on the following bases:

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<sup>1</sup> Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (Official Journal of the European Union L 119 of 4/5/2016 page 1–88).

<sup>2</sup> Based on the Agreement concluded with the Managing Authority.

<sup>3</sup> Regulation (EU) 2021/1059 of the European Parliament and of the Council of 24 June 2021 on specific provisions for the European territorial cooperation goal (Interreg) supported by the European Regional Development Fund and external financing instruments (Official Journal of the European Union L 231 of 30/6/2021 page 94).

<sup>4</sup> To enter the project title.

<sup>5</sup> Project Partner(s) enter the data



1. Compliance with a **legal obligation** to which the controller is subject (Article 6, item 1, letter c of the GDPR):
  - regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 defining common provisions on 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 and financial rules for those 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) 2021/1059 of the European Parliament and of the Council of 24 June 2021 on specific provisions for the European territorial cooperation goal (Interreg) supported by the European Regional Development Fund and external financing instruments,
  - regulation (EU) 2021/1058 of the European Parliament and of the Council of 24 June 2021 on the European Regional Development Fund and on the Cohesion Fund,
  - regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012.
2. Performance of a **task carried out in the public interest** or in the exercise of official authority vested in the controller (Article 6, item 1, letter e of the GDPR),
3. Performance and implementation **contracts** where you are a party to, and the processing of the provided personal data is necessary for their conclusion and performance (Article 6, item 1, letter b of the GDPR).

#### 4. **Types of processed data**

The following types of the provided data may be made available:

1. Data identifying individuals, such as name and surname, position, address, email address, website address, place of work/entity represented/name of the tenderer or contractor, registered office address/correspondence address/address of residence, user ID/login, IP address, type of user, telephone number, fax number, PESEL, NIP, REGON or other identifiers used in a particular country, legal form of business conducted, Subsidy Contract number, form of ownership of that person's property, education.
2. Data related to the scope of natural persons' participation in the project, not indicated in point 1, such as the form of involvement in the project, duration of involvement of a person in the project (date of commencement of participation in the project, date of completion of



participation in the project), working time, working hours, citizenship, remuneration, bank account number, image.

3. Data of natural persons appearing in documents confirming eligibility of expenditure, including parents' names, date of birth/age, place of birth, series and number of ID card, special needs, salary amount, bank account number, work experience, construction license number, seniority, plot number, area, land and mortgage register number, commune, name and number of the legal title to the real estate, gas connection number, information on an identified or potential conflict of interest related to the performance of official duties, disrupting or threatening to interfere with the independent performance of tasks by an employee/expert.

## 5. Access to personal data

Access to the provided personal data is available to employees and collaborators of the Ministry of Development Funds and Regional Policy, the Center of European Projects, and the competent first level Controllers.

Furthermore, the provided personal data can be entrusted or made available to:

1. entities commissioned to perform the tasks under Interreg South Baltic Programme 2021–2027;
2. European Union (EU) institutions or entities to which the EU has delegated tasks concerning the implementation of Interreg 2021–2027;
3. the audit authority referred to in Articles 45 and 46 of the Interreg Regulation;
4. bodies providing services relating to the operation and development of ICT systems and the provision of communications, such as IT solutions providers and telecommunications operators.

## 6. Data storage period

The provided personal data will be stored in accordance with Polish regulations on the national archival resource and archives, including for a period of at least 5 years from 31 December of the year in which the last payment was made to the Lead Partner, subject to provisions that may provide for a longer period for carrying out controls and audits, as well as in accordance with regulations on State aid and *de minimis* aid and regulations on tax on goods and services.

## 7. Data subjects' rights

Data subjects' rights:

1. The right of access to personal data and to obtain their copies (Article 15 of the GDPR).
2. The right to rectification (Article 16 of the GDPR).
3. The right to erasure ('right to be forgotten') (Article 17 of the GDPR) – if the circumstances referred to in Article 17 item 3 of the GDPR have not occurred.



4. The right to obtain restriction of processing from the controller (Article 18 of the GDPR).
5. The right to data portability (Article 20 of the GDPR) – if the processing is based on an agreement: for the purpose of its conclusion or implementation (in accordance with Article 6, item 1 letter b of the GDPR) and if the processing is carried out by automated means.<sup>6</sup>
6. The right to object to the processing of personal data concerning you (Article 21 of the GDPR) – if the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller (that is, for the purpose referred to in Article 6, item 1, letter e).
7. The right to lodge a complaint to a supervisory authority: the President of the Personal Data Protection Office (Article 77 of the GDPR) – when a person is of the opinion that the processing of their personal data violates the provisions of the GDPR or other national provisions governing the protection of personal data applicable in Poland.

#### **8. Automated decision-making**

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

#### **9. Transfers to third countries**

The provided personal data will not be transferred to a third country, except for the Interreg Poland-Ukraine 2021–2027 Programme. In the case of this Programme, data may be transferred to a competent institution in the territory of Ukraine. Such a transfer will take place through a separate agreement in accordance with Commission Implementing Decision (EU) 2021/914 of 4 June 2021 on standard contractual clauses for the transfer of personal data to third countries pursuant to Regulation (EU) 2016/679 of the European Parliament and of the Council.

#### **10. Contact with the Data Controller and the Data Protection Officer**

For questions about the processing of the provided personal data, the following Data Protection Officers (DPO) can be contacted:

1. The Managing Authority (The Ministry of Funds and Regional Policy of the Republic of Poland):  
by traditional mail (ul. Wspólna 2/4, 00-926 Warsaw, Poland), or  
electronically (e-mail address: IOD@mfipr.gov.pl),
2. Center for European Projects:  
by traditional mail (ul. Domaniewska 39A, 02-672 Warsaw, Poland),  
electronically (e-mail address: iod@cpe.gov.pl).
3. DPO of the competent Controller:
  - by post .....
  - by email .....

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<sup>6</sup> To automate the processing of personal data, it is sufficient that the data are stored on a computer disc.



4. DPO of the Lead Partner:
  - by post .....
  - by email .....
5. DPO of the Project Partner:
  - by post .....
  - by email .....