

Information clause of the minister responsible for regional development

In order to fulfil the obligation imposed by Articles 13 and 14 of the GDPR¹, in connection with Article 88 of the Act on the principles of implementation of tasks financed from European funds in the financial perspective 2021-2027², we hereby inform you about the principles of processing your personal data:

I. Administrator

A separate administrator of your data is:

1. **Minister responsible for regional development**, with headquarters at 2/4 Wspólna Street, 00-926 Warsaw (ul. Wspólna 2/4, 00-926 Warszawa).

II. Purpose of data processing

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

Providing your data is voluntary, but necessary to achieve the above-mentioned purpose. Refusal to provide it results in the lack of ability to take appropriate action.

III. Basis for processing

We will process your personal data in connection with:

1. We are obliged to do so by law (Article 6 paragraph 1 letter c, Article 9 paragraph 2 letter g and Article 10³ GDPR)⁴:
- Regulation (EU) No 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down 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 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,

¹ 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 (OJ L 119, 4 May 2016, pp. 1-88).

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

³ Applies only to projects activating persons serving prison sentences.

⁴ One or more legal provisions should be indicated – it is possible to refer to them to a limited extent for the purposes of a specific clause.

- 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 L 231, 30.06.2021, p. 21, as amended)
- Act of 28 April 2022 on the principles of implementing 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 27 August 2009 on public finances.

IV. Method of obtaining data

We obtain data directly from the persons to whom it relates, or from institutions and entities involved in the implementation of the Programme, including in particular applicants, beneficiaries and partners.

V. Access to personal data

The administrator's employees and associates have access to your personal data. Furthermore, your personal data may be entrusted or shared with:

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

VI. Data storage period

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

VII. Data subject rights

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 have your data deleted (Article 17 of the GDPR) – if the circumstances referred to in Article 17(3) of the GDPR do not occur,
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 (pursuant to Article 6 paragraph 1 letter b of the GDPR), and in an automated manner⁵,
6. the right to lodge a complaint with the supervisory authority, the President of the Office for Personal Data Protection (Article 77 of the GDPR) – if a person

⁵ To automate the processing of personal data, it is sufficient that the data is saved on the computer's disk.

considers that the processing of his or her personal data violates the provisions of the GDPR or other national provisions regulating the protection of personal data in force 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 the Data Protection Supervisor

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

- by traditional mail (ul. Wspólna 2/4, 00-926 Warsaw),
- electronically (e-mail address: IOD@mfipr.gov.pl).