



### Annex 5 to the Partnership Agreement

#### INFORMATION CLAUSE

In order to comply with the obligation imposed by Articles 13 and 14 of the GDPR<sup>1</sup>, we inform you of the principles governing the processing of your personal data:

##### I. Data controller

The separate controllers of your data are:

1. The Association of the Carpathian Euroregion, insofar as it performs the tasks of the Beneficiary of the Small Project Fund, based at Kilińskiego 2 Sq., 35-005 Rzeszów, Poland  
.....
2. The Minister of Development Funds and Regional Policy of the Republic of Poland, insofar as it performs the tasks of a Member State and acts as the Managing Authority (MA) for the Interreg NEXt Programme Poland-Ukraine 2021-2027, based at Wspólna 2/4 St., 00-926 Warsaw, Poland.
3. Director of the Centre of European Projects, insofar as it acts as the joint secretariat for the Interreg NEXt Poland-Ukraine 2021-2027 Programme<sup>2</sup>, based at Puławska 180 St., 02-670 Warsaw, Poland.
4. The competent authority which has been designated to carry out the tasks of the controller appointed in accordance with Article 46(4) of the Interreg Regulation.<sup>3</sup> **Secretariat of the Cabinet of Ministers of Ukraine**, acts as the National Authority (NA) for the Interreg NEXt Poland-Ukraine 2021-2027 Programme, based at Hrushevsky 12/2 St., 01008 Kyiv, Ukraine
5. ....[insert details and address of Small Project Lead Beneficiary].
6. ....[insert details and address of the Small Project Beneficiary].

##### II. Purpose of data processing

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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 and repealing Directive 95/46/EC (General Data Protection Regulation) (Official Journal of the EU L 119 of 04.05.2016, p.1, as amended)...

<sup>2</sup> On the basis of the Agreement of 14.09.2022 with the MA on entrusting the Centre for European Projects with tasks related to the implementation of Interreg 2021-2027 programmes.

<sup>3</sup> Regulation (EU) 2021/1059 of the European Parliament and of the Council of 24 June 2021 on specific provisions concerning the European territorial cooperation objective (Interreg) supported by the European Regional Development Fund and the external financing instruments (OJ L 231, 30.06.2021, p. 94).

Your personal data will be processed in connection with the implementation of the small project ....., in particular in order to be able to confirm the eligibility of the expenses settled under the small project.

The provision of data is voluntary, but necessary to fulfil the above-mentioned purpose. If you refuse to provide them, you will not be able to take appropriate action.

### III. Basis for processing

The administrators indicated in point I will process your personal data in connection with:

1. They are obliged to do so **by law** (Article 6(1)(c) GDPR):
  - Regulation (EU) 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 Fair Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and the financial rules for these Funds and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Financial Support Facility for Border Management and Visa Policy (OJ EU L 231, 30.06.2021, p. 159, as amended),
  - Regulation (EU) 2021/1059 of the European Parliament and of the Council of 24 June 2021 on specific provisions concerning the European territorial cooperation objective (Interreg) supported by the European Regional Development Fund and external funding instruments,
  - Regulation (EU) 2021/1058 of the European Parliament and of the Council of 24 June 2021 on the European Regional Development Fund and the Cohesion Fund (Official Journal of the EU L 231 of 30.06.2021, p. 60, as amended),
  - 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 and (EU) No 283/2014 and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ EU L 193, 30.07.2018, p. 1).
2. Perform **tasks in the public interest** or exercise public authority entrusted to them (Article 6(1)(e) GDPR).
3. Prepare and perform **contracts** to which you are a party and the processing of personal data is necessary for the conclusion and performance of such **contracts** (Article 6(1)(b) GDPR).

### IV. Types of data processed

The following types of your data may be processed:

1. data identifying natural persons, such as first name(s) and surname, official position, telephone/fax, e-mail address, website address, user ID/login, IP address, type of user, place of work/represented entity/name of the tenderer or contractor, registered office address/address for correspondence/residence address, PESEL/УЗНР, NIP/ ΠΗΟΚΠΠ, REGON/ Код ЄДРΠΟΥ, other identifiers functioning in the country, number of project funding agreement, legal form, form of ownership, profession/education;
2. data related to the scope of natural persons' participation in the project, not indicated in point 1, such as: form of involvement in the project, period of the person's involvement in the project (date of commencement of participation in the project, date of completion of

participation in the project), working time, working hours, nationality, amount of remuneration, bank account number, image;

3. data of natural persons not mentioned under point 1 that appear in the documents certifying eligibility of expenditures, including: parents' names, date of birth / age, place of birth, series and number of the identity card, special needs, amount of the remuneration, no. of the bank account, professional experience, number of construction qualifications, length of service, number of the plot, district, land register number, municipality, name and number of the title to the real property, information on an identified or potential conflict of interest related to the performance of professional duties, interfering or threatening to interfere with the independent performance of tasks by the employee / expert.

## **V. Access to personal data**

Your personal data can be accessed by employees and collaborators of the Small Project Beneficiary, the Small Project Partner, the SPF Beneficiary, the Ministry of Funds and Regional Policy, the CPE and the relevant controllers.

In addition, your personal data may be entrusted or shared:

1. entities entrusted with the implementation of tasks under the Interreg NEXT Poland-Ukraine 2021-2027 Programme;
2. European Union (EU) institutions or bodies to which the EU has delegated tasks relating to the implementation of Interreg 2021-2027;
3. The Audit Authority referred to in Articles 45 and 46 of Regulation (EU) 2021/1059 of the European Parliament and of the Council of 24 June 2021 on specific provisions concerning the European territorial cooperation goal (Interreg) supported by the European Regional Development Fund and the external financing instruments;
4. entities that perform services related to the operation and development of ICT systems, as well as the provision of communications, e.g. IT solution providers and telecommunications operators.

## **VI. Data retention period**

Your personal data will be stored in accordance with Polish national legislation and Slovak legislation on archives and records, including at least for a period of 5 years from 31 December of the year in which the last payment was made to the Lead Partner, subject to regulations that may provide for a longer period for carrying out checks, as well as regulations on state aid and *de minimis* aid and regulations on tax on goods and services.

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

You have the following rights:

1. The right to access and receive a copy of your data (Article 15 GDPR);
2. The right to rectify your data (Article 16 GDPR);
3. The right to request the controller to restrict the processing of your data (Article 18 GDPR);
4. The right to object to the processing of your data (Article 21 GDPR - where the processing is carried out for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller (i.e. for the purpose referred to in Article 6(1)(e));
5. The right to lodge a complaint with the President of the Office for Personal Data Protection in case the person considers that the processing of his/her personal data violates the

provisions of the GDPR or other national legislation regulating the protection of personal data applicable in Poland or Ukraine.

### **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 questions about our processing of your personal data, please contact the Data Protection Officers (DPO) as follows:

1. IOD of the SPF Beneficiary:
  - by post .....
  - electronically .....
  
2. IOD The Minister of Development Funds and Regional Policy of the Republic of Poland:
  - by post (ul. Wspólna 2/4, 00-926 Warsaw, Poland),
  - electronically (e-mail address: IOD@mfipr.gov.pl)
  
3. IOD Centre of European Projects:
  - by post ..ul.Puławska 180, 02-670 Warsaw, Poland)
  - electronically ( e-mail address: iod@cpe.gov.pl)
  
4. IOD of the relevant controller:
  - by post .....
  - electronically .....
  
5. IOD...Ukraine:
  - by post (street)
  - electronically .....
  
6. IOD of the small project Lead Beneficiary :
  - by post .....
  - electronically .....
  
7. IOD small project Beneficiary:
  - by post .....
  - electronically .....