**Annex No. 11 to the Regulations**

**INFORMATION CLAUSE OF THE INTERMEDIATE INSTITUTION –**

**NATIONAL CENTRE FOR RESEARCH AND DEVELOPMENT**

Under art. 13 of Regulation 2016/679 (EU) 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 (hereinafter: “**GDPR**”), I inform you that:

1. the controller of your personal data is the **National Centre for Research and Development** (hereinafter: “**NCBR**”) with its registered office in Warsaw (00-801), 69 Chmielna street;
2. you can contact the data protection officer (DPO) by email at: [iod@ncbr.gov.pl](mailto:iod@ncbr.gov.pl) or by mail to the mailing address indicated above, with the added note: “Inspektor Ochrony Danych”;
3. personal data is processed for the purpose of implementing the project carried out under the European Funds for Social Development 2021-2027 (“**EFSD**”) Programme, in particular for the purpose of project evaluation and selection, conclusion of a funding agreement, supervision of project implementation, reporting, communication, publication, evaluation, financial management, verification and inspection, audit, evaluation of information and promotion activities, its acceptance, evaluation and financial settlement, for the purpose of determining the eligibility of participants and the possible establishment, investigation or defense of claims;
4. personal data is processed due to the purpose indicated above, i.e. the processing is necessary for the performance of a task carried out in the public interest (Article 6(1)(e) GDPR), and NCBR is authorized to process your personal data under the National Centre for Research and Development Act of 30 April 2010 in connection with the implementation of NCBR's tasks specified therein, and under the Act of 28 April 2022 on the Principles of Implementation of Tasks Financed from European Funds in the Financial Perspective 2021-2027, in particular Chapter 18 of that Act (Article 6(1)(c) GDPR);
5. personal data was obtained directly from you or from public records or from institutions and entities involved in the implementation of the project, including in particular applicants, beneficiaries, partners;
6. NCBR processes your personal data included in the financing application or provided in the performance of the tasks indicated in item 3 of the clause;
7. provision of personal data is necessary for the above-mentioned purpose. Refusal to provide it will make it impossible to undertake appropriate activities;
8. personal data will be processed for the period necessary to fulfil the purpose specified in item 3), and then for archiving purposes for the period in accordance with the NCBR's office instructions and the Uniform Subject File Index;
9. the recipients of the personal data will be public authorities and entities performing public tasks or acting on behalf of public authorities, in the scope and for the purposes that result from provisions of the law, as well as entities providing the services necessary for implementation of tasks by the NCBR, in particular the entity supporting the implementation of tasks is NCBR+ sp. z o.o. The data may also be transferred to IT partners, entities providing technical or organisational support, document archiving and shredding, postal, courier, payment services, marketing support;
10. you have the right to request that NCBR respect the following rights concerning personal data: the right to request access to your personal data, to rectification, erasure, restriction of its processing, as well as the right to object to the processing of your personal data. The Data Protection Officer can be contacted regarding the exercise of rights, at the email address provided in item 2 above;
11. you also have the right to submit a complaint to the President of the Polish Personal Data Protection Authority;
12. your personal data will not be subject to automated decision-making, including profiling;
13. your personal data will not be transferred to third countries.

[[1]](https://euc-word-edit.officeapps.live.com/we/wordeditorframe.aspx?ui=pl%2DPL&rs=pl%2DPL&wopisrc=https%3A%2F%2Fnarodowa.sharepoint.com%2Fsites%2FRegulaminwsplnydlainstytucji-pracezespou%2F_vti_bin%2Fwopi.ashx%2Ffiles%2F5fb9d3ad076a4f99bcd9caf5f0ad5884&wdorigin=TEAMS-ELECTRON.teams.chiclet&wdexp=TEAMS-CONTROL&wdenableroaming=1&mscc=1&hid=3161E2A0-90B9-7000-6082-DBF2329B9968&jsapi=1&jsapiver=v1&newsession=1&corrid=81c03456-f141-4ec6-b814-d689f893c5bc&usid=81c03456-f141-4ec6-b814-d689f893c5bc&sftc=1&cac=1&mtf=1&sfp=1&instantedit=1&wopicomplete=1&wdredirectionreason=Unified_SingleFlush&rct=Normal&ctp=LeastProtected#_ftnref1) Regulation 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 EU L 119 of 4 May 2016, pp. 1-88).

[[2]](https://euc-word-edit.officeapps.live.com/we/wordeditorframe.aspx?ui=pl%2DPL&rs=pl%2DPL&wopisrc=https%3A%2F%2Fnarodowa.sharepoint.com%2Fsites%2FRegulaminwsplnydlainstytucji-pracezespou%2F_vti_bin%2Fwopi.ashx%2Ffiles%2F5fb9d3ad076a4f99bcd9caf5f0ad5884&wdorigin=TEAMS-ELECTRON.teams.chiclet&wdexp=TEAMS-CONTROL&wdenableroaming=1&mscc=1&hid=3161E2A0-90B9-7000-6082-DBF2329B9968&jsapi=1&jsapiver=v1&newsession=1&corrid=81c03456-f141-4ec6-b814-d689f893c5bc&usid=81c03456-f141-4ec6-b814-d689f893c5bc&sftc=1&cac=1&mtf=1&sfp=1&instantedit=1&wopicomplete=1&wdredirectionreason=Unified_SingleFlush&rct=Normal&ctp=LeastProtected#_ftnref2) Act of 28 April 2022 on the Principles of Implementation of Tasks Financed from European Funds in the Financial Perspective 2021-2027 (Journal of Laws of 2022 item 1079), hereinafter referred to as the “implementation act”.

[[3]](https://euc-word-edit.officeapps.live.com/we/wordeditorframe.aspx?ui=pl%2DPL&rs=pl%2DPL&wopisrc=https%3A%2F%2Fnarodowa.sharepoint.com%2Fsites%2FRegulaminwsplnydlainstytucji-pracezespou%2F_vti_bin%2Fwopi.ashx%2Ffiles%2F5fb9d3ad076a4f99bcd9caf5f0ad5884&wdorigin=TEAMS-ELECTRON.teams.chiclet&wdexp=TEAMS-CONTROL&wdenableroaming=1&mscc=1&hid=3161E2A0-90B9-7000-6082-DBF2329B9968&jsapi=1&jsapiver=v1&newsession=1&corrid=81c03456-f141-4ec6-b814-d689f893c5bc&usid=81c03456-f141-4ec6-b814-d689f893c5bc&sftc=1&cac=1&mtf=1&sfp=1&instantedit=1&wopicomplete=1&wdredirectionreason=Unified_SingleFlush&rct=Normal&ctp=LeastProtected#_ftnref3) Applies only to the projects that activate people serving prison sentences.

[[4]](https://euc-word-edit.officeapps.live.com/we/wordeditorframe.aspx?ui=pl%2DPL&rs=pl%2DPL&wopisrc=https%3A%2F%2Fnarodowa.sharepoint.com%2Fsites%2FRegulaminwsplnydlainstytucji-pracezespou%2F_vti_bin%2Fwopi.ashx%2Ffiles%2F5fb9d3ad076a4f99bcd9caf5f0ad5884&wdorigin=TEAMS-ELECTRON.teams.chiclet&wdexp=TEAMS-CONTROL&wdenableroaming=1&mscc=1&hid=3161E2A0-90B9-7000-6082-DBF2329B9968&jsapi=1&jsapiver=v1&newsession=1&corrid=81c03456-f141-4ec6-b814-d689f893c5bc&usid=81c03456-f141-4ec6-b814-d689f893c5bc&sftc=1&cac=1&mtf=1&sfp=1&instantedit=1&wopicomplete=1&wdredirectionreason=Unified_SingleFlush&rct=Normal&ctp=LeastProtected#_ftnref4) Indicate one or more provisions of the law – you may invoke them to a limited extent for the purpose of a specific clause.

[[5]](https://euc-word-edit.officeapps.live.com/we/wordeditorframe.aspx?ui=pl%2DPL&rs=pl%2DPL&wopisrc=https%3A%2F%2Fnarodowa.sharepoint.com%2Fsites%2FRegulaminwsplnydlainstytucji-pracezespou%2F_vti_bin%2Fwopi.ashx%2Ffiles%2F5fb9d3ad076a4f99bcd9caf5f0ad5884&wdorigin=TEAMS-ELECTRON.teams.chiclet&wdexp=TEAMS-CONTROL&wdenableroaming=1&mscc=1&hid=3161E2A0-90B9-7000-6082-DBF2329B9968&jsapi=1&jsapiver=v1&newsession=1&corrid=81c03456-f141-4ec6-b814-d689f893c5bc&usid=81c03456-f141-4ec6-b814-d689f893c5bc&sftc=1&cac=1&mtf=1&sfp=1&instantedit=1&wopicomplete=1&wdredirectionreason=Unified_SingleFlush&rct=Normal&ctp=LeastProtected#_ftnref5) For the process of personal data processing to be automated, it is sufficient that the data be stored on a computer disk.

[[6]](https://euc-word-edit.officeapps.live.com/we/wordeditorframe.aspx?ui=pl%2DPL&rs=pl%2DPL&wopisrc=https%3A%2F%2Fnarodowa.sharepoint.com%2Fsites%2FRegulaminwsplnydlainstytucji-pracezespou%2F_vti_bin%2Fwopi.ashx%2Ffiles%2F5fb9d3ad076a4f99bcd9caf5f0ad5884&wdorigin=TEAMS-ELECTRON.teams.chiclet&wdexp=TEAMS-CONTROL&wdenableroaming=1&mscc=1&hid=3161E2A0-90B9-7000-6082-DBF2329B9968&jsapi=1&jsapiver=v1&newsession=1&corrid=81c03456-f141-4ec6-b814-d689f893c5bc&usid=81c03456-f141-4ec6-b814-d689f893c5bc&sftc=1&cac=1&mtf=1&sfp=1&instantedit=1&wopicomplete=1&wdredirectionreason=Unified_SingleFlush&rct=Normal&ctp=LeastProtected#_ftnref6) The template is to be determined by the Intermediary Institution.

Signature of the project participant

*[signed: qualified electronic signature; trusted profile; handwritten signature; electronic authorisation]*

**Information clause of the Polish National Agency for Academic Exchange regarding the processing of personal data of participants in projects financed by the European Funds for Social Development 2021-2027 (EFSD)**

|  |  |
| --- | --- |
| Controller | Polish National Agency for Academic Exchange (the Agency)  ul. Polna 40, 00-635 Warszawa |
| Purpose of and Legal Basis for Data Processing | The Agency processes your personal data on the basis of Article 6(1)(c) and (e) of the GDPR[[1]](#footnote-1), and on the basis of Article 9(2)(g) and (j) of the GDPR in conjunction with Article 6(1)(c) and (e) of the GDPR for the following purposes:   1. to carry out the public task in the scope of internationalisation of higher education and science entrusted to the Agency, i.e., the task specified in Article 2 of the Act of 7 July 2017 on the Polish National Agency for Academic Exchange; 2. for the Agency to fulfil its legal obligations related to implementation of a project funding agreement, including statistical obligations and obligations related to monitoring, reporting, communication, publication, evaluation, financial management, verification and performance of project audits, and for the purpose of determining the eligibility of participants; |
| Categories of data processed | The Agency may process the following categories of your data:   1. identification data, as indicated in Article 87(2)(1) of the implementation act[[2]](#footnote-2), including: full name, address, email address, phone number, fax number, PESEL, REGON, level of education, online identifiers; 2. the data related to the scope of your participation in the project, as indicated in Article 87(2)(2) of the implementation act, including: salary, form and period of involvement in the project; 3. your data appearing on the documents confirming eligibility of expenses, as indicated in Article 87(2)(3) of the implementation act, including bank account number, work experience; 4. the data indicated in Article 87(3) of the implementation law on racial or ethnic origin or on health, as referred to in Article 9 of the GDPR; 5. the data on the image of persons participating in implementation of the Programme or taking part in the events associated with it – on the basis of a separate, voluntary consent. |
| Period of data processing | Your personal data will be processed by the Agency until the purpose of processing ceases, or for a period resulting from the archive category of the documents in which the data is included, as defined in the implementing regulations of Act of 14 July 1983 on the National Archival Resource and Archives. |
| Data sharing | With all the guarantees of security, your Agency may share your data with the entities entitled to receive it under the law, including in particular under the implementation act, or transfer it to the entities processing it on behalf of the Agency under an appropriate data processing agreement. |
| Transfers of Data to Third Countries | Your personal data will not be transferred to a third country or an international organization. Should it become necessary to transfer data to a third country, the Agency will provide adequate safeguards with regard to the transfer of such data and effective legal remedies, in particular the standard contractual clauses adopted by the European Commission, and will inform you accordingly. |
| Making decisions based solely on automated personal data processing, including profiling | None. |
| Requirement to state data/source of data | The Agency obtains data either directly from data subjects or from the institutions and entities involved in implementation of EFSD projects, including in particular from applicants, beneficiaries and partners. Refusal to provide data will mean that the application will not be examined, or a particular person will not be allowed to participate in the Programme. |
| Rights of data subjects | You can submit a request to us to be given access to your personal data, to rectify it, transfer it, or restrict the processing thereof – under the terms and conditions of the GDPR.  If you believe that the Agency's processing of your personal data violates the law, you may also file a complaint with the President of the Polish Personal Data Protection Authority. |
| Email address of the data protection officer at the Agency | odo@nawa.gov.pl |

Signature of the project participant

*[signed with a qualified electronic signature;*

*trusted profile; handwritten signature; electronic authentication]*

1. Regulation 2016/679 (EU) 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 [↑](#footnote-ref-1)
2. Act of 28 April 2022 on the Principles of Implementation of Tasks Financed from European Funds in the Financial Perspective 2021-2027 [↑](#footnote-ref-2)