

Appendix 8 to the Agreement: Template of data protection statement of the Managing Institution



Fundusze Europejskie
dla Rozwoju Społecznego



Rzeczpospolita
Polska

Dofinansowane przez
Unię Europejską



Information clause of the minister responsible for regional development

In order to fulfil the obligation under Articles 13 and 14 of the GDPR¹, and in connection with Article 88 of the Act² on the principles for implementing tasks financed from European funds in the 2021–2027 financial perspective, we hereby inform you about the principles of processing your personal data:

I. Controller

A separate controller of your personal data is:

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

II. Purpose of Data Processing

Your personal data will be processed in connection with the implementation of the European Funds for Social Development (FERS) programme, in particular for the purposes of monitoring, reporting, communication, publication, evaluation, financial management, verification and audits, and determining participant eligibility.

Providing your data is voluntary, but necessary for the fulfilment of the above-mentioned purpose. Refusal to provide data will result in the inability to carry out the necessary actions.

III. Legal Basis for Processing

We process your personal data because:

1. it is required by law (Article 6(1)(c), Article 9(2)(g), and Article 10³ of the GDPR⁴), including:
 - Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 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 financial rules for those fund and

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 (Official Journal of the EU 119, 4 May 2016, pp. 1–88).

² Act of 28 April 2022 on the principles for the 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”.

³ Applies exclusively to projects aimed at the activation of persons serving custodial sentences.

⁴ One or more legal provisions should be indicated – they may be cited in a limited scope as required for the specific clause.

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+), repealing Regulation (EU) No 1296/2013 (OJ EU L 231, 30.06.2021, p. 21, as amended),
- The Act of 28 April 2022 on the principles for implementing tasks financed from European funds in the 2021–2027 financial perspective, particularly Articles 87–93,
- The Act of 14 June 1960 – Code of Administrative Procedure,
- The Act of 27 August 2009 on Public Finance.

IV. Source of Data

We obtain data directly from the individuals concerned or from institutions and entities involved in the implementation of the programme, in particular from applicants, beneficiaries, and partners.

V. Access to Personal Data

Access to your personal data is granted to the controller's employees and associates. Your data may also be shared with or entrusted to:

1. entities commissioned to carry out tasks under the FERS programme,
2. institutions such as the European Commission, the Minister of Finance, and the President of the Social Insurance Institution (ZUS),
3. Entities providing us with services related to the operation and development of IT systems and telecommunications, e.g. IT solution providers and telecom operators.

VI. Data Retention Period

Your personal data will be retained for the period necessary to fulfil the purposes described in section II.

VII. Your Rights

You have the right to:

1. access your data and receive a copy (Article 15 GDPR),
2. rectify your data (Article 16 GDPR),
3. erase your data (Article 17 GDPR) – unless exceptions specified in Article 17(3) of the GDPR apply,

4. request restriction of processing (Article 18 GDPR),
5. data portability (Article 20 GDPR) – if the processing is based on a contract: to conclude and perform the contract j (Art. 6(1)(b) GDPR), and by automated means⁵,
6. lodge a complaint with the supervisory authority – the President of the Personal Data Protection Office (Article 77 GDPR), if you believe that the processing of your data violates the GDPR or other national data protection regulations applicable in Poland.

VIII. Automated Decision-Making

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

IX. Data Transfers to Third Countries

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

X. Contact with the Controller and the 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):

- by post: ul. Wspólna 2/4, 00-926 Warsaw,
- by e-mail IOD@mfiipr.gov.pl.

⁵ To automate the processing of personal data, it is sufficient that the data are stored on a computer disk.