



Data Protection Notice

Processing of personal data in the framework of Service Contract no. CINEA/2023/OP/0009/SI2.908958: “Development of standardization methods for eco-design and energy labelling of photovoltaic products”

In accordance with Regulation (EU) 2018/1725 of 23 October 2018 on data protection (hereinafter the Regulation)¹, the European Climate, Infrastructure and Environment Executive Agency (hereafter CINEA) collects your personal data only to the extent necessary to fulfil the precise purpose related to its tasks.

1. The **controller** is:

The European Climate, Infrastructure and Environment Executive Agency (CINEA)
Chaussée de Wavre 910 - W910 03/011 - BE – 1049 Brussels
Unit CINEA C.C.2 – Horizon Europe Energy

- a. Person responsible for the processing: Head of Unit C.2
- b. Email: CINEA-HE-Energy@ec.europa.eu

2. The **purpose of the processing**

is to implement the Service Contract No CINEA/2023/OP/0009/SI2.908958 titled “Development of Standardization Methods for Eco-Design and Energy Labelling of Photovoltaic Products”, funded by the Horizon Europe programme and carried out by CINEA’s contractor Fundación CENER, acting as data processor. This project focuses on developing standardization methods for calculating and testing the energy yield of bifacial photovoltaic (PV) modules, as well as for measuring and testing the long-term degradation of PV module performance.

To this end, the contractor will carry out stakeholders’ consultations to collect information, perspectives and feedback from individuals involved in the developed methods. In particular, the processing of personal data covers:

- Management of the stakeholders’ meetings, (online and/or in person) including registration;
- Creation of a list of participants;
- Sending email updates to participants on study developments, including new documents and upcoming meetings;
- Sharing information about the events and their follow-up.
- Collecting stakeholders’ input with regard to the project through an online questionnaire.

3. The **data subjects** concerned by this notice are:

¹ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJEU L295/39, 21.11.2018).

- The stakeholders registering to the meetings and asking to be part of the Stakeholder group;
 - Stakeholder is any person who has subscribed (by requesting it to the contractor) to become member to the Stakeholder group and receive updates about the study and/or any person who has registered (by requesting it to the contractor) to participate in stakeholder meetings. Members of the Stakeholder group will be invited to participate in meetings and are the central part of the consultation activities including but not limited to interviews, on site visits, and conference calls. The stakeholders will have the opportunity to comment on draft and final documents.
- The staff of the European Commission and CINEA involved in the contract implementation.

4. The **categories of personal data** collected and used for the processing operations are:

- Identification data: first name, last name, organisation, position (optional), type of organisation (optional), country of organisation;
- Contact details: professional email address, and telephone number (optional);
- Video recording of the online meetings (upon consent).

No further publication of these recordings will be made.

5. The **recipients** of the data are on a "need to know" basis:

- Authorised CINEA staff responsible for the implementation of the service contract no CINEA/2023/OP/0009/ SI2.908958;
- Authorised European Commission staff from DG GROW and DG RTD staff responsible for the outcomes for the service contract no CINEA/2023/OP/0009/ SI2.908958;
- Authorised staff of CINEA's contractors Fundación CENER, acting as processor responsible for the management of registrations, consultation and event organisation, according to the "need to know" principle, in particular to follow-up on the targeted consultation;
- Authorised staff of PHYSIKALISCH-TECHNISCHE BUNDESANSTALT and TÜV RHEINLAND Italia, S.r.l. acting as sub-processors, supporting Fundación CENER as subcontractors within the service contract no CINEA/2023/OP/0009/ SI2.908958;
- Participants in the events, who may receive names, organisation details and email addresses of the other participants, based on their prior consent. The list of participants will not be published further.

In case of audits or proceedings, etc., personal data may be provided to CINEA's Internal Controller, DPO, Legal Affairs Sector, Staff Committee, etc.

In addition, data may be disclosed to public authorities in accordance with Union and Member State law such as the European Court of Justice or a national judge as well as the lawyers and the agents of the parties in case of a legal procedure, Investigation and Disciplinary Office of the European Commission (IDOC), the competent Appointing Authority in case of a request or a complaint lodged under Articles 90 of the Staff Regulations, European Anti-Fraud Office (OLAF), the Internal Audit Service of the Commission, the Court of Auditors ,the European Ombudsman, the European Data Protection Supervisor and the European Public Prosecutor's Office.

6. **Data Subjects rights:**

- You have the right at any time to access, rectify, erase ('right to be forgotten') your personal data or to request for the restriction of its processing;

- You are also entitled to object to the processing of your personal data on grounds relating to your particular situation at any time unless CINEA demonstrates compelling and overriding legitimate grounds or in case of legal claims.

You can exercise your rights by sending an email with the requested change(s) to the controller via the functional mailbox indicated here-above in Section 1.

In any case your data will be modified or removed accordingly and as soon as practicable (maximum within 10 working days).

When processing is based on your consent, you have the right to withdraw your consent at any time, without affecting the lawfulness of the processing before such a withdrawal.

However, in line with Article 25 of the Regulation, the data controller may restrict the rights of the data subjects based on the [Decision of the Steering Committee \(2020\) 26 of 14/10/20 \(OJEU L 45 on 9.2.2021, p. 80\)](#), in case where such restriction constitutes a measure necessary to safeguard the protection of the data subjects or the rights and freedoms of other data subjects, etc.

7. How does CINEA protect and safeguard your data?

Relevant organisational and technical measures are taken by the Agency to ensure the security of your personal data. Access to your data is restricted on an individual need to know basis and through User-ID and password and can be accessed via authentication system. Your data resides on the servers of the European Commission, which abide by strict security measures implemented by DG DIGIT to protect the security and integrity of the relevant electronic assets. CINEA is also bound by Commission Decision 2017/46 of 10/1/17 on the security of communications & information systems in the EC.

The processing of your data will not include automated decision-making.

In order to protect your personal data, CINEA has put in place a number of technical and organisational measures. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the personal data being processed. Organisational measures include restricting access to the personal data solely to authorised persons with a legitimate need to know for the purposes of this processing operation.

The personal data and all information collected is also stored on the servers of the processors, which have secured data management systems. The processors are bound by specific contractual clauses for any processing operations of your personal data on behalf of the data controller. The processors have put in place appropriate technical and organisational measures to ensure the required level of security.

For more information, please consult their privacy statements:

<https://www.cener.com/en/legal-notice/>

Your personal data will not be transferred to third countries or international organisations. To be noted that for this process no tracking tool will be used.

8. The legal basis of the processing are:

- Council Regulation 58/2003 of 19 December 2002, laying down the Statute for executive agencies to be entrusted with certain tasks in the management of EU programmes;

- Commission Implementing Decision (EU) 2021/173 of 12 February 2021 establishing the European Climate, Infrastructure and Environment Executive Agency, and repealing Implementing Decisions 2013/801/EU;
- Commission Decision C(2021)947 of 12 February 2021 delegating powers to the European Climate, Infrastructure and Environment Executive Agency²;
- Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013 (Text with EEA relevance)
- Council Decision (EU) 2021/764 of 10 May 2021 establishing the Specific Programme implementing Horizon Europe – the Framework Programme for Research and Innovation, and repealing Decision 2013/743/EU (Text with EEA relevance)
- Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council of 23 September 2024 on the financial rules applicable to the general budget of the Union (recast)

9. The **time limits for keeping** the data are the following:

CINEA keeps data in accordance with the 2022 Commission Retention List. Your data will remain in the contractor’s database for a maximum period of 5 years from the last service (“interaction”) delivered by the contractor to the data subject. “Interactions” are actions from the subscriber such as subscribing, confirming a subscription, updating a subscription, etc. Data will be deleted at the end of this period.

10. Contact information

In case you have any questions about the collection/processing of your personal data, you may contact the data controller who is responsible for this processing activity by using the email address mentioned here above in Section 1.

You may contact at any time the Data Protection Officer of the Agency (CINEA-DPO@ec.europa.eu). You have the right to have recourse at any time to the European Data Protection Supervisor (edps@edps.europa.eu).

² With a view to the performance of tasks linked to the implementation of Union programmes in the field of transport and energy infrastructure; climate, energy and mobility research and innovation; environment, nature and biodiversity; transition to low-carbon technologies; and maritime and fisheries; comprising, in particular, implementation of appropriations entered in the general budget of the Union and those stemming from external assigned revenue.