

European Data Protection Notice

On WiFi4EU Portal

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1. Introduction

The European institutions are committed to protecting and respecting your privacy. The European Commission and the European Health and Digital Executive Agency (HaDEA) (the "Joint Controllers")¹ collect and further process personal data pursuant to [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 (repealing Regulation (EC) No 45/2001).

This data protection notice explains the reason for the processing of your personal data, the way we collect, handle and ensure protection of all personal data provided, how that information is used and what rights you have in relation to your personal data. It also specifies the contact details of the responsible Joint Controllers with whom you may exercise your rights, the Data Protection Officers and the European Data Protection Supervisor.

This data protection notice concerns the processing operation named "WiFi4EU Portal" in the context of the WiFi4EU initiative² managed by the European Commission³ and implemented by HaDEA⁴ in their

¹ The controllers (the European Commission and HaDEA) jointly determine the purposes and means of the processing of your personal data in the context of the WiFi4EU initiative

² <https://ec.europa.eu/digital-single-market/en/policies/wifi4eu-free-wi-fi-europeans>

³ DG Communications Networks, Content and Technology (CNECT), Unit CNECT.B.5

⁴ HaDEA, Unit B1.

capacity of Joint Controllers.

2. Why and how do we process your personal data?

The aim of the WiFi4EU initiative is to provide citizens with free WiFi access in public spaces (e.g. public administrations' premises, schools, libraries, health centres, museums, public parks and squares) in 8,927 municipalities in Europe in order to better integrate them in the Digital Single Market.

The persons providing data for the purposes of this initiative are staff or representatives of Applicants, Beneficiaries and Wi-Fi Installation companies with attributed roles for the initiative (the "Data Subjects").

Purpose of the processing operation: The data processing operations aim to select WiFi4EU beneficiaries and WiFi installation companies, award, manage and follow-up grant agreements, communicate about the WiFi4EU initiative. Therefore you, as a potential beneficiary or as a WiFi installation company, provide the European Commission and HaDEA with information through the WiFi4EU portal. This information includes personal data and will be processed by the European Commission and HaDEA to implement the initiative.

HaDEA is responsible for the following processing operations implying personal data as from publication and launch of the calls onwards: registration, application, selection, evaluation, award, payment procedures and contract management. As authorizing officer, HaDEA processes personal data of the legal representatives/contact persons of the applicants and of the WiFi installation companies (data subjects) in all relevant steps.

The Commission is the WiFi4EU portal system owner and is responsible for the initiative from a policy point of view. It may process personal data during calls for the verification of results of a call (e.g. list of winners and list of eligible entities), communication with the applicants and beneficiaries in relation to the calls, and it may process personal data for monitoring and auditing the implementation of the initiative. The Commission accesses the WiFi4EU Portal's back office, including personal data of municipalities and Wi-Fi installation companies for two major reasons:

- 1) To verify the implementation during the call opening and evaluation periods,
- 2) To carry out communication actions related to WiFi4EU when there is a specific communication case such as an interview or success story or more general activities on connectivity.

The list of registered municipalities is made public on the WiFi4EU Portal. In addition, registered municipalities have access to information about registered Wi-Fi installation companies in their area. Statistics may be collected and shared with Member State representatives in relation to the call. These statistics do include personal data.

Your personal data will not be used for an automated decision-making including profiling.

3. On what legal ground(s) do we process your personal data

The legal basis for the processing activity is Article 5.1 (a) of Regulation (EU) 2018/1725. We process your personal data, because it is necessary for the performance of a task carried out in the public interest, namely the management of the WiFi4EU Initiative as laid down by Regulation (EU) 2017/1953 as regards the promotion of internet connectivity in local communities and as provided for by the following legal grounds:

-) Commission Decision 2013/801/EU of 23 December 2013 establishing the Innovation and Networks Executive Agency and repealing Decision 2007/60/EC establishing the Trans-European Transport Network Executive Agency as amended by Decision 2008/593/EC

-) Commission Decision (2018) 1281 final of 27.2.2018 on amending Decision C(2013)9235 delegating powers to the Innovation and Networks Executive Agency, as regards promotion of internet connectivity in local communities

We also process your personal data because it is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract, namely a grant agreement in the context of the WiFi4EU initiative. This is in accordance with Article 5.1 (c) of Regulation (EU) 2018/1725.

When it comes to the processing of your personal data for the purpose of promotion on general connectivity beyond WiFi4EU, the legal basis for the processing activity is Article 5.1 (d) of Regulation (EU) 2018/1725. Your consent will always be requested ahead of such promotion activity.

In that context, the legal framework is Regulation (EU) 2017/1953 of the European Parliament and of the Council of 25 October 2017 amending Regulations (EU) No 1316/2013 and (EU) No 283/2014 as regards the promotion of internet connectivity in local communities.

4. Which personal data do we collect and further process?

The personal data collected and further processed are:

4.1 For the Registered Entities / Applicants / Beneficiaries (legal representative or contact persons):

- First name
- Last name
- Official address
- Organisation/Department
- Language
- EULogin
- Position/Function
- E-Mail address
- Telephone
- Copy of ID/passport or any document that can replace it, such as a driving license
- Copy of signature

A copy of ID/passport is required in the application in order to verify that the name and the surname of the legal representative of the Registered Municipality / Applicant / Beneficiary do correspond to the information already provided in the forms filled in the registration phase. In cases requiring investigation, we may also verify during the admissibility and eligibility checks and the grant agreement management performed by HaDEA that the signature on the ID/passport is the same as the one appearing in the scanned form. Therefore, the minimum requirements are that the name

of the legal representative, the document number and signature are readable/visible on the copy of ID/passport. You are requested to erase or make illegible the remaining personal data, which is not necessary before uploading the copy of the ID/passport on the WiFi4EU Portal.

4.2 For the Wi-Fi Installation Companies (legal representative and contact persons):

- First name
- Last name
- Official address
- Organisation/Department
- Language
- EULogin
- Position/Function
- E-Mail address
- Telephone
- Financial identification data needed for payment

For the purposes of registration in the Portal and participation in the WiFi4EU calls, the provision of personal data of at least one staff member or representative of registered entities/applicants/beneficiaries/WiFi-installation companies as described in the present data protection notice is mandatory.

5. How long do we keep your personal data?

The Joint Controllers and the processors only keep the data for the time necessary to fulfil the purpose of collection or further processing.

For information on beneficiaries receiving EU funding, personal data included in application/grant management related documentation are retained for 10 years after the closing of the action, as stipulated in the Common Commission-Level Retention List (CRL, ref. [SEC\(2019\)900/2](#)) for European Commission files. The personal data of representatives of Wi-fi installation companies is also kept for 10 years after the adoption of the award decision of the last call. This retention period is considered as necessary for control and audit purposes.

In line with this retention list, personal data related to registration alone or unsuccessful applications is kept for 5 years after the award decision has been adopted for the specific call.

6. How do we protect and safeguard your personal data?

All personal data in electronic format (e-mails, documents, databases, uploaded batches of data, etc.) are stored either on European Commission servers or those of its contractors, which abide by strict security measures to protect the integrity of the relevant electronic assets. All processing operations are carried out pursuant to the [Commission Decision \(EU, Euratom\) 2017/46](#) of 10 January 2017 on the security of communication and information systems in the European Commission. Your personal data is not transferred to third countries.

The Commission's contractors are bound by a specific contractual clause for any processing

operations of your data on behalf of the Commission, and by the confidentiality obligations deriving from the General Data Protection Regulation of their respective EU Member States ('GDPR' [Regulation \(EU\) 2016/679](#)).

In order to protect your personal data, the Commission has put in place a number of technical and organisational measures in place:

- 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.

Access rights and controls are secured via the EU Login with password granted only to those persons authorised to have access to the specific documents (call management, grant management, etc.) necessary for the processing.

7. Who has access to your personal data and to whom is it disclosed?

Access to your personal data is provided only to the Commission and HaDEA staff responsible for carrying out this processing operation and to authorised staff according to the “need to know” principle. Such staff abide by statutory rules, and when required, additional confidentiality agreements.

On an ad-hoc basis, and only for the concerned municipalities, when some municipalities do not answer emails sent in relation to the calls selection/award or implementation, the European Commission may grant access to the representatives of the corresponding Member States in the Connecting Europe Facility Committee to personal data of representatives of municipalities of their own countries (names and professional contact details), so as to enable them to contact the representatives about the implementation of WiFi4EU.

Access may also be granted to IT Developers of contractors responsible for developing the portal and helpdesk officers of contractors responsible for the management of the helpdesk, who act as processors on behalf of the Commission.

Collected personal data could be submitted to Commission services in charge of ex-post controls, without prejudice to a possible transmission to the bodies in charge of a monitoring or inspection task in accordance with European law (OLAF, European Court of Auditors, Ombudsman, European Data Protection Supervisor (EDPS), European Commission’s Investigation and Disciplinary Office (IDOC), the European Court of Justice and the Internal Audit Service of the Commission).

Personal data may be registered in the Early Detection and Exclusion System by the Commission, should the beneficiary be in one of the situations mentioned in Articles 136 and 141 of Regulation (EU, Euratom) 2018/1046 (Financial Regulation).

For more information, please visit:

http://ec.europa.eu/budget/explained/management/protecting/protect_en.cfm.

8. What are your rights and how can you exercise them?

You have specific rights as a 'data subject' under Chapter III (Articles 14-25) of Regulation (EU) 2018/1725, in particular the **right to access, rectify or erase your personal data** and the right to restrict the processing of your personal data. Where applicable, you also have the right to object to the processing or the right to data portability.

You have the right to object to the processing of your personal data, which is lawfully carried out pursuant to Article 5(1)(a) of Regulation 2018/1725 (see section 3).

You can exercise your rights by sending an email with the requested change(s) to any of the Joint Controllers via the functional mailbox indicated below in Section 9. Your data will then be modified or removed accordingly and as soon as possible, within a maximum of 20 working days.

9. Contact information

(i) The Joint Controllers :

If you would like to exercise your rights under Regulation (EU) 2018/1725, or if you have comments, questions or concerns, or if you would like to submit a complaint regarding the collection and use of your personal data, please feel free to contact the Joint Controllers via this single link:

WiFi4EU Helpdesk:

https://europa.eu/european-union/contact/write-to-us_en

(ii) The Data Protection Officer (DPO) of the Joint Controllers:

With regard to issues related to the processing of your personal data under Regulation (EU) 2018/1725, you may contact:

- the Data Protection Officer of the European Commission at: DATA-PROTECTION-OFFICER@ec.europa.eu, or
- the Data Protection Officer of HaDEA at: HaDEA-DPO@europa.eu.

(iii) The European Data Protection Supervisor (EDPS)

You have the right to have recourse (i.e. you can lodge a complaint) to the European Data Protection Supervisor (edps@edps.europa.eu) if you consider that your rights under Regulation (EU) 2018/1725 have been infringed as a result of the processing of your personal data by the Joint Controllers.

10. Where to find more detailed information?

The Commission Data Protection Officer (DPO) publishes the register of all processing operations on personal data by the Commission, which have been documented under the form of a record and notified to him. You may access the register via the following link: <http://ec.europa.eu/dpo-register>.

This specific processing operation has been included in the DPO's public register with the following Record reference: DPR-EC-00792: WiFi4EU Portal.

This specific processing operation is also subject to inclusion in the public central register of HaDEA.