Annexe no. 5 to the Rules and Regulations

FESL Managing Authority Information Clause Form 2021-2027

Information regarding the processing of personal data of the participants

Pursuant to Section 13 (1) and 13(2) Section 14(1) and 14(2) of the EU Regulation No. 2016/679 on the protection of personal data ("GDPR"), we would like to inform you that:

Data Controller

The administrator of personal data is the Management Board of the Silesian Voivodeship acting as the Managing Authority of the European Funds for Silesia 2021-2027 programme (IZ FE SL).

Personal data are processed in the Marshal's Office of the Silesian Voivodeship.

The administrator's registered office is located in Katowice ul. Ligonia 46, tel. +48 (32) 20 78 888 (headquarters), e-mail: [kancelaria@slaskie.pl](mailto:kancelaria@slaskie.pl)

Information regarding contact in electronic form can be found at <https://bip.slaskie.pl/>

**Data Protection Officer**

A Data Protection Officer has been appointed.

E-mail address for contact with the inspector: [daneosobowe@slaskie.pl.](mailto:daneosobowe@slaskie.pl) Other forms of contact are possible using the addresses given above.

Current contact details of the inspector, including the telephone number, can be found in the BIPcontact [book](https://bip.slaskie.pl/urzad_marszalkowski/ksiazka-teleadresowa.html?address_book_level=278).

Purposes and legal grounds for processing

We process personal data in connection with the implementation of tasks under the European Funds for Silesia 2021-2027 (FESL) programme.

Your personal data shall be processed for the following purposes:

1. implementation and management of the program,
2. related to the expenditure and settlement of European funds under the program, including confirmation of the eligibility of expenditure,
3. conducting evaluation studies, expert opinions and analyses,
4. related to the prevention of irregularities, detection and correction of irregularities in the spending of European funds, protection of the financial interest of the European Union,
5. related to providing an audit trail.

We process personal data because:

* we perform legal obligations (Section 6 (1) (c) of the GDPR);
* we perform tasks in the public interest or in the exercise of public authority (Section 6 (1)(e) of the GDPR).
* it is necessary for reasons related to an important public interest and on the basis of Union law (Section 9 (2) (g) of the GDPR);
* is it necessary for archival purposes in the public interest, for scientific or historical research purposes, or for statistical purposes (Section 6 (1) (c) of the GDPR and Section 9 (2) (j) of the GDPR).

Legal basis for data processing

* 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 Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the instrument for financial support for border management and visa policy; ("General Regulation") - in particular Section 44 69, 72-74, 76, and 82;
* Regulation (EU) 2021/1057 of the European Parliament and of the Council of 24 June 2021 establishing the European Social Fund Plus (ESF+) and repealing Regulation (EU) No 1296/2013 ("Reg. ESF+") – in particular Annexes;
* Regulation (EU) 2021/1056 of the European Parliament and of the Council of 24 June 2021 establishing the Just Transition Fund ("Reg. FST") – in particular Annex III; Act on the rules for the implementation of tasks financed from European funds in the financial perspective 2021-2027(" Implementation Act ") – in particular Section 8 (1) (2), Section 8 (2) (18);
* The Act of 14 June 1960 - Code of Administrative Procedure
* the Act of 14 July 1983 on the national archival resources and archives (in particular Section 6 and the Ordinance of 18 January 2011 of the President of the Council of Ministers on the Registry Instruction, Uniform Material File Lists and the Instruction on the Organisation and Scope of Activity of Company Archives.

DATA SCOPE AND SOURCES

We process personal data:

* to the extent necessary for the implementation of a given case,
* to the extent that they are provided to us directly by the data subject,
* to the extent that they are provided to us by another entity or another data controller.

Personal data are most often transferred to the IZ FE SL by beneficiaries, partners, entities implementing projects, via IT systems.

In the case of projects implemented by the Marshal's Office of the Silesian Voivodeship, the data are obtained directly from the participants.

The scope of personal data varies between projects and also depends on the fund providing support (ESF+, FST). A participant is any natural person who directly benefits from a given project.

We may process the following personal data of project participants:

a) identification data (such as name and surname, address, e-mail address, company and address, login, telephone number, fax number, number of the Universal Electronic Population Registration System (PESEL), tax identification number (nip), number in the national official register of national economy entities (REGON) or other identifiers operating in a given country, legal form of business activity, form of ownership of property of this person, gender, age, education, Internet identifiers),

b) data related to the scope of participation in the project (such as working time, position, amount of remuneration, citizenship, area by degree of urbanization (DEGURBA), housing status, date of commencement of participation in the project or support, date of completion of participation in the project or support, status on the labour market, date of establishment of economic activity, amount of funds allocated for the establishment of economic activity, code in the Polish Classification of Business Activities (PKD) of the established economic activity, form and period of involvement in the project, planned date of completion of education in the educational institution in which the support was used),

c) data that appear on documents confirming the eligibility of expenses (including the amount of remuneration, bank account number, plot number, municipality, precinct, land and mortgage register number, gas connection number, construction license number, and data on the special needs of persons referred to in Section 2 (3) of the Act of 19 July 2019 on ensuring accessibility for persons with special needs),

In addition, in the case of a participant and data on the date of completion of imprisonment by convicted persons.

information about data recipients,

The recipients of the Employee's personal data will be:

* persons authorized by the personal data administrator (employees of IZ FE SL),

entities authorized under the law (including data will be made available to the minister responsible for regional development, the minister responsible for public finance, control and audit institutions),

* service providers in such areas as: postal or courier services, operators of electronic communication platforms, entities performing or providing IT systems necessary for the functioning of the Office, entities providing archival services, contractors of services in the field of evaluation research, expertise and analysis, translations,
* in the case of conducting administrative proceedings, the recipients may be entities participating in it: appointed experts, witnesses, parties and other participants in administrative proceedings, mediation centre/ mediator,
* to the extent constituting public information, the data will be disclosed to anyone interested in such information.

The Parties shall not transfer personal data to a third country or an international organisation.

Data retention period

Personal data will be stored on the terms set out in Section 82 of the general regulation, without prejudice to the ongoing administrative / court-administrative proceedings, the rules governing the durability of the project, the rules governing state aid and national provisions on the archiving of documents.

Rights of data subjects

You are entitled to:

* the right to access your personal data and information on how they are processed,
* the right to request correction of data,
* the right to request the deletion of data - taking into account, however, the restrictions referred to in art. 17(3) of the GDPR, we will not always be able to implement such a request,
* request the processing of the data to be limited,
* the right to object to processing in a situation in which the basis for processing is Section 6 (1) (e) GDPR).

Individual rights can be exercised by contacting the data controller or the data protection officer.

In addition, it is possible to lodge a complaint with the President of the Office for Personal Data Protection if you believe that the processing of personal data violates the provisions of the GDPR. Contact the Office for Personal Data Protection: <https://uodo.gov.pl/pl/p/kontakt>

### **Obligation to provide data:**

Providing personal data is mandatory, and failure to provide personal data will result in the inability to participate in the project.

### **Automated processing and profiling**

Your personal data will not be used for automated decision-making or profiling referred to in Section 22 of the GDPR.