Appendix No. 5: **Model Declaration of the Project Participant/participant regarding familiarization with the rules of personal data processing**

**INFORMATION CLAUSE OF THE MANAGING AUTHORITY - THE MINISTER RESPONSIBLE FOR REGIONAL DEVELOPMENT**

In order to comply with the obligation imposed by Articles 13 and 14 of RODO[[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#_ftn1), in connection with Article 88 of the Act on the principles of implementation of tasks financed from European funds in the financial perspective 2021-2027[[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#_ftn2), we inform you about the principles of processing your personal data:

1. **Administrator**

A separate controller of your data is the Minister responsible for regional development with its seat at 2/4 Wspólna Street, 00-926 Warsaw.

1. **Purpose of data processing**

Personal data will be processed in connection with the implementation of FERS, in particular for monitoring, reporting, communication, publication, evaluation, financial management, verification and audits, and for determining the eligibility of participants.

Provision of data is voluntary, but necessary for the above-mentioned purpose. Refusal to provide them is equivalent to the impossibility of taking appropriate action.

1. **Basis for processing**

We will process your personal data in connection with:

1. We are obliged to do so **by law** (Article 6(1)(c), Article 9(2)(g) and Article 10 of the[[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#_ftn3) RODO)[[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#_ftn4):

* Regulation (EU) No. 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 Fair Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and the financial rules for these Funds and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Financial Support Facility 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+) and repealing Regulation (EU) No. 1296/2013 (Official Journal of the EU L 231, 30.06.2021, p. 21, as amended).
* Law of April 28, 2022 on the principles of implementation of tasks financed from European funds in the financial perspective 2021-2027, in particular Articles 87-93,
* Law of June 14, 1960. - Administrative Procedure Code,
* Law of August 27, 2009 on public finance.

1. **Method of data acquisition**

We obtain data directly from the data subjects or from institutions and entities involved in the implementation of the Program, including in particular applicants, beneficiaries, partners.

1. **Access to personal data**

Your personal data can be accessed by employees and associates of the administrator. In addition, your personal data may be entrusted to or shared with:

1. entities we have contracted to perform tasks in FERS,
2. bodies of the European Commission, the minister in charge of public finance, the president of the social security institution,
3. entities that perform services for us related to the operation and development of ICT systems, as well as the provision of connectivity, such as IT solution providers and telecommunications operators.
4. **Data retention period**

Personal data is retained for the period necessary to fulfill the purposes specified in Section II.

1. **Rights of data subjects**

You are entitled to the following rights:

1. The right to access your data and to receive a copy of it (Article 15 RODO),

## The right to rectify your data (Article 16 of the RODO),

## The right to erasure of your data (Article 17 RODO) - if the circumstances referred to in Article 17(3) RODO have not occurred,

## The right to request the controller to restrict the processing of your data (Article 18 RODO),

## The right to portability of your data (Article 20 RODO) - if the processing is carried out on the basis of a contract: for the purpose of its conclusion or performance (pursuant to Article 6(1)(b) RODO), and by automated means[[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#_ftn5),

## The right to lodge a complaint to the supervisory authority of the President of the Office for Personal Data Protection (Article 77 of the RODO) - in case a person considers that the processing of his/her personal data violates the provisions of the RODO or other national regulations governing the protection of personal data applicable in Poland.

1. **Automated decision-making**

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

1. **Transfer of data to a third country**

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

1. **Contact with the data controller and Data Protection Officer**

If you have questions about the processing of personal data by the Minister of Regional Development, please contact the Data Protection Officer (DPO) as follows:

* By regular mail (Wspólna 2/4, 00-926 Warsaw),
* electronically (e-mail address: IOD@mfipr.gov.pl).

Signature of the project participant

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

**INFORMATION CLAUSE OF THE INTERMEDIATE INSTITUTION -**

**NATIONAL RESEARCH AND DEVELOPMENT CENTER**

Pursuant to Articles 13 and 14 of the Regulation of the European Parliament of April 27, 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: "**RODO**"), I inform you that:

1. The administrator of your personal data is the **National Center for Research and Development** (hereinafter: "**NCBR**") with its registered office in Warsaw (00-801), 69 Chmielna Street;
2. The Data Protection Officer (DPO) can be contacted at e-mail address: [iod@ncbr.gov.pl](mailto:iod@ncbr.gov.pl) and at the NCBR mailing address indicated above with the notation "Data Protection Officer";
3. Personal data is processed for the purpose of implementing the project carried out under the European Funds for Social Development 2021-2027 ("**FERS**") Program, in particular for the purpose of project evaluation and selection, conclusion of a grant agreement, supervision of project implementation, reporting, communication, publication, evaluation, financial management, verification and control, audit, evaluation of information and promotion activities, its receipt, evaluation and financial settlement, for the purpose of determining the eligibility of participants and possible establishment, investigation or defense of claims;
4. your 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) RODO), and NCBR is authorized to process your personal data under the Act of April 30, 2010. on the National Center for Research and Development in connection with the implementation of NCBR's tasks specified therein, and under the Act of April 28, 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) of the RODO);
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. NCRD processes your personal data included in the grant application or provided in the performance of the tasks indicated in clause 3;
7. Provision of personal data is necessary for the above-mentioned purpose. Refusal to provide them is tantamount to the inability to take appropriate action;
8. personal data will be processed for the period necessary to fulfill the purpose specified in point 3), and then for archival purposes for the period in accordance with the NCRD's office instructions and the Uniform Tangible File List;
9. The recipients of the personal data will be public authorities and entities performing public tasks or acting on behalf of public authorities, to the extent and for the purposes that result from the provisions of law, as well as entities providing services necessary for the implementation of tasks by NCRD, in particular, the entity supporting the implementation of tasks is NCRD+ Ltd. The data may also be transferred to IT partners, entities providing technical or organizational support, archiving and destruction of documents, postal, courier, payment services, marketing support;
10. In relation to NCBR, you have the following rights: to request access to your personal data, rectification, erasure, restriction of processing, as well as to object to the processing of your personal data. You may contact the Data Protection Officer at the email address provided in point 2 above to exercise your rights;
11. You also have the right to file a complaint with the President of the Office for Personal Data Protection;
12. Personal data will not be subject to automated decision-making, including profiling;
13. Your personal data will not be transferred to a third country.

[[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 (EU) 2016/679 of the European Parliament and of the Council of April 27, 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 May 4, 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 April 28, 2022 on the principles of implementation of tasks financed from European funds in the financial perspective 2021-2027 (Journal of Laws 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 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) One or more provisions of the law should be indicated - it is possible to cite 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) To automate the processing of personal data, it is sufficient that the data is 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 model shall be determined by the Intermediate Body.

Signature of the project participant

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

**INFORMATION CLAUSE OF THE NATIONAL ACADEMIC EXCHANGE AGENCY CONCERNING THE PROCESSING OF PERSONAL DATA OF PARTICIPANTS OF PROJECTS FINANCED BY THE EUROPEAN FUNDS FOR SOCIAL DEVELOPMENT 2021-2027 (FERS)**

|  |  |
| --- | --- |
| Administrator | National Agency for Academic Exchange (Agency)  40 Polna St., 00-635 Warsaw |
| Purpose and legal basis of data processing | The Agency processes your personal data on the basis of Article 6(1)(c) and (e) of the RODO[[1]](#footnote-1) , and on the basis of Article 9(2)(g) and (j) of the RODO in connection with Article 6(1)(c) and (e) of the RODO in order to:   1. to carry out the public task in the field of internationalization of higher education and science entrusted to the Agency, i.e., the task specified in Article 2 of the Act of July 7, 2017 on the National Agency for Academic Exchange; 2. to fulfill the Agency's legal obligations related to the implementation of the project funding agreement, including statistical obligations and those related to monitoring, reporting, communication, publication, evaluation, financial management, verification and performance of project audits, and to determine 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 Law[[2]](#footnote-2) , including: name, surname, address, e-mail address, telephone number, fax number, PESEL, REGON, education, Internet identifiers; 2. 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 the eligibility of expenditures, indicated in Article 87 (2) point. 3 of the Implementation Act, including bank account number, work experience; 4. 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 RODO; 5. data on the image of persons participating in the implementation of the Program or taking part in events related to it - on the basis of voluntarily given separate consent. |
| Period of data processing | Your personal data will be processed by the Agency until the purpose of the processing ceases to exist or for a period resulting from the archival category of the documents in which the data are included, as defined in the executive regulations of the Act of July 14, 1983 on the national archival resource and archives. . |
| Data sharing/sharing | With all guarantees of security, your Agency may make your data available to entities entitled to receive them under the law, including in particular the Implementation Act, or transfer them to entities processing them on behalf of the Agency under an appropriate data processing entrustment agreement. |
| Transfer of data to third countries | Your data will not be transferred to a third country or international organization. Should it become necessary to transfer your data to a third country, the Agency will provide adequate safeguards for the transfer 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 processing of personal data, including profiling | It does not occur. |
| Data requirement/source of data | The Agency obtains data directly from the data subjects or from institutions and entities involved in the implementation of FERS projects, including in particular applicants and beneficiaries and partners. Refusal to provide data means leaving the application unprocessed or not allowing a specific person to participate in the implementation of the Program. |
| Rights of the data subject | You can make a request to us for access to your personal data, rectification of your data, transfer of your data, and restriction of processing of your personal data - under the terms of the RODO.  You may also file a complaint with the President of the Office for Personal Data Protection if you believe that the Agency's processing of your personal data violates the law. |
| Contact to the Agency's Data Protection Officer | odo@nawa.gov.pl |

Signature of the project participant

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

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 and repealing Directive 95/46/EC [↑](#footnote-ref-1)
2. Law of April 28, 2022 on the principles of implementation of tasks financed from European funds in the financial perspective 2021-2027 [↑](#footnote-ref-2)