

Attachment No. 2 to the application Form. The Polish Agency for Enterprise Development (PARP) information clause

The Polish Agency for Enterprise Development (PARP) information clause

In order to comply with the obligation imposed by Articles 13 and 14 of the GDPR¹, in connection with Article 88 of the Act on the principles of implementation of tasks financed from European funds in the financial perspective 2021-2027², we inform you about the principles of processing of your personal data:

I. Administrator

The separate administrator of your data is:

1. the Polish Agency for Enterprise Development with its registered office at 81/83 Pańska Street, 00-834 Warsaw.

II. Purpose of data processing

Personal data will be processed in connection with the implementation of the Operational Programme 'European Funds for a Modern Economy 2021-2027', in particular for the purposes of monitoring, reporting, communication, publication, evaluation, financial management, verification and audits and for the purposes of determining the eligibility of participants.

The provision of data is voluntary but necessary for the above-mentioned purpose. Refusal to provide them is equivalent to not being able to take the relevant action.

III. Basis for processing

We will process your personal data in connection with the fact that:

1. We are obliged to do so by law (Article 6(1)(c), Article 9(2)(g) and Article 10³ of the GDPR)⁴:
 - 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,

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. L 119 of 4 May 2016, pp.1-88).

² Act of 28 April 2022 on the rules for the 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 Applicable only to projects activating persons serving a custodial sentence.

⁴ One or more provisions of the law should be indicated – it is possible to cite them to a limited extent for the purposes of a specific clause.

- 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 (OJ L 231, 30.06.2021, p. 21, as amended),
- Act of 28 April 2022 on the principles of implementation of tasks financed from European funds in the financial perspective 2021-2027, in particular Articles 87-93,
- Act of 14 June 1960 – Administrative Procedure Code,
- Act of 27 August 2009 on public finance.

IV. Method of data collection

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

V. Access to personal data

Your personal data can be accessed by employees and collaborators of the controller. In addition, your personal data may be entrusted to or made available to:

1. entities contracted by us to perform tasks in the ‘European Funds for the Modern Economy 2021-2027’,
2. bodies of the European Commission, the minister responsible for 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 communications, e.g. IT solutions providers and telecommunications operators.

VI. Data retention period

Personal data shall be stored for the period necessary for the purposes set out in section II.

VII. Rights of data subjects

You have the following rights:

1. the right to access your data and to receive a copy of your data (Article 15 of the GDPR),
2. the right to rectification of your data (Article 16 of the GDPR),
3. the right to erasure of your data (Article 17 of the GDPR) - if the circumstances referred to in Article 17(3) of the GDPR have not occurred,
4. the right to request the controller to restrict the processing of your data (Article 18 of the GDPR),
5. the right to portability of your data (Article 20 of the GDPR – 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) of the GDPR and by automated⁵ means,
6. the right to lodge a complaint to the supervisory authority of the President of the Office for Personal Data Protection (art. 77 of the GDPR – if a person considers that the processing of his/her

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

personal data violates the provisions of the GDPR or other national provisions regulating the protection of personal data applicable in Poland.

VIII. Automated decision-making

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

IX. Transfer of data to a third country

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

X. Contacting the data controller and the Data Protection Officer

If you have any questions regarding the processing by the Polish Agency for Enterprise Development (PARP), please contact the Data Protection Inspector (DPO)

as follows:

- by post (ul. Pańska 81/83, 00-834 Warsaw),
- electronically (e-mail address: IOD@parp.gov.pl).