



EUROPEAN EDUCATION AND CULTURE  
EXECUTIVE AGENCY (EACEA)

## **APPFIN/ PEGASUS I and II Management of financial transactions and configuration**

### **Data Protection Notice**

The European Education and Culture Executive Agency ("EACEA") is committed to preserving your privacy. All personal data are dealt with in accordance with Regulation (EU) No 2018/1725 on the protection of personal data by the Union institutions, bodies, offices and agencies<sup>1</sup> ("the data protection regulation").

The following Data Protection Notice outlines the policies by which the EACEA collects, manages and uses the personal data of the concerned individuals within the use of APPFIN/ PEGASUS I and II for the management of financial transactions and configuration.

#### **1. Who is responsible for processing your personal data (data controller)?**

The controller is the European Education and Culture Executive Agency, BE-1049 Brussels

The person designated as being in charge of the processing operation is

- Head of unit R2 Budget and Control for APPFIN (System owner)
- Head of unit A1 Culture for PEGASUS (System owner)

Contact details are:

- APPFIN and Pegasus 2 (section monitoring): [EACEA-APPFIN@ec.europa.eu](mailto:EACEA-APPFIN@ec.europa.eu)
- Pegasus 1 and Pegasus 2 (section selection): [EACEA-HELPDESK@ec.europa.eu](mailto:EACEA-HELPDESK@ec.europa.eu)

#### **2. Which personal data are processed?**

Personal data processed are:

- pay, allowances and bank accounts of beneficiaries, and contractors
- data subject's career (contract duration of staff)
- telephone numbers and communications
- names and professional email addresses

Personal data is mandatory to achieve the purposes.

#### **3. For which purpose do we process your data?**

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<sup>1</sup> 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 Text with EEA relevance, OJ L 295, 21.11.2018, p. 39.

The use of both systems is necessary for the prompt and efficient management of financial transactions in the framework of EU programmes, in compliance with the Financial Regulation. In particular, the use of the system enables the automatic generation of:

- contracts;
- commitments;
- payments;
- recovery orders;
- de-commitments.

Various levels of access are defined in the system, corresponding to functions determined in the financial process: operational initiator, financial initiator, financial verifier and operational verifier.

Access rights to Pegasus are managed through PMTAC.

#### **4. Where the data is collected from?**

APPFIN and Pegasus contain personal data mostly submitted by the data subjects themselves.

#### **5. Who has access to your personal data and to whom is it disclosed?**

Access to personal data is granted on a need to know basis to the Agency staff dealing with the financial transactions and projects management.

In addition, data may be disclosed to public authorities, and processed by these authorities in compliance with the applicable data protection rules according to the purpose of the processing, including inter alia:

- 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;
- The competent Appointing Authority in case of a request or a complaint lodged under Articles 90 of the Staff Regulations;
- OLAF in case of an investigation conducted in application of Regulation (EC) No 1073/1999;
- The Internal Audit Service of the Commission within the scope of the tasks entrusted by article 118 of the Financial Regulation and by article 49 of the Regulation (EC) No 1653/2004;
- IDOC in line with Commission Decision of 12 June 2019 laying down general implementing provisions on the conduct of administrative inquiries and disciplinary proceedings - C(2019)4231 and Commission Decision (EU) 2019/165 of 1 February 2019 Internal rules concerning the provision of information to data subjects and the restriction of certain of their data protections rights in the context of administrative inquiries, pre-disciplinary, disciplinary and suspension proceedings;
- The Court of Auditors within the tasks entrusted to it by Article 287 of the Treaty on the Functioning of the European Union of the EC Treaty and Article 20, paragraph 5 of Regulation (EC) No 58/2003;
- The European Ombudsman within the scope of the tasks entrusted to it by Article 228 of the Treaty on the Functioning of the European Union; • The European Public Prosecutor's Office within the scope of Article 4 of Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office.

#### **6. How long do we keep your personal data?**

For grants and procurements: retention period for rejected applications are kept for 5 years, and 10 years after final payment for beneficiaries. Personal data for access rights of staff in APPFIN and PEGASUS: for the duration of existence of the appliance.

## **7. What are your rights concerning your personal data and how can you exercise them?**

Under the provisions of the data protection regulation, you have the right to:

- Request to access the personal data EACEA holds about you;
- Request a rectification of your personal data where necessary;
- Request the erasure of your personal data;
- Request the restriction of the processing of your personal data;
- Request to receive or to have your data transferred to another organization in commonly used machine readable standard format (data portability).

As this processing of your personal data is based on point of Article 5(1)(a) of the data protection regulation, please note that you have the right to object to processing of your personal data on grounds relating to your particular situation under the provisions of Article 23 of the data protection regulation.

Article 25 of Regulation (EU) 2018/1725 provides that, in matters relating to the operation of EU institutions and bodies, the latter can restrict certain rights of individuals in exceptional circumstances and with the safeguards laid down in that Regulation. Such restrictions are provided for in internal rules adopted by EACEA and published in the Official Journal of the European Union (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32021Q0317%2801%29>).

Any such restriction will be limited in time, proportionate and respect the essence of the above-mentioned rights. It will be lifted as soon as the circumstances justifying the restriction are no longer applicable. You will receive a more specific data protection notice when this period has passed.

As a general rule you will be informed on the principal reasons for a restriction unless this information would cancel the effect of the restriction as such.

You have the right to make a complaint to the EDPS concerning the scope of the restriction.

## **8. Your right to have recourse in case of conflict on any personal data issue**

In case of conflict on any personal data protection issue you can address yourself to the Controller at the above mentioned address and functional mailbox.

You can also contact the Data Protection Officer of EACEA at the following email address: [eacea-data-protection@ec.europa.eu](mailto:eacea-data-protection@ec.europa.eu).

You may lodge a complaint with the European Data Protection Supervisor at any time: <http://www.edps.europa.eu>.

## **9. On which legal basis are we processing your personal data?**

Personal data is processed based on art. 5(1):

*(a) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Union institution or body (to be laid down in Union Law);*

The applicable legal basis are:

- The Commission Implementing Decision 2021/173 establishing the European Education and Culture Executive Agency;

- The Commission Decision C(2021)951 and its annexes delegating powers to EACEA for the management of programmes in the MFF 2021-2027.
- The EU Council Regulation 58/2003 laying down the statute for all Executive Agencies.