



PRIVACY NOTICE ON PERSONAL DATA PROTECTION REGARDING
Claim assessment process regarding F4E contracts

The objective of this Notice is to inform you, the data subject, about the processing and data protection safeguards put in place by F4E to make sure your personal data is well processed, in line with the new Regulation 2018/1725¹.

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1. Why does F4E process my personal data? Whose data is processed?

The data processing concerns a contractual claim of F4E's Contractors. The purpose of this procedure is to verify the entitlement of the Contractor to e.g. an additional payment/extension of time, depending on the specific claim. Some processing may also be necessary during the assessment of a claim/disputes under Article II.27 [Settlement of disputes]

Through this process, personal data of employees of F4E's Contractors will be processed.

2. What is the justification for the processing?

Processing of your data is necessary for the **performance of F4E tasks** on the basis of the F4E founding instrument. It is based on:

Council Decision of 27 March 2007 "establishing the European Joint Undertaking for ITER and the Development of Fusion Energy and conferring advantages upon it" - 2007/198/Euratom, as last amended by Council Decision of 10 February 2015 (2015/224 Euratom), O.J. L 37, 13.2.2015, p.8, in particular Article 6 thereof;

Statutes annexed to the Council Decision (Euratom) No 198/2007 "establishing the European Joint Undertaking for ITER and the Development of Fusion Energy and conferring advantages upon it", as last amended on 10 February 2015, in particular Article 10 thereof;

F4E Contractor's Claim Policy, F4E_D_24FA2X

F4E contracts; F4E ref. for Templates F4E_D_22KMCZ

3. Which data is F4E processing?

Personal data shall mean any information relating to an identified, directly or indirectly, or identifiable natural

person which shall only be processed in the exercise of activities which fall within the Claims assessment process under F4E's contracts, and thus are necessary for the assessment of the particular claim, such as:

- name, date of birth, gender, personal numbers or other identifiers of general application, nationality, contact details (company and department, postal address, country of residence, business telephone number, mobile telephone number, fax number, e-mail address and internet address) and signature;
- functions, working hours, working place, salaries, time sheets, other information or personal data provided under the works contracts.

It is an illustrative listing without limitation to any other possible personal data which could be disclosed by the Contractor during the claims assessment process.

4. To whom are my data disclosed?

The following recipients have access to your personal data:

- F4E staff members from the Operational, Legal, Procurement and Finance units involved in the areas concerning Claims assessment procedure regarding F4E contracts;
- Staff from the units entrusted with a monitoring or inspection task in application of European Union law (e.g. internal audit);
- Other staff member may be consulted if deemed necessary for a specific case;
- F4E ICT staff, providing technical support;
- F4E IDM Manager, if necessary for support;
- Other staff member may be consulted if deemed necessary for a specific case.

Also, if appropriate and necessary for monitoring or inspection tasks, access may be given to: F4E Director Head of Admin., F4E DPO and Anti-Fraud & Ethics Officer / Head or responsible officer of LSU.

5. How long does F4E store my data?

Files including all the documents related to a claim procedure which could comprise personal data of Contractor's personnel should be kept up to 7 (seven) years after payment of the final instalment of the Contract Price. Also after this period the files will be subjected to a sample/selection for elimination or preservation. Files might be retained until the end of a possible audit or Court Proceeding if one started before the end of the above period.

6. Does F4E intend to transfer my data to third countries or International Organizations?

Staff of the ITER (International Thermonuclear Experimental Reactor) Organisation (F4E is ITER's European Domestic Agency) could exceptionally be involved in the claim assessment procedure, in the framework of the implementation of F4E contracts. This transfer would in any case be necessary for the performance of the particular F4E contracts.

Reference: ITER is bound by its corporate rules approved in ITER IDM on 7th November 2017 under ref. UXG6V6 [Data Protection Guidelines].

7. What are my rights in relation to my data?

You have the right to access your personal data, to correct any inaccurate or incomplete data, to request restriction or erasure, or to object to the processing, pursuant to Articles 14(3), 17-23, 25 of the new Regulation 2018/1725.

You have the right, at any time, to lodge a complaint with the European Data Protection Supervisor: EDPS@edps.europa.eu, if you consider that the processing of your personal data infringes the applicable Data Protection Regulation.

In case of doubts, please use the contact details provided in the following section.

8. Who should I contact in case of questions or issues?

Controller

Fusion for Energy
C/ Josep Pla, nº 2,
Torres Diagonal Litoral, B3
08019 Barcelona, Spain

Contact -Process Owner: Ms/Mr Stefano stefano.galvan@f4e.europa.eu

Data Protection Officer (DPO)

Ms Angela Bardenhewer-Rating
DataProtectionOfficer@f4e.europa.eu

(Based on template version F4E_D_2CJF8A v1.5)

¹ Regulation 2018/1725 of 23 October 2018 "on the protection of individuals with regard to the processing of personal data by the Union

institutions, bodies, offices and agencies and on the free movement of such data". O.J 21.11.2018, L295/39.
This Privacy Notice is in line with Article 14 and 15 of this Regulation (Principle of Transparency).