

RECORD
of processing regarding the Information Days and Market Surveys
according to Article 31 Regulation 2018/1725¹

NAME of data processing:

Processing of Personal Data Regarding the Fusion for Energy Information Days and Market Surveys

Last update: September 2020

1) Controller(s) of data processing operation (Article 31.1(a))

Controller: Fusion for Energy (F4E)

Unit / Department responsible for the processing activity: Commercial Department

Contact: Commercial Department Data Controller

Commercial-Department-Controller@f4e.europa.eu

Data Protection Officer (DPO): DataProtectionOfficer@f4e.europa.eu

2) Who is actually conducting the processing? (Article 31.1(a))

The data is processed by F4E (responsible unit) itself

The data is processed by a third party (e.g. contractor) (Art. 29 – Processor)

Contact point at external third party:

DPO European Commission: data-protection-officer@ec.europa.eu

The Data is collected through EUsurvey, a platform managed by the European Commission.

The Privacy Notice for the EUsurvey platform can be found [here](#).

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.

3) Purpose and Description of the processing (Article 31.1(b))

Why is the personal data being processed? Specify the underlying reason for the processing and what you intend to achieve. Describe, summarise the substance of the processing.

When you (later on) intend to further process the data for another purpose, please inform the Data Subject in advance.

3A) Purpose of the Processing

An Information Day is a public physical or virtual presentation session organised by Fusion for Energy (F4E) to the benefit of potential tenderers dealing with all or some aspects of a forthcoming or ongoing procurement procedure. In addition, some Information Days also intend to support the establishing of partnerships among participants in order to increase competition. Processing personal data occurs within the context of compiling an attendance list, communicating information regarding the information day to data subjects and controlling the access to the physical or virtual information day room.

Market Surveys are published on F4E's Industry Portal to gather information about potential candidates for a procurement activity in a given market (number of companies, their capabilities, specific experiences and interest in relation to one or more business opportunities with F4E). Processing personal data occurs within the context of compiling the list of participants and communicating information regarding the Market Survey to data subjects.

For both the information days and the market surveys, in certain cases, upon the explicit request from the participant, the data can be used to support the finding of partners for the Call for Tender or for F4E to contact data subjects in regards to their (company's) competence.

3B) Description of the Processing

For both the information days and the market surveys, an invitation is published on the F4E Industry Portal. Included is a link to the European Commission's EUsurvey platform where a specific survey will be available. Data subjects, who are representatives of companies, will fill in their data through this survey.

F4E's Business Intelligence Officers can download a list with the submitted data from the EUsurvey Platform. This list constitutes a log of the participants including potentially their (company's) interest in specific (parts of) projects and their (company's) expertise and capabilities. Upon explicit consent from the data subject, the personal data can be shared with other participants to the information day/market survey (if applicable) and/or International Liaison Officers (ILOs) and/or other potential tenderers to support the finding of partners for the Call for Tender. Furthermore, the (professional) email addresses of all data subjects are stored on the Market Intelligence Platform to enable F4E to contact the representatives in regards to their competence.

4) Lawfulness of the processing (Article 5(a)–(d)):

Mention the legal bases which justifies the processing

Processing necessary for:

- (a) performance of tasks in the public interest attributed by EU legislation (including management and functioning of F4E)
- 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 22 February 2021 (2021/281 Euratom), O.J. L 62, 23.02.2021, 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 22 February 2021, in particular Article 10 thereof;
 - Fusion for Energy's [Industrial Policy](#), adopted by the Fusion for Energy Governing Board on 11th December 2012;
 - Fusion for Energy's [Market Analysis Policy](#) (F4E_D_25W8UB).
- (b) compliance with a specific legal obligation for F4E to process personal data
- (c) necessary for the performance of a contract with the data subject or to prepare such a contract.....
- (d) Data subject has given consent (ex ante, freely given, specific, informed and unambiguous consent).....

5) Description of the data subjects (Article 31.1(c))

Whose personal data is being processed?

Data Subjects are representatives of companies.

6) Categories of personal data processed (Article 31.1(c))

Personal data shall mean any information relating to an identified (directly or indirectly) or identifiable natural person. The data processed can include:

- First name and family name;
- (Professional) email address;
- (Professional) phone number;
- Country of registration of the company;
- **Only for Information Days:** Professional position of the data subject.

7) Recipient(s) of the data (Article 31.1 (d)) – Who has access to the personal data?

Recipients are all people to whom the personal data is disclosed (“need to know principle”). Not necessary to mention entities that may have access in the course of a particular investigation (e.g. OLAF, Court, EDPS).

The following recipients can have access to the personal data processed:

- Project Team members;
- Market Analysis Group;
- Market Intelligence Platform Users;
- Program Manager;
- Other Data Subjects, ILOs and other potential tenderers in case explicit consent has been given (as described in section 3);
- IDM Manager, if necessary for support;
- ICT Officer responsible for the dedicated database, if necessary for technical support.

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

8) Transfers to third countries or International Organizations (Article 31.1 (e))

If the personal data is transferred outside the EU, this needs to be specifically mentioned, since it increases the risks of the processing operation (Article 47 ff.).

Data is transferred to third countries or International Organizations recipients:

Yes.....

No

If yes, specify to which country/IO:

If yes, specify under which safeguards and add reference :

- Adequacy Decision (from the Commission)
- Memorandum of Understanding between public authorities/bodies
- Standard Data Protection Clauses (from the EDPS/Commission).....
- Binding Corporate Rules.....
- Others, e.g. contractual/agreements (subject to authorisation by the EDPS) ...

9) Technical and organisational security measures (Articles 31.1(g) and 33)

Please specify where the data is stored (paperwise and/or electronically) during and after the processing. Specify how it is protected ensuring “confidentiality, integrity and availability”. State in particular the “level of security ensured, appropriate to the risk”.

Security measures are implemented to ensure integrity, confidentiality and availability of information. The default provisions include backups, centralized logging, software updates and continuous vulnerability assessment and follow-up. Specific provisions resulting from the characteristics of the information system may lead into the implementation of encryption, two-factor authentication among others found relevant following a risk analysis.

10) Retention time (Article 4(e))

How long is it necessary to retain the data and what is the justification for this retention period? If appropriate, differentiate between the categories of personal data. If the retention period is unknown, please indicate the criteria for determining it.

Personal data collected in the context described here shall be stored by F4E for no more than 7 (seven) years from the moment the data is uploaded to the Market Intelligence Platform.

Documents may be retained until the end of a possible audit or Court Proceeding if one started before the end of the above period.

11) Information/Transparency (Article 14-15)

Information shall be given in a concise, transparent and easily accessible form, using clear and plain language.

A Privacy Notice ([F4E_D_2NRGAC](#)) is provided to the data subjects to document and explain how personal data are processed.

A link to the Privacy Notice is included in the invitation for the info days and on the industry portal where the link to the market survey is provided.

The Privacy Notice is also published on F4E’s external website and on F4E intranet, in the respective Registers.

(Based on template version F4E_D_2CLAA4 v1.7)