

**Record of processing activities regarding the management of conflict of interests of members of the
EIT Governing Board and the European Commission Observer**

Nr	Item	Description
1	Reference number	DPO-6
2	Name of the data controller, the data protection officer and processor, if applicable and contact details	<p>The data controller is the Director of the EIT</p> <p>Contact e-mail: EIT-Director@eit.europa.eu</p> <p>Contact e-mail of the Data Protection Officer: EIT-DPO@eit.europa.eu</p>
3	Purposes of the processing	<p>The purpose of processing personal data is the management of conflict of interests of members of the EIT Governing Board and the European Commission Observer.</p> <p>The data processing operations include the collection, recording, organisation, storage, consultation, use, disclosure by transmission, erasure and destruction of personal data. In particular, the personal information of the GB members contained in their filled declarations are accessed, evaluated, stored and eventually destroyed.</p>
4	Categories of data subjects	<p>The data subjects are:</p> <ol style="list-style-type: none"> 1) Members of the EIT Governing Board, including its Chairperson. 2) Former members of the EIT Governing Board, within two years of the end of their mandate, are data subjects as regards their prospective employment. 3) Close family members (Article 2(h) of the Code of Good Conduct¹) of the above persons may be also data subjects, as the Governing Board members are obliged to declare the interest of their family members, if these interests relate to the EIT's activities. 4) In the case of the Declaration of Confidentiality and Interests for Members of the

¹ Decision 13/2015 of the Governing Board of the EIT on the Code of Good Conduct on conflicts of interest for Members of the EIT Governing Board (ref. 00227.EIT.2015.GB35).

		Steering Committee and the European Commission Observer regarding the Selection Procedure for New EIT Governing Board Members, the Observer appointed by the European Commission is also a data subject.
5	Categories of the personal data processed	<p>The data requested from the members of the Governing Board are information related to:</p> <ul style="list-style-type: none"> • the stocks, shares, bonds, partnership interests in the capital of a company, one of its subsidiaries or a company in which it has a holding; • if they are members of an advisory body (participation in the internal decision-making body (e.g. board membership, directorship) of a public or private entity, carrying out any of the EIT activities; • if they are members of a managing body or equivalent structure; • if they have a strategic Advisory role; • if they provide advice or consultancy in a particular field; • employment; • intellectual property rights; • interests of close family members or other membership or affiliation. <p>(Please see Article 2, 3 and 5 of the above mentioned Code of Conduct).</p> <p>Type of declarations and categories of requested data:</p> <p>For the exact categories of data requested, please also see the forms annexed to the Code of Good Conduct of the EIT members of the Governing Board on Conflicts of Interest:</p> <p>1) Declaration of Intention (DoI)</p> <p>Name Position</p> <p>2) Annual Declaration of Interests (ADoI)</p> <p>Name Position Organization Economic interest*</p>

		<p>Member of a managing body or equivalent structure*</p> <p>Member of an Advisory Body*</p> <p>Strategic Advisory role*</p> <p>Consultancy/Advice*</p> <p>Employment*</p> <p>Intellectual property rights*</p> <p>Interests of close family member*</p> <p>Interests of close family members*</p> <p>Other membership or affiliation*</p> <p>Other*</p> <p>3) Specific Declaration of Interest (SDI)</p> <p>Name</p> <p>Any information on interests which can be considered prejudicial to the GB member's independence with respect to the items on the agenda of each Governing Board meeting.*</p> <p>4) Declaration of Interests on the Evaluation of the KIC's Proposals</p> <p>Name</p> <p>Position</p> <p>Information whether the GB member*</p> <ul style="list-style-type: none"> - was involved in the preparation / submission of a proposal - benefits directly or indirectly if the proposal is accepted - is employed / contracted by any KIC legal entity or any KIC partner organizations - close family member was directly involved in the preparation or submission of a proposal <p>5) Declaration of Interests on the KIC's Business Plans</p> <p>Name</p> <p>Position</p> <p>Information whether the GB member*</p> <ul style="list-style-type: none"> - was involved in the preparation / submission of a Business Plan
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		<ul style="list-style-type: none"> - benefits directly or indirectly if the Business Plan is accepted - is employed / contracted by any KIC legal entity or any KIC partner organizations - close family member was directly involved in the preparation or submission of a Business Plan <p>6) Declaration of prospective employment and confidentiality for Members of the Governing Board having left the Governing Board</p> <p>Name Position New activity / employment*</p> <ul style="list-style-type: none"> - Name and address of the organization/company/body* - Telephone - Job title* - Nature of the activity* <p>7) Declaration of Confidentiality and Interests for Members of the Steering Committee and the European Commission Observer regarding the Selection Procedure for New EIT Governing Board Members</p> <p>Name Position Information whether the GB member*</p> <ul style="list-style-type: none"> - has any conflicts of interest with any of the candidates that have applied for the Call for Expressions of Interest <p>The declarations may contain information relating to the following conflict of interest situations (non-exhaustive list):*</p> <ul style="list-style-type: none"> - Membership of or legal or factual relationship with the same private or public entity in which a candidate is employed or with which a candidate is in any other legal or factual relationship; - Employment of or by a candidate; - Family or close personal relationship with any candidate; and/or - Economic interest in relation to the candidate or stakeholder or organisation
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		<p>putting forward the candidate.</p> <p>General comments:</p> <ul style="list-style-type: none"> - Annual declaration of Interests, Declaration of Interests on the Evaluation of the KIC's Proposals and Declaration of Interests on the KIC's Business Plans are published on the EIT website, with the signature of the data subject erased. - All categories of the personal data indicated with an asterisk (*) are filled in by the data subjects in case there is a potential or actual conflict of interest. In accordance with the definition of "personal data" as laid down in Article 3(1) of the Regulation², from the above list of data, the categories of data indicated with an asterisk (*) shall be considered as personal data only if they allow for the precise identification of the data subject. - Special categories of data (see Article 10 of the Regulation) are not requested from the data subjects; nevertheless, the declarations may accidentally include such data. In these cases, these data are removed before the publication on the EIT website. - Outside the scope of the above mentioned different declarations, whenever at the beginning of a Governing Board meeting declarations of interest are recorded in minutes, consideration is given that registered information is adequate, relevant and not excessive for the purpose.
6	Categories of data recipients	<p>Within the EIT:</p> <p>The personal data is processed by the EIT authorised staff: Chairperson of the EIT Governing Board, Director of the EIT, Secretariat of the EIT Director, Legal Officer of the EIT, and Data Protection Officer of the EIT.</p>

² 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

	<p>The assessment of the conflict of interest declarations, including the application of mitigating measures, is carried out by the EIT Director, with the support of the EIT Directorate and in consultation with the Chairperson of the EIT GB.</p> <p>EIT staff members in charge of the preparation of the relevant decision-making processes are informed on a need-to-know basis.</p> <p>Access will be given to the Internal Auditor of the EIT by request and if necessary for the performance of the duties of the Internal Auditor: depending on the nature and the scope of the specific audit, the Internal Auditor will be given access to personal data which is relevant for and serves the purpose of the specific audit exercise.</p> <p>Within the Commission and other EU institutions/bodies/agencies:</p> <p>The authorized staff that may have access to relevant personal data for audit control or investigation purposes: Court of Auditors, Internal Audit Service of the European Commission, European Anti-Fraud Office (OLAF).</p> <p>In case of a complaint of the data subject, access to personal data may be granted also to the European Ombudsman, the European Data Protection Supervisor, the General Court and the European Court of Justice and to the extent necessary for handling the complaint.</p> <p>Third parties subject to the GDPR³ and third parties not subject to the GDPR:</p> <p>Exceptionally and if necessary, personal data concerning management of the data relating to the declarations of the absence of conflict of interests for the EIT Governing Board members may be disclosed to external lawyers (advocates) subject to the GDPR for specific and limited purposes only. In this case a written contract (service contract) is signed between the EIT and the external lawyer in order to ensure that that Article 29 of the Regulation is respected by the data processor. These written contracts follow the model of the Commission and include a specific article on data protection.</p>
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³ 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 (General Data Protection Regulation)

		The same applies to external IT contractors with whom the EIT has a framework contract in order to provide IT services for the EIT.
7	Time limit storage	The EIT only keeps the personal data for the time necessary to fulfil the purpose of collection or further processing, namely for five years after the discharge for the budgetary year in accordance with Article 17 of the Code of Good Conduct.
8	If applicable, transfers of personal data to a third country or to international organization (if yes, the identification of that third country or international organization and the documentation of suitable safeguards)	No
9	General description of the technical and organisational security measures	Organisational measures: access to personal data regarding recruitment is restricted to the Chairperson of the EIT Governing Board and EIT staff: Director of the EIT, Secretariat of the EIT Director, Legal Officer of the EIT, and Data Protection Officer of the EIT. Technical measures: hardcopy files are kept in the locked cupboards. Electronic data is stored on EIT network drive and is only accessible to the staff mentioned in the previous paragraph.
10	For more information, including how to exercise rights to access, rectification, object and data portability (where applicable), see the data protection notice:	Please consult the Data Protection page on the EIT website: https://eit.europa.eu/who-we-are/legal-framework/data-protection

Signature of the data controller

(Approval is given via a workflow in ARES in place of a handwritten signature)

Annex: Privacy statement