

**RECORD**  
**of processing activity regarding the Industry Portal**  
**according to Article 31 Regulation 2018/1725<sup>1</sup>**

**NAME of data processing<sup>2</sup>:**

Processing of Personal Data through the Industry Portal

**Last update: June 2020**

1) Controller(s) <sup>3</sup> of data processing operation (Article 31.1(a))
<p><b>Controller:</b> Fusion for Energy (F4E)</p> <p>Unit / Department responsible for the processing activity:</p> <p>Commercial Department.</p> <p>Contact: Commercial Department Data Controller</p> <p><a href="mailto:Commercial-Department-Controller@f4e.europa.eu">Commercial-Department-Controller@f4e.europa.eu</a></p> <p><b>Data Protection Officer (DPO):</b> <a href="mailto:DataProtectionOfficer@f4e.europa.eu">DataProtectionOfficer@f4e.europa.eu</a></p>
2) Who is actually conducting the processing? (Article 31.1(a))
<p>The data is processed by F4E (responsible unit) itself ..... <input checked="" type="checkbox"/></p> <hr/> <p>The data is processed by a third party (e.g. contractor) (Art. 29 – Processor) : ..... <input type="checkbox"/></p> <p>Contact point at external third party (e.g. Privacy/Data Protection Officer):</p>

<sup>1</sup> 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.

<sup>2</sup> **Personal data** is any information relating to an identified or identifiable natural person, i.e. someone who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity. This information may, for example, be the name, date of birth, a telephone number, biometric data, medical data, a picture, professional details, etc.  
**Processing** means any operation or set of operations which is performed on personal data, whether or not by automatic means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

<sup>3</sup> In case of more than one controller, see Article 28.

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, summarize 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**

The F4E Industry Portal is the main platform of exchange between F4E and European industry. It is the place where Fusion for Energy announces incoming business opportunities, call for tenders, grants and information of relevance to the Industry. Users register to the Industry Portal to receive updated information whenever new information is published. This record covers the processing of personal data during the creation of user accounts. The purpose of the processing operation is to allow the user data maintenance in view of maintaining accurate data related to companies interested in F4E's business activities. When Data Subjects register on behalf of a company, their personal data publicly is furthermore available to other users in order to facilitate potential partnerships. This information is also disclosed to the ILOs (Industry Liaison Officers) nominated by the national authorities of the Member States, who are responsible for raising awareness regarding business opportunities in the ITER project and facilitate partnerships between companies at national level.

**3B) Description of the Processing**

Personal data is collected through the Industry Portal when data subjects register to the Portal by filling in an online form. The data subject, or user, can amend his/her personal data at any point. The (personal) data provided by the data subject are available to other registered users on the portal application itself if data subject register on behalf of a company as described in 3A. This does not apply to Data Subjects who have registered as individual users.

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 11 December 2012;
- Fusion for Energy's [Market Analysis Policy](#) (F4E\_D\_25W8UB)
- Fusion for Energy's Industry Portal External User [Guide](#) June 2012 (F4E\_D\_26DM2T)
- Fusion for Energy Industry Portal: [Guidelines on Publications](#) (F4E\_D\_2583PE)

- (b) compliance with a *specific* legal obligation for F4E to process personal data<sup>4</sup>.....
- (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?*

Users visiting the portal, which can include the following:

- Individuals representative of a company;
- Natural persons acting on their behalf;
- F4E Industry Liaison Officers (ILOs) nominated by the relevant Members States.

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

*Please give details in relation to (a) and (b). In case data categories differ between different categories of data subjects, please explain as well.*

##### **(a) General personal data:**

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

- Name and surname;
- Professional email address;
- Professional phone number;
- Country of registration of the company.

##### **(b) Sensitive personal data (Article 10)**

No sensitive data is processed.

<sup>4</sup> The distinction between points (a) and (b) is that in point (a) F4E is given a task which requires the processing of personal data to fulfil it (e.g. staff appraisal), while in point (b), the legal basis directly requires F4E to process the personal data, without margin of implementation.

7) Recipient(s) of the data (Article 31.1 (d))

*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, EO, EDPS).*

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

- F4E Market Analysis Group responsible officers;
- F4E ICT officers (access to the application for technical support only);
- Other users of the Industry Portal if a user has registered on behalf of a company (as described in section 3).

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 authorization by the EDPS).....

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

*Please specify where the data is stored (paper wise 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 of users with an account in the F4E Industry Portal and personal data of companies' contact persons are stored as long as registered users wish so, and as long as Fusion for Energy operates in its mandate to deliver the EU contribution to the ITER Project.

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\\_2A37TD](#)) 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 online form for the creation of a user account.

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

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