



Data Protection Notice

Legal proceedings

In accordance with the Regulation (EU) 2018/1725 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 data¹ ('the Regulation'), the European Research Executive Agency ('the Agency' or 'REA') collects your personal information only to the extent necessary to fulfil a precise purpose related to its tasks.

1. WHY DO WE COLLECT YOUR PERSONAL DATA?

To deal with legal proceedings where REA is party/intervener before jurisdictions, such as the Court of Justice of the European Union and national Courts, for instance in criminal cases as a civil party or in contractual litigations or in enforcement proceedings aiming at recovering EU claims against debtors.

2. WHO IS RESPONSIBLE FOR THIS PROCESS?

The controller is the European Research Executive Agency (REA). For organisational reasons, the role of the data controller has been entrusted to REA Head of Unit D.1 "Planning, Knowledge and Compliance" (the delegated controller).

The delegated controller may be contacted via functional mailbox: REA-LEGAL@ec.europa.eu

3. WHAT IS THE LEGAL BASIS TO COLLECT YOUR DATA?

The legal basis for the processing are based on:

- Article 5(1) of Regulation (EU) 2018/1725:
 - (a) the 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 ;
 - (b) the processing is necessary for compliance with a legal obligation to which the controller is subject;
 - (c) the processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
 - (d) the data subject has given consent to the processing of his or her personal data for one or more specific purposes;
- Commission Implementing Decision (EU) 2021/173 of 12 February 2021 establishing the European Climate, Infrastructure and Environment Executive Agency, the European Health and Digital Executive Agency, the European Research Executive Agency, the European Innovation Council and SMEs Executive Agency, the European Research Council Executive Agency, and the European Education and Culture Executive Agency and repealing Implementing Decisions 2013/801/EU, 2013/771/EU, 2013/778/EU, 2013/779/EU, 2013/776/EU and 2013/770/EU;

¹ 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 (OJ L 295/39 of 21.11.2018).

- Commission Decision C(2021)952 of 12.2.2021 delegating powers to the European Research Executive Agency with a view to the performance of tasks linked to the implementation of Union programmes in the field of Research and Innovation, Research of the Fund for Coal and Steel and Information Provision and Promotion Measures concerning Agricultural Products comprising, in particular, implementation of appropriations entered in the general budget of the Union.

4. WHICH PERSONAL DATA ARE COLLECTED?

All categories of personal data may be processed within the context of legal proceedings, including special categories of data allowed pursuant to Article 10(2) of the Regulation.

5. WHO WILL HAVE ACCESS TO YOUR PERSONAL DATA?

a. WHO WILL HAVE ACCESS TO THE DATA WITHIN THE AGENCY?

Staff of REA involved in the handling of the legal proceedings, on a need-to-know basis.

b. WHO WILL HAVE ACCESS TO THE DATA OUTSIDE THE AGENCY?

- The Commission services that may need to be consulted on litigation cases, notably the parent-DGs involved, the Secretariat General, the Legal Service and if necessary any other DG or Agencies involved in the file concerned by the legal proceeding.

- External lawyers assisting/representing REA in the litigations.

- Jurisdictions concerned by the legal proceedings and other competent national authorities.

- Parties/interveners in the legal proceedings.

6. HOW LONG DO WE KEEP YOUR PERSONAL DATA?

The personal data concerned will be kept for a maximum period of 5 years after closure of the file, as stated in the Second revision of Common Commission-Level Retention list for European Commission Files - SEC(2019)900/2. A file is considered closed when the outcome of the legal proceeding has become final (not more subject to appeal before any jurisdictions).

7. WHAT ARE YOUR RIGHTS?

You may exercise your right of access / rectification / erasure / restriction / data portability / objection / withdrawal of consent at any time, by contacting the data controller indicated above at REA-LEGAL@ec.europa.eu.

Your request to exercise a right will be dealt within one month from receipt of the request. That period may be extended pursuant to Article 14(3) of Regulation (EU) 2018/1725.

Your right to information, access, rectification, erasure, restriction or objection to processing, communication of a personal data breach or due to confidentiality of electronic communications may be restricted only under certain specific conditions as set out in the applicable [Restriction Decision](#) in accordance with Article 25 of Regulation (EU) 2018/1725.

8. CONTACT INFORMATION

In case you have any questions about the collection/processing of your personal data, you may contact the data controller who is responsible for this processing activity by using the following email address: REA-LEGAL@ec.europa.eu

Further to the above, the following instances can be addressed to REA Data Protection Officer (DPO): REA-DATA-PROTECTION-OFFICER@ec.europa.eu

In case of conflict, complaints can be addressed to the European Data Protection Supervisor: EDPS@edps.europa.eu.