

**PRIVACY STATEMENT- EIB ELENA Facility**

Version: 04/11/2020

This privacy statement explains the underlying reason for the processing and gives information on the way EIB collects, handles and ensures protection of your personal data, how that information is used and what rights you may exercise in relation to your data.

EIB is committed to protecting and respecting your privacy. To monitor and document the use of EU grants in ELENA contracts projects, we are obliged to collect and further process personal data. In this context, Regulation (EC) N°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 applies.

**1. PURPOSE OF THE PROCESSING OPERATION**

The Bank is mandated by the European Commission to implement the ELENA facility entailing the monitoring and documenting of the use of EU grants for the purposes intended. The performance of the processing is carried out in the public interest and in the exercise of the official authority vested in the EC and the EIB. The legal basis is a yearly signed contribution agreement between the EC and the EIB and the subsequent ELENA grant contracts with the Final Beneficiaries.

**2. LAWFULLNESS AND LEGAL BASIS OF THE PROCESSING OPERATION**

Any personal data collected shall be processed by the Bank solely for the purposes of the implementation, management and monitoring of the Contract, without prejudice to possible transfers to bodies charged with the monitoring or inspection tasks in application of European Union law. The Final Beneficiary or the person, of which personal data has been collected, shall have the rights provided for in the above-mentioned Regulation (EU) 2018/1725, including the right of access, rectification and erasure of their personal data.

**3. WHICH DATA ARE COLLECTED AND FURTHER PROCESSED?**

The data subject concerned are:

- Employees of ELENA Final Beneficiaries including their associated entities, which are the contractual partner of the EIB and receiving EU grants.
- Natural persons assisted by the Final Beneficiary in the investment preparation and implementation process meaning inter alia home or apartment owners.
- Employees of service providers to Final Beneficiaries (e.g. companies or consultants delivering services for the preparation of investments).

The categories of personal data collected are inter alia:

- Full name
- Function in Final Beneficiary's work organigram
- Address, email, telephone number
- Additional data according to requirements: marital status, date of birth, bank account number, gross salary amount, tax class etc.

The categories of personal data are necessary for the fulfilment of the contract. Besides the already described monitoring and documentation of the compliance with the Contract rules connected to the ELENA grant no further data processing will be carried out. There is in particular no profiling involved in this processing operation<sup>1</sup>.

---

<sup>1</sup> Profiling consists of any form of automated processing of personal data evaluating the personal aspects relating to a natural person, in particular to analyse or predict aspects concerning the data subject's performance at work, economic situation, health etc.

4. WHO HAS ACCESS TO THE PERSONAL DATA?

EIB staff members involved in the management of the ELENA facility have access to the personal data on a need to know basis. The personal data may also be accessed by EIB staff members of other EIB Directorates (e.g Internal Audit) if this is necessary for the discharge of their statutory/agreed upon tasks. In addition, might have access to the personal data: the European Commission (DG ECFIN, DG ENER, DG MOVE), European Court of Auditors, OLAF, European Public Prosecutor's Office and service providers to the EIB for evaluation/monitoring tasks of the ELENA facility. These entities will also be bound by Regulation (EC) N°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.

5. ARE THE PERSONAL DATA DISCLOSED TO THIRD (NON EU/EEA) COUNTRIES?

Personal data will not be transferred to countries outside EU.

6. HOW LONG ARE THE PERSONAL DATA BEING KEPT/STORED?

*For ELENA financing contracts attached to EIB-EC Contribution Agreements up to 2017:*

The Bank shall retain data for a period of 7 years following the expiry of the ELENA financing contract signed between the Bank and the Final Beneficiary or the closure of operations of the Contribution Agreement under which an ELENA financing contract is signed, whichever period is the longest.

*For ELENA financing contracts attached to EIB-EC Contribution Agreements from 2018 and onwards:*

The Bank shall retain data for a period of 5 years following the expiry of the ELENA financing contract signed between the Bank and the Final Beneficiary or the closure of operations of the Contribution Agreement under which an ELENA financing contract is signed, whichever period is the longest.

7. WHAT ARE YOUR RIGHTS AND HOW YOU CAN EXERCISE THEM?

The Final Beneficiary or the natural person concerned has the right to access, rectify, erase or object to the processing of their personal data at any moment. Should the Final Beneficiary or the person concerned have any queries concerning the processing of their personal data, they shall address them to the Bank in writing using the email address [elena@eib.org](mailto:elena@eib.org) and specifying under which ELENA financing contract the personal data was collected. The Bank shall provide the Final Beneficiary or the natural person concerned with a reply within a maximum period of one month.

8. WHO IS THE DATA CONTROLLER?

The EIB organisational entity responsible for the processing operations under point 1 is the Energy Efficiency and Energy Advisory Division acting as the Data Controller. If you have comments or questions, concerns or wish to complaint on issues relevant to the collection and use of your personal data, please do not hesitate to contact the Data Controller using the following contact information: [elena@eib.org](mailto:elena@eib.org).

You may also have recourse to the EIB DPO (Pelopidas Donos) at any moment via e-mail: [dataprotectionofficer@eib.org](mailto:dataprotectionofficer@eib.org) or phone: (00352) 4379 88223.

Finally, you may lodge a complaint with the European Data Protection Supervisor at: [edps@edps.europa.eu](mailto:edps@edps.europa.eu)