Ministry of University and Research

Directorate-General for Internationalisation and Communication

Notice for the *“Granting of funding for the construction or modernisation of Technological Innovation Infrastructure”* to be funded under the NRRP

Mission 4, “*Education and Research*” - Component 2, “*From Research to Business*” -

Investment Line 3.1: “*Fund for the creation of an integrated system of research and innovation infrastructures”*, funded by the European Union - NextGenerationEU

ANNEX 3 - INFORMATION ON THE PROVISION AND PROCESSING OF DATA AND ON THE PUBLICATION OF ELEMENTS CONSIDERED NON-SENSITIVE ON INSTITUTIONAL AND OPENLY ACCESSIBLE SITES

# Subject matter of the processing

Pursuant to Regulation (EU) No. 679/2016 of the European Parliament and of the Council of 27 April 2016 containing European rules for the protection of natural persons with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation - GDPR, hereinafter “Regulation”), and in compliance with Legislative Decree No. 196 of 30 June 2003, as amended by Legislative Decree No. 101 of 10 August 2018, this document describes the methods for processing the personal data of the persons variously involved and/or interested in the initiatives financed under the National Recovery and Resilience Plan, as well as all the activities related to them including interaction with the monitoring information systems (ReGiS computer system, made available by the NRRP Central Office or other local information systems adopted for the electronic exchange of data) and the publication of the elements considered non-sensitive in the institutional and openly accessible sites https://www.mur.gov.it/it/privacy and https://www.[gea.mur.gov.it/Home/Privacy](http://www.gea.mur.gov.it/Home/Privacy).

Personal data is processed with respect for human dignity, fundamental rights and freedoms of the individual.

# Purpose of the processing

The personal data, transmitted also through the filling in and submission of forms, is processed in order to respond to the requests of the data subjects, to launch an administrative procedure (in this case the purpose is pursued during the entire phase of the subsidy access management procedure, including during the implementing procedure, the final procedure, preliminary investigation and subsidy disbursement), as well as to fulfil any legal, accounting and fiscal obligations.

# Provision of data in the context of NRRP initiatives

In compliance with the provisions set out in the Recovery and Resilience Facility (RRF) and Decree-Law 77 of 2021, converted into Law 108 of 29 July 2021:

* the **Implementing Entity** is responsible for implementing the individual projects funded under the NRRP. The Implementing Entity is responsible for the initiation, implementation and operation of the individual measures, for the regularity of the procedures and the expenditure accounted for with NRRP resources, as well as for monitoring the achievement of the values defined for the indicators associated with its projects;
* **The central administration,** which holds ownership of the **actions** through the appointed functions, must ensure the continuous monitoring and supervision of the implementation of the projects, verifying, on the one hand, the progress of financial data, the physical and procedural implementation of investments and reforms and, on the other hand, the level of achievement of milestones and targets, as well as all other information elements necessary for reporting to the European Commission, through the specific functionalities of the ReGiS IT system made available by the NRRP Central Office or other local systems adopted for the electronic exchange of data consistent with the technical and management requirements described in paragraph 4 of Article 3 of the Prime Ministerial Decree on Monitoring.

To this end, said Central Administrations are called upon, for the projects under their responsibility, to ensure the registration, collection, validation and transmission of monitoring data (including data collected by the implementing entities), of the financial subsidies granted under the National Recovery and Resilience Plan and to ensure the registration, preservation, traceability and reliability of the observed data.

# Types of data provided

In order to fulfil the obligations described above, the Implementing Entities are required to carry out a process of constant and complete collection of data on funded projects and must record the information included in the financial, physical and procedural implementation minimum data set to be collected, stored and transmitted, as identified in the Single Dialogue Protocol v. 2.2 of November 2020 and subsequent amendments, and as referred to in MEF Circular No. 18 of 30 April 2014, revised on the basis of the NRRP implementation specificities and communicated by means of a specific circular note of the NRRP Central Office.

The following is a non-exhaustive list of the main information to be collected:

* + project master data and identifying classifications, such as Unique Project Code (CUP), Tender Identification Code (CIG), project identifier, references to the relevant Mission/Component/Measure, implementing entity identifier, project type and location;
	+ data on entities involved in implementation, such as implementing entities, performing entities, beneficiaries of the actions, including tax code and/or VAT number;
	+ financial data, such as amount financed, any other sources of financing, economic framework and related expenditure items, accounting commitments, legally binding commitments, expenses, payments, recoveries and transfers disbursed;
	+ procedural data, such as the schedule and the steps involved in the various tender procedures (e.g. awarding of works, purchase of goods and services) with an indication of the timeframe and relevant expenditure items;
	+ physical data (forecast and actual) such as output (progress made) and outcome (effects generated) indicators, through the exploitation of a specific set of indicators and the collection and cataloguing of supporting documentation;
	+ level of achievement both of milestones and targets, for the actions that contribute to their achievement;
	+ data relating to the quarterly update of the variance analysis for each M&T provided for in the Plan;
	+ elements useful for checking the contribution to the digital objective and to the objective of mitigation of climate change;
	+ elements useful for checking the fulfilment of the “Do No Significant Harm (DNSH)” requirement;
	+ records and documentation evidencing the progress of project implementation.

# Subjects of the processing

The Ministry for Universities and Research is the **Data Controller1** of the personal data provided by the data subjects variously involved and/or interested in the initiatives funded under the National Recovery and Resilience Plan.

The processing of personal data provided by the data subjects may be carried out by staff specifically or occasionally authorised and instructed on the basis of specific instructions regarding the purposes and methods of the processing, by companies, entities or persons appointed as Data Processors pursuant to Article 28 of the GDPR; these Data Processors provide, on behalf of the Data Controller, specific processing services or related, instrumental or support activities, adopting all those technical and appropriate organisational measures to protect the rights, freedoms and legitimate interests legally enjoyed by the data subjects, as well as by persons in charge of providing IT solutions for site development and maintenance activities.

1 The Data Controller is *“the natural or legal person, public authority, service or other body which alone or jointly with others determines the purpose and means of the processing of personal data”* (Art. 4(1)(7) General Data Protection Regulation (GDPR).

# Data Protection Officer

The Data Protection Officer of the Ministry of University and Research was identified by Ministerial Decree No. 9 of 9 April 2021 as Silvia Nardelli - Email: RPD@miur.it

# Processing methods and scope of dissemination of transmitted data

The personal data is processed in accordance with the principles of lawfulness, correctness and transparency and is acquired and stored with the aid of systems and instruments, including electronic means, suitable for guaranteeing its security and confidentiality in accordance with the methods provided for by the laws and regulations in force.

The personal data may be shared, for institutional purposes, with parties to whom communication and/or disclosure is required by law, regulations or Community legislation, or by public bodies and supervisory bodies, for the performance of their institutional functions, such as the European Commission and other bodies and/or authorities with inspection, accounting-administrative and verification purposes (e.g. banks, the Auditing Unit, ANAC, GdF, European Anti-Fraud Office (OLAF), European Court of Auditors (ECA), European Public Prosecutor’s Office (EPPO) etc.).

# Legal basis of the processing

The lawfulness of the processing of personal data is pursuant to (i) Article 6(1)(b) of the GDPR, in the performance of a contract to which the data subject is a party or pre-contractual measures taken at the request of the data subject (e.g. when managing operational activities aimed at ensuring the possible disbursement of grants or for the purposes of managing administrative, accounting and tax processes);

(ii) Article 6(1)(c) of the GDPR, in the performance of a legal obligation to which the Administration is subject (e.g. in the phases of management of the preliminary investigation activity or communication of the data in compliance with the general obligations of transparency); (iii) Article 6(1)(e) of the GDPR and Article 2-sexies of the Privacy Code, in the performance of tasks of public interest or in any case connected to the exercise of its public powers (e.g. in the performance of monitoring, analysis and research activities and in the performance of communication and promotion activities relating to institutional work).

# Legal basis for web publication and dissemination

The following are some of the publication obligations governed by Legislative Decree 33/2013, taking into account the main amendments and additions introduced by Legislative Decree 97/2016.

Pursuant to Article 26 of Legislative Decree No. 33 of 14 March 2013, (as amended by Article 23 of Legislative Decree No. 97/2016), public administrations are obliged to publish the acts awarding endowments, grants, subsidies and allocation of economic advantages to physical persons and public and private entities for an amount exceeding one thousand euros during the calendar year, to the Implementing Entity.

Pursuant to paragraph 3 of the same article, publication is a legal condition for the effectiveness of the measures and must therefore take place promptly and, in any event, before the payment of the sums covered by the measure.

# Publication of additional personal data

The administrations, from a perspective of full openness towards the outside world, may publish “additional data” beyond that expressly indicated and required by specific legal provisions.

The publication of such data is provided for by Law 190/2012 (Article 1, para. 9, letter f) and by Article 7-bis, para. 3 of Legislative Decree 33/2013, where it states that public administrations may publish data, information and documents on their institutional website, even in the absence of a specific provision of law or regulation, by anonymising any personal data that may be present.

# Data storage period

In order to ensure fair and transparent processing, data is stored for a period of time not exceeding that necessary for the purposes for which it was collected or subsequently processed in accordance with legal obligations.

# Place of processing

The data is processed and stored at the offices of the MUR, Directorate-General for Internationalisation and Communication, in Rome, Via Michele Carcani 61, 00153. Specific security measures are observed to prevent loss, unlawful or incorrect use and unauthorised access to data.

# Declaration of acknowledgement of the information on the provision and processing of

**personal data**

The undersigned \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in the capacity of

 having acquired the information provided by the data controller pursuant to Article 13 of Legislative Decree 196/2003 and of Articles 13-14 of the GDPR following the acknowledgement of the document “*Information on the provision and processing of personal data and on the publication of elements considered non-sensitive on institutional and openly accessible sites*”

# DECLARES

that he/she has been adequately informed about the processing of his/her personal data for the purposes indicated therein.

**Signature of the declarant**