



Project Number: **9168-2022-0016**

Details about the handling of personal data in relation to Asylum, Migration, and Integration Fund grants (AMIF).

The following details on how personal data is processed while adopting according to Articles 13 and 14 of Regulation (EU) 2016/679, of the funding of projects in the German National Program in the Asylum, Migration, and Integration Fund (AMIF) by the AMIF Management Authority and in the context of any audits by the authorities by the authorities listed below (General Data Protection Regulation, GDPR).

1. Reasons and legal justifications for handling personal data.

Within the parameters of the National Funding Directive on AMIF, the AMIF Managing Authority manages financing from Europe. Grants are given to outside project promoters. Regulations (EU) 2021/1060 and 2021/1147, as well as the implementing rules made in accordance with the EU Commission's rules and other legally obligatory procedural requirements set out by the EU Commission.

According to Regulation (EU) 2016/679 or Regulation (EU) 2018/1725, the processing of personal data is done in line with Article 4 of the Regulation (EU) 2016/679 and Article 6 (1) lit. e GDPR. The registration of the applicant(s) in the administration tool ITSI, application, determination, payment, administration, and monitoring of grants to the applicant person are all reasons why personal data is handled. They are also employed for general grant usage documentation.

In accordance with Article 28 of the GDPR, processing is done on servers owned by the Federal Information Technology Center (ITZBund).

2. Types of people who receive personal data.



The provision of application data to, in the context of the federal government authorities/committees and the federal states involved in the decision-making process, as well as the information of a potential co-financing body about the project application, the fund decision of the AMIF managing authority, and the proof of use, is considered the processing of personal data under Article 4 of Regulation (EU) 2021/1060 i. V. m. Article 6 paras. 1 lit. e GDPR.

The audit authorities may further handle personal data as needed for their auditing needs. In this regard, Article 4 of Regulation (EU) 2021/1060 i. in connection with Article 6 (1) c and e GDPR and Section 44 BHO serve as the legal foundation.

Personal data of the applicant may be transferred to the Federal Office for the Protection of the Constitution based on Section 3 of the Federal Data Protection Act in conjunction with Article 6 Para. 1 lit. c and e GDPR in order to prevent the improper use of state services for the protection of the free democratic basic order.

The designated honorees fall under the following categories:

- State agencies and authorities, as well as other companies that co-finance projects
- Federal and state ministries or subordinate agencies, as well as federal officials,
- Auditing institutions
 - Audit Authority for EU Funds (AMIF)
 - EU Commission or its agents
 - European Court of Auditors
 - European Anti-Fraud Office (OLAF).
 - Federal Court of Auditors.

3. Terms

The term "processing" is defined in Article 4 No. 2 GDPR as "any operation or set of operations or series of operations carried out in connection with personal data, whether or not using automated processes, such as the collection, recording, organization, classification, storage, adaptation or storage,



adaptation or alteration, extraction, interrogation, use, disclosure by transmission, dissemination or any other form of making available, comparison, analysis, or resale." According to Article 4 No. 1 of the GDPR, personal data is any information relating to an identified or identifiable natural person (hereinafter, "data subject"); An identifiable natural person is one who can be identified directly or indirectly, in particular through an association with an identifier like a name, an identification number, location information, an online identifier, or to one or more special characteristics that express the physical, mental, or philosophical nature of that individual.

The staff members at the grant recipients, the cooperation partners, the subcontractors, the people working on a volunteer basis for the project, as well as the project's target group members, are all considered data subjects under the GDPR in the AMIF grant projects.

4. Categories of processed personal data

Only individuals who are involved in applying for and receiving funds from the AMIF may have their personal data processed by the AMIF Management Authority.

The following personal information is often gathered and maintained in relation to employees working on the project: Name, first name, project activity, personnel number (if available), date of birth, marital status, and classification in accordance with the CBA (TV-D). The amount of compensation provided, the working time model, and the collective wage agreement.

The following personal information is gathered and maintained in the case of subcontractors and people working on the project voluntarily: Name, first name, address, contract subject (activity and project reference), service scope (example: number of hours/days to be hours/days), and compensation (e.g., hourly rate).

Members of the target group often have the following personal information collected: initial and last names, birthdates, genders, nationalities, and the kind and quantity of any resident permits or tolerances.

5. Data retention and deletion



According to Section 31 (2) of the AMIF Funding Guideline, the project's records will be preserved or stored for a period of ten years beginning with the project's completion. The personal information will be erased once this time period has expired.

6. Data subject rights

If the necessary conditions are satisfied, each data subject shall be entitled to the following rights with respect to the processed personal data upon request:

- Details on the processing (Article 15 GDPR).
- Revision of inaccurate data (Article 16 GDPR)
- Data deletion is no longer necessary (Article 17 GDPR)
- Processing restrictions (Article 18 GDPR)
- Portability of data (Article 20 GDPR)
- Refusal of processing (Article 21 GDPR)

7. Responsible body with information on how to reach them.

As the responsible party (Article 4 No. 7 GDPR) for the administration of AMIF funding, the AMIF Management Authority at the Federal Office for Migration and Refugees enforces data security.

It is accessible as follows:

Federal Agency for Migration and Refugees

AMIF Administrative Authority

Frankenstrasse 210 90461

Nuremberg.

E-Mail: AMIF2021-2027@bamf.bund.de

The data protection officer is accessible if you have queries about data protection. E-Mail:

Datenschutzbeauftragter@bamf.bund.de

8. Federal Commissioner for Information Freedom and Data Protection

If a data subject believes that the acquisition, processing, or use of their personal data by federal government public entities has infringed their rights, they may make a complaint with the appropriate supervisory body in line with Article 77 ff GDPR a supervisory role is possible. The relevant supervisory authority for the area of the Federation is, in accordance with Article 51 ff. GDPR:

The Federal Commissioner for Data Protection and Freedom of Information (BfDI)

Graurheindorfer Str. 153

53117 Bonn

E-mail: poststelle@bfdi.bund.de