Federal Office
for Migration
and Refugees

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Information on processing personal data for funding from the Asylum, Migration and Integration Fund (AIMF)

The following information on the processing of personal information during the implementation of funding of projects in the German national programme of the Asylum, Migration and Integration Fund (AIMF) and in the context of any reviews by the authorities designated below is provided to you in accordance with Art. 13 and Art. 14 of Regulation (EU) 2016/679 (General Data Protection Regulation GDPR).

1. Purpose and legal bases for processing of personal data

The AMIF Competent Authority manages European subsidies in the context of the national funding guidelines applicable to AMIF. It awards grants to external project owners. The legal basis for the funding are the Regulations (EU) 2021/1060 and 2021/1147 and the implementation provisions issued on the basis of the Regulations mentioned and other binding procedural regulations of the EU Commission.

The processing of personal data occurs based on Art. 4 of the Regulation (EU) 2021/1060 in combination with Art. 6 (1) e GDPR in harmony with Regulation (EU) 2016/679 or Regulation (EU) 2018/1725. Personal data are processed for the purpose of registration of the applicant in the administration tool ITSI, application, decision, payment, administration and monitoring of grants to the applicant. In addition, they serve the general documentation of the use of the funding. The processing occurs on the servers of the Federal Information Technology Centre (ITZBund) in the context of order processing according to Art. 28 GDPR.

2. Categories of recipients of personal data

The processing of personal data based on Art. 4 of the Regulation (EU) 2021/1060 in combination with Art. 6 (1) e GDPR covers the provision of application data to the specialist authorities/-committees of the Federal government and federal states involved in the context of reaching a decision and the information of any co-financing body regarding the project application, the funding decision of the AMIF Competent Authority and proof of employment of the funds.

If necessary, further processing of the personal data occurs by the review authorities for review purposes. The legal basis in this respect is likewise Art. 4 of Regulation (EU) 2021/1060 in combination with Art. 6 (1) c and e GDPR and Section 44 BHO.

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Personal data can be forwarded to the German domestic intelligence services based on Section 3 Federal Data Protection Act in combination with Art. 6 (1) c and e GDPR for the purpose of the exclusion of misuse of government benefits to protect the liberal-democratic rule of law.

The recipients mentioned can be categorised as follows:

- federal and state ministries or subordinate authorities and federal commissioners;
- government bodies and authorities and other organisations, which co-finance projects;
- review authorities:

  - EU funds (AMIF) review authority;
  - EU Commission or its representatives;
  - European Court of Auditors;
  - European Anti-Fraud Office (OLAF);
  - Federal Audit Office

3. Definition of terms

Pursuant to Art. 4 no. 2 of the GDPR, processing means any operation or set of operations which is performed upon personal data, whether or not by automatic means, such as collection, recording, organisation, filing, storage, adaptation or alteration, retrieval, querying, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction. Personal data pursuant to Art. 4 no. 1 of the GDPR means any information relating to an identified or identifiable natural person (hereinafter referred to as "data subject"); an identifiable person is one 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 one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person. In the AMIF funding projects, data subjects as defined in the GDPR are the employees of the grant recipients, the cooperation partners, subcontractors, persons working in an honorary capacity for the project as well as persons in the projects' target groups.

4. Categories of processed personal data

The AMIF Competent Authority only processes those personal data of data subjects who are connected with the application for and granting of funds from the AMIF.

The following personal data is generally collected and saved from employees who work for the project: surname, first name, activity in the project, staff number (if available), date of birth, marital status, classification in accordance with the collective agreement, working hours model, amount of remuneration paid.
The following personal data is generally collected and saved from the subcontractors and persons acting in an honorary capacity for the project: surname, first name, address, contractual object (activity and project reference), performance scope (e.g. number of hours/ days to be worked), remuneration (e.g. hourly rate).

The following personal data is generally collected from members of the target group: surname, first name, date of birth, gender, country of origin, nationality, type and number of residence permit or tolerated stay.

5. Retention and erasure of data

The project documents are retained or stored for a period of 10 years starting from the end of the project (Section 31, (2) of the AMIF funding guidelines). After this period, the personal data will be erased.

6. Rights of data subjects

Every data subject, upon request, has the following rights regarding the personal data processed, provided that the relevant conditions are met:

- Information on processing (Art. 15 of the GDPR)
- Rectification of incorrect data (Art. 16 of the GDPR)
- Erasure of data no longer required (Art. 17 of the GDPR)
- Restriction of processing (Art. 18 of the GDPR)
- Data portability (Art. 20 of the GDPR)
- Objection to processing (Art. 21 of the GDPR)

7. Controller in the meaning of data protection law and contact data

In managing the AMIF funds, the AMIF Competent Authority at the Federal Office for Migration and Refugees as the controller (Art. 4 no. 7 of the GDPR) ensures data protection. It can be reached as follows:

Federal Office for Migration and Refugees
AMIF Competent Authority (Unit 92E)
Frankenstraße 210
90461 Nuremberg
Germany

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

The official data protection officer is available for specific questions relating to data protection:
E-Mail: Datenschutzbeauftragter@bamf.bund.de

8. Federal Commissioner for Data Protection and Freedom of Information

If a data subject believes that their rights have been violated in the collection, processing or use of their personal data by federal public bodies, a complaint can be lodged with the responsible supervisory authority pursuant to Art. 77 ff GDPR. The responsible supervisory authority for the sphere of the federal government according to Art. 51 ff GDPR is:

The Federal Commissioner for Data Protection and Freedom of Information] (BfDI)
Graurheindorfer Str. 153
53117 Bonn
E-Mail: Poststelle@bfdi.bund.de