

ESMA's Physical Access Controls (ACS)

Record of ESMA activities processing personal data, based on Article 31 of 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.

| Nr. | Item | Record information |
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| ESMA's Physical Access Controls (ACS) (RES-FM) | | |
| 1 | Last update of the record | 21/08/2023 |
| 2 | Reference number | ESMA40-133-1090 |
| 3 | Name and contact details of controller | ESMA's Head of Resources Department Via Corporate Services Helpdesk: FM.helpdesk@esma.europa.eu Address of the controller: European Securities and Markets Authority (ESMA) |

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| | | 201-203 Rue de Bercy 75012 Paris France |
| 4 | ESMA area entrusted with processing | ESMA / RES / Corporate Services / Physical Security and Safety |
| 5 | Processors (if any) | <ul style="list-style-type: none"> - OPTEOR IMMOTICS - BAXTER STOREY |
| 6 | Name and contact details of DPO | ESMA DPO - dpo@esma.europa.eu |
| 7 | Name and contact details of processor(s) (where applicable) | <ul style="list-style-type: none"> • OPTEOR IMMOTICS – 41 rue des peupliers – 92752 Nanterre Cedex, France. OPTEOR is a company of VINCI group, acting as the technical support, providing on-call and on-site maintenance support of the badge readers, door locks, server, console and software of ESMA. • BAXTER STOREY – 108 rue Saint Lazare – 75009 Paris, France. BAXTER is operating the building’s restaurant, under contract with the building’s landlord company, GECINA. |
| 8 | Purpose of the processing | <p>ESMA operates an independent from the landlord access control system for the purpose of granting physical access to ESMA’s internal office space on a business access need basis and for safeguarding people safety.</p> <p>The access control system helps to:</p> |

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| | | <ul style="list-style-type: none"> • control access to the ESMA's internal office space and to its restricted areas; • ensure the safety, security and integrity of the installations; • ensure the safety and security of the ESMA staff; • ensure the security of ESMA's assets (including information) stored on-site; • protect against different physical threats to ESMA's assets and people, including but not limited to outsider access, theft of equipment, etc., as well as • support investigations, either in the case of an administrative enquiry or for supporting security investigations and incidents; • link the badge owner with his/her account at the building's restaurant. |
| 9 | <p>Description of categories of persons whose data ESMA processes and list of data categories</p> | <p>Anybody with a valid business access need to enter inside ESMA's premises and is given a badge:</p> <ul style="list-style-type: none"> • ESMA staff (CAs, TAs, SNEs, Trainees), • Externals consultants, • Visitors, including conference participants and speakers. <p>Data categories:</p> <p>ESMA staff and external consultant are given a nominative badge embossed with the first name, last name, profile picture, contract end date, and for ESMA staff only, also an identification number. The personal information is provided by the Human Resources Unit or contract managers.</p> |

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| | | <p>Visitors and short time consultants are given a non-nominative badge.</p> <p>In order to use the named badge for identification at the building's restaurant, the following information are provided to the restaurant management: first name, last name, corporate email address and serial number of the badge.</p> <p>The following surveillance methods are not employed:</p> <ul style="list-style-type: none"> • high-tech or intelligent surveillance technology (Section 6.9 of the EDPS video-surveillance Guidelines); • interconnection of our system with other systems (Section 6.10 of the EDPS video-surveillance Guidelines); |
| 10 | Time limit for keeping the data | <ul style="list-style-type: none"> • Access control activity logs (successful and unsuccessful events) are kept for 3 months; • Personal data necessary to perform Access Control checks (information contained in nominative badges) will be kept for the duration of the contractual relationship between the data subject and ESMA. Badge and personal data are erased at the departure of the badge holder. • Leaver's personal data is removed from the restaurant system and replaced by the new badge owner's data. Database cleaning check is performed at least once a year. |
| 11 | Recipients of the data | <p>Access to the system is restricted to authorised ESMA staff within the Corporate Services Unit and if needed, with the help of the solutions' technical support team.</p> |

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| 12 | Are there any transfers of personal data to third countries or international organisations? If so, to which ones and with which safeguards? | N/A |
| 13 | General description of security measures, where possible. | The badge access system uses a dedicated network, separated from ESMA network, and protected with specific access controls. |
| 14 | Information on how to exercise your rights to access, rectification, object and data portability (where applicable), including recourse right. | <p>To exercise your Data Subject Rights you can address your requests to the Controller at FM.helpdesk@esma.europa.eu.</p> <ul style="list-style-type: none"> a) You are entitled to access your information relating to your personal data processed by ESMA, verify its accuracy and, if necessary, correct it in case the data is inaccurate or incomplete. b) You have the right to request the erasure of your personal data, if your personal data is no longer needed for the purposes of the processing, if you withdraw your consent or if the processing operation is unlawful. c) You can ask the Data Controller to restrict the personal data processing, under certain circumstances, such as if you contest the accuracy of the processed personal data or if you are not sure if your personal data is lawfully processed. d) You may also object, on compelling legitimate grounds, to the processing of your personal data. |

e) Additionally, you may have the right to data portability which allows you to make a request to obtain the personal data that the Data Controller holds on you and to transfer it from one Data Controller to another, where technically possible.

In some cases, your rights might be restricted in accordance with Article 25 of the Regulation (EU) 2018/1725 and ESMA MB Decision on restriction: [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019Q1125\(01\)&from=EN](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019Q1125(01)&from=EN). In each case, ESMA will assess whether the restriction is appropriate. The restriction should be necessary and provided by law and will continue only for as long as the reason for the restriction continues to exist.

If you have additional questions or concerns you can also contact ESMA's Data Protection Officer: DPO@esma.europa.eu.

You have the right to lodge a complaint with the European Data Protection Supervisor (edps@edps.europa.eu) if you consider that your rights under the Regulation (EU) 2018/1725 have been infringed as a result of the processing of your personal data by ESMA.