

Data protection declaration on application procedures for seafarers (in accordance to See-BV)

Data processing procedures for the issuance of certificates

In accordance with § 63 subparagraph 1 of the Seafarers' Competencies and Proficiencies Regulations (See-BV), the Federal Maritime and Hydrographic Agency (BSH) records the following applicant's personal data as part of the application processing procedures for the initial issue, replacement issue or revalidation of the validity of certificates of competency, certificates of proficiency, endorsements of recognition or any other certificates issued in accordance with the See-BV:

- Last name, first name, previous name, date and place of birth
- Nationality, gender
- Address
- Contact details (telephone number, fax number, e-mail address)
- General requirements for the issuance of certificates within the scope of § 5 See-BV. This includes the proof of identity, personal and professional aptitude and, depending on the type of certificate, the required practical training and seagoing service.

The BSH uses this personal data for the implementation of the application procedures. In accordance with § 63 subparagraph 3 See-BV, providers of approved training courses are also entitled to collect and use the above mentioned personal data for the participation and implementation of training courses. If an application for a certificate is submitted through the training course provider, then according to Section 63 subparagraph 3 See-BV, the provider is required to transmit his recorded personal data to the BSH for processing purposes; in all other respects, the procedure is based on the principles described here.

The proof of identity requires a valid identity card or passport, the proof of personal aptitude requires a valid certificate of appropriate medical fitness for sea service within the scope of the Maritime Labour Act, the proof of professional com-

petence requires one or more document(s) of successful participation in approved training course(s), proof of successful completion of practical training and appropriate seagoing service through one or more certificates of seagoing service and/or proof of the successful completion of a maritime training either as an original document or copy. All original documents will be returned with the notification of issuance (*or application rejection*). All copies of identity cards or passports will only be retained by the BSH for the duration of the processing procedures and are then destroyed. The necessity for retaining these copies during the issuance processing procedures is to be able to identify the applicant at any time during processing procedures. Any Information on the copies of identity cards or passports that does not serve to identify the applicant (access-/serial number) may be previously blacked out by the applicants themselves.

Data storage after completion of the processing procedures

In accordance with § 9f subparagraphs 1 and 2 of the Maritime Shipping (Federal Competences) Act (SeeAufgG), the BSH stores the following personal data of the applicant in its Record of Seafarers' Competencies (SBV) as part of the application procedure:

- Last name, first name, previous name, date and place of birth
- Nationality, gender
- Type of certification and registration number of the certificate or other evidence, date of issue and period of validity
- All levels, functions and competencies associated with issued certificates, including any restrictions (if included)
- Any previously issued certificates of competency or proficiency
- Final or provisional decisions by an authority to withdraw, revoke, suspend or to limit the competencies of certificates of competency or proficiency through legally enforceable decisions.

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In accordance with § 9f subparagraph 3 of the Maritime Shipping (Federal Competencies) Act (SeeAufgG) the Record of Seafarers' Competencies (SBV) is maintained,

- In order to confirm the authenticity and validity of seafarers' certificates of competency and proficiency,
- In order to enable competent authorities, in conducting the prosecution of criminal offences and administrative offences, to state whether certificates of competency and proficiency are still valid (i.e. have not been suspended or temporarily or permanently withdrawn),
- In order to make it easier for seafarers to prove their professional aptitude and competence and to have their certificates recognised in order to apply for employment on board foreign seagoing vessels; and
- In order to enable statistical evaluations with regard to personnel development in maritime shipping.

The above mentioned personal data will therefore be stored in the SBV for a period of **one hundred years from the certificate holder's date of birth**.

The address and contact data will be stored for a maximum of ten years after the end of the application procedure, in order to be able to contact the applicant in case of queries and to simplify the handling of future application procedures. If necessary, the contact data in any subsequent application procedures can be corrected.

The supporting documents of the general requirements are stored for **ten years**, so that all issuing decisions in applications are documented and which can, if necessary, can be verified.

All approved training course providers are in accordance with § 17 See-BV required to store the following personal data in a participant directory for **five years** from the end of the course, if the course is successfully completed:

- Last name, first name, previous name, date and place of birth,
- Nationality, gender,
- Address,
- Contact details (telephone number, fax number, e-mail address).

Controller

The controller as defined in Article 4 point 7 of the General Data Protection Regulation is the

Federal Maritime and Hydrographic Agency (BSH)
Bernhard-Nocht road 78
20359 Hamburg, Germany

Phone: +49 (0) 40 3190-0
Fax: +49 (0) 40 3190-5000
E-mail: posteingang@bsh.de
www.bsh.de

The BSH's data protection officer can be contacted over the following e-mail address: datenschutz@bsh.de.

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Your personal rights

As an applicant in a See-BV application procedure you have the right:

- to inquire about your person-related data collected and stored,
- to request the rectification or deletion or restriction of the processing of your personal data collected and stored or to object to the processing of your data.

Notes: The right to data cancellation and processing restrictions as well as the right of objection does not apply to any data stored in the Record of Seafarers' Competencies (SBV), because here there is a legal requirement for permanent storage of this data in § 9f of the Maritime Shipping (Federal Competences) Act.

Should you request the deletion or restriction of your personal data during the processing of your current application procedure or object to this processing, this is considered to be equivalent to the withdrawal of your application. In this case, you shall still bear the costs of the proceedings incurred up to the time of withdrawal.

You also have the right,

- provided the data handling is based on your consent, to revoke it; this does not affect the legitimacy of the data processing up to the revocation,
- to file a complaint with BSH's data protection supervisory authority in the event of legal violations. This is

The Federal Commissioner for Data Protection and Freedom of Information
(Bundesbeauftragte für den Datenschutz und die Informationsfreiheit)

Husarenstrasse 30

53117 Bonn, Germany

Phone: +49 (0) 228 99779999-0

Fax: +49 (0) 228 99779999-550

E-mail: poststelle@bfdi.bund.de

Data Security

The BSH takes all the necessary technical and organizational measures to ensure the maximum protection of your personal data during transmission and storage. However, since complete data security can never be guaranteed during an electronic transmission, so therefore, the submission of particularly sensitive data by post or personal delivery is recommended.