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#### COVER NOTE

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From: Secretary-General of the European Commission,  
signed by Mr Jordi AYET PUIGARNAU, Director

date of receipt: 20 March 2020

To: Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of  
the European Union

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Subject: CORRIGENDUM of 19.3.2020 to Commission Delegated Regulation of 20  
January 2020 supplementing Directive (EU) 2017/2397 of the European  
Parliament and of the Council with regard to the standards for databases  
for the Union certificates of qualification, service record books and  
logbooks (C(2020)248 final)

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Delegations will find attached document C(2020) 1860 final.

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Brussels, 19.3.2020  
C(2020) 1860 final

## **CORRIGENDUM**

**of 19.3.2020**

**to Commission Delegated Regulation of 20 January 2020 supplementing Directive (EU) 2017/2397 of the European Parliament and of the Council with regard to the standards for databases for the Union certificates of qualification, service record books and logbooks**

**(C(2020)248 final)**

## CORRIGENDUM

**to Commission Delegated Regulation of 20 January 2020 supplementing Directive (EU) 2017/2397 of the European Parliament and of the Council with regard to the standards for databases for the Union certificates of qualification, service record books and logbooks**

**(C(2020)248 final)**

Annex I shall read as follows:

### ‘ANNEX I

#### Requirements for the Union database

##### **1. GENERAL**

- 1.1. The Union database shall provide a consolidated overview of the data in the certificates of qualifications and on the service record books referred to in Article 25(1) of Directive (EU) 2017/2397 which are kept in Member States’ national registers established and kept pursuant to Article 25(1) of that Directive .
- 1.2. The Union database shall also provide information on certificates of qualifications and service record books recognised pursuant to Article 10(2) or 10(3) of Directive (EU) 2017/2397 where the Commission has granted access to it to an authority of a third country, in accordance with Article 25(4) of Directive (EU) 2017/2397.
- 1.3. The Union database shall provide a user interface (‘the Union database web portal’) through which the authorised users shall be able to access data in accordance with their access rights.

##### **2. USERS AND ACCESS RIGHTS**

- 2.1. The Commission shall grant access rights to individual users corresponding to the user profiles laid down in Table 1, on the basis of a list provided by the Member States.
- 2.2. The Commission may also grant access to the Union database to international organisations and authorities of a third country, in accordance with Article 25(4) of Directive (EU) 2017/2397 and, in particular provided the requirements set out in Article 46 of Regulation (EU) 2018/1725 are fulfilled. User profiles referred to in Table 1 or their access rights can be limited following the result of the assessment concerning the level of protection of natural persons’ personal data.

Table 1.

User profiles	Definitions	Access rights
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Certification authorities	Competent authorities designated to issue, renew or withdraw certificates of qualifications, specific authorisations and services record books referred to in Article 26 of Directive (EU) 2017/2397.	Read and write in relation to functionalities 3.1 to 3.5.
Authorities in charge of suspension	Authorised users in competent authorities for the suspension of certificates of qualifications and specific authorisations referred to in Article 26 of Directive (EU) 2017/2397.	Read and write in relation to functionalities 3.3. and 3.4.
Enforcement authorities	Authorised users in competent authorities detecting and combating fraud and other unlawful practices referred to in Article 26 of Directive (EU) 2017/2397.	Read-only in relation to functionalities 3.1, 3.2., 3.3. and 3.5.
Registers' keepers	Authorised users in competent authorities designated to keep the registers referred to in Article 26 of Directive (EU) 2017/2397.	Read and write in relation to functionalities 3.1 to 3.5 if not exercised by certification authorities or authorities in charge of suspensions
Statistics offices	Authorised users in national or international offices in charge of collecting statistical data.	Read-only in relation to functionality 3.5.
International organisations	Authorised users in international organisations that have been provided access to, in accordance with Article 25(4) of Directive (EU) 2017/2397 and Article 46 of Regulation (EU) 2018/1725.	Read-only access to be determined in relation to functionalities 3.2., 3.3. and 3.5. following the result of the assessment concerning the level of protection of natural persons and compliance with this Regulation
Authorities from third countries	Authorised users in designated competent authorities from third countries that have been provided access to, in accordance with Article 25(4) of Directive (EU) 2017/2397 and Article 46 of Regulation (EU) 2018/1725.	To be determined in relation to functionalities 3.1 to 3.5. following the result of the assessment concerning the level of protection of natural persons and compliance with this Regulation
Commission	Authorised users in Commission staff 1. in charge of keeping the Union database or 2. in charge of inland navigation policies.	- Provider of the technical solution for all functionalities; - Read-only in relation to functionality 3.5.

### 3. FUNCTIONALITIES

The following functionalities shall be provided through the Union database:

#### 3.1. Verification of the crew member's registration in the Union database:

The Union database shall allow certification and enforcement authorities to check, whether a crew member is already registered in the system. This shall be done either on the basis of a crew member identification number (CID) or of data contained in an identity document provided by the crew member. In the case of on-line services, the identification of a crew member shall be made with the support of the dataset as set out under Regulation (EU) 2015/1501.

Providing no person with a similar identity-related dataset is found in the system following a search by a certification authority, the crew member shall be registered in the system.

**3.2. Consultation of data on certificates of qualification and service record books:**

The Union database shall provide read access to data on certificates of qualifications and service record books as made available by the national registers.

**3.3. Consultation and modification of the status of certificates of qualification:**

The Union database shall provide read access to the status of certificates of qualifications and write access to record a suspension of a certificate of qualification in the Union database.

The standard certificate statuses are the following: “active”, “expired”, “suspended”, “withdrawn”, “lost”, “stolen” or “destroyed”.

**3.4. Sending and receiving notification:**

The Union database shall allow certification authorities and authorities in charge of suspensions to be notified of modifications or of requests in the registers concerning certificates of qualification or specific authorisation that they have issued or suspended.

**3.5. Generating statistics:**

The Union database shall contain features to provide data for authorised users to perform searches for statistical purposes.

**3.6. Updating metadata:**

The Commission shall update the metadata of the Union database upon notification of modification of corresponding data in a national register.

**3.7. Information on incomplete transaction:**

In case the system is not able to complete a functionality, this fact and its reason shall be notified to the relevant user. The request or the data shall be temporarily buffered in the Union database and the transaction automatically repeated until the error or deficiency has been addressed and the functionality completed.

**3.8. Management of user access:**

Users shall access the Union database through the Commission authentication service (EU Login).

**3.9. Monitoring login and transactions:**

The Union database shall log all login information and transactions for monitoring and debugging purposes and allow the generation of statistics about these logins and transactions for processing by Commission staff.

**4. THE UNION DATABASE DATA**

4.1. In order for the Union database to perform its functionalities, it shall keep the following data:

- (a) routing metadata;
- (b) access right tables;
- (c) CIDs with:

- (i) the holder's list of types of certificates and of specific authorisations with their respective issuing authority and status;
- (ii) the serial number of the holder's active service record book, where relevant;
- (iii) the pointer to the national register that hosts the holder's most recent personal identity-related data.

4.2. The Union database may also keep data referred to under Article 25 of Directive (EU) 2017/2397 for certificates of qualifications and service record books recognised pursuant to Article 10(3) when the Commission has refused access to an authority of a third country, in accordance with Article 25(4) of Directive (EU) 2017/2397.

## **5. COMMUNICATION BETWEEN THE UNION DATABASE AND THE REGISTERS**

- 5.1. The connection between the Union database and the national registers shall be based on the Commission's secure electronic registered delivery service (CEF eDelivery).
- 5.2. The exchange of information shall be based on standard data-structuring methods and shall be expressed in XML format.
- 5.3. The service time frame shall be 24/7 days, with an availability rate of the system of at least 98% excluding scheduled maintenance.

## **6. REFERENCE DATA OF THE UNION DATABASE**

- 6.1. The reference data such as code lists, controlled vocabularies and glossaries shall be kept in the European Reference Data Management System (ERDMS), including, where relevant, the translation in the EU official languages.

## **7. PERSONAL DATA PROTECTION**

- 7.1. Any processing of personal data by the authorised users in Member States shall be carried out in accordance with Union law on the protection of personal data, in particular Regulation (EU) 2016/679 of the European Parliament and of the Council.
- 7.2. The Commission shall carry out all processing of personal data provided for in this Regulation in accordance with Regulation (EU) 2018/1725.
- 7.3. The personal data referred to in Article 25(1) of Directive (EU) 2017/2397 shall be accessed and processed only for the execution of the functionalities referred to in section 3 and by the authorised users.
- 7.4. The personal data referred to in section 4 shall not be stored in the Union database for longer than is necessary for the purposes for which the personal data are processed and not after crew members' retirement. The holder's list of types of certificates and of specific authorisations shall not include those certificates and authorisations that have expired, have been withdrawn or destroyed, have been declared lost or stolen once they have been replaced by a new certificate or authorisation.
- 7.5. Personal data processed for the purpose of the functionality described under point 3.9. shall not be retained in the Union database for more than 6 months.
- 7.6. Personal data other than those referred to in points 7.4. and 7.5. shall not be retained in the Union database for longer than strictly necessary for the transaction to be completed.

7.7. The data available for statistical purposes shall be anonymized and aggregated. Statistical information that has been duly anonymised and aggregated may be retained indefinitely.

**8. SINGLE CONTACT POINTS**

8.1. For the purposes related to the operation of the Union database, the Commission shall maintain contact with the Member States through a single contact point designated by each Member State among the competent authorities referred to in Article 26(g) of Directive (EU) 2017/2397.'