



## Privacy statement regarding the EIT Awards 2022 online application procedure and jury voting

The personal data of the data subjects of the EIT Awards 2022 online application procedure and jury voting are processed in line with Regulation (EU) N 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 Union institutions, bodies, offices and agencies and on the free movement of such data<sup>1</sup> (the “Regulation”).

### What is personal data and what is a personal data processing operation?

**Personal data** means any information relating to an identified or identifiable natural person (“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 to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

**Processing** means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automatic means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

### Who is the controller of the data collection?

The data controller, responsible for the personal data processing operation relating to the [EIT Awards](#) is the Head of Strategy and Impact Unit.

### Who are the data subjects?

All the nominees who submit an application for the EIT Awards 2022 (i.e. EIT CHANGE Award, EIT INNOVATORS Award, EIT VENTURE Award, EIT WOMAN Award) and members of the jury.

### What is the purpose of the personal data processing?

The purpose of the personal data processing operation is to manage the online application procedure and the assessment of the nominations for the EIT Awards 2022.

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<sup>1</sup> 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 (OJ L 295, 21.11.2018, p. 39-98)

### What types of personal data are processed?

Within the context of the EIT Awards 2022 online application procedure and jury voting, the following types of personal data are processed:

- **In relation to the nominees:** name; address; contact details; website and social media profiles for professional purposes (Facebook, Twitter, LinkedIn); nationality; data related to education (only EIT CHANGE Award); innovations and achievements; photo and video of the nominee (all categories) and team (only EIT Venture and EIT Innovators Awards).
- **In relation to the jury members:**
  - By EIT: name, photo and short bio.
  - By Creative Force Ltd. (i.e. processor): name, online identifier, email address. Award Force also processes the name of the nominee for whom the jury member casts his/her vote.

### Who has access to the personal data of data subjects and to whom can they be disclosed?

#### **Within the EIT:**

The personal data of the data subjects are processed by the EIT staff responsible for the EIT Awards procedure (Policy Officers, Assistants, Head of Strategy and Impact Unit, Legal Officer, Finance Assistants and Financial Verification Agent in the Services and Finance Unit, Directorate), by the members of the EIT Evaluation Committee who assess the admissibility, eligibility and selection criteria and by the members of the international jury (external high-level experts with possible participation of EIT Governing Board Members appointed by the EIT Director) assigned by the EIT, who will evaluate the nominees against the award criteria.

Access to the personal data may be granted to the Internal Auditor of the EIT by request if necessary for the performance of the duties of the Internal Auditor.

#### **Within the Commission and other EU institutions/agencies/bodies:**

The personal data of nominees may be registered in the Early Detection and Exclusion System (EDES) of DG Budget, if they are in one of the situations mentioned in Article 136 of the EU Financial Regulation<sup>2</sup>. For more information, see the Commission's privacy statement on [http://ec.europa.eu/budget/explained/management/protecting/protect\\_en.cfm](http://ec.europa.eu/budget/explained/management/protecting/protect_en.cfm).

If requested, personal data can be disclosed to the responsible unit in DG EAC, the parent DG of the EIT.

Additionally, it may be disclosed to the European Anti-Fraud Office (OLAF) for investigation purposes.

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<sup>2</sup> Regulation (EU, Euratom) No 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union and amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014 and repealing Regulation (EU, Euratom) No 966/2012

In case of an audit or complaint/appeal, the personal data can be disclosed to the auditors in the Commission, and to other EU institutions such as the European Court of Auditors, the European Ombudsman, the European Data Protection Supervisor, the General Court of the European Union and the European Court of Justice.

### **Third parties subject to the GDPR<sup>3</sup> and third parties not subject to the GDPR:**

The personal data of the nominees will be processed, in connection with the submission of the online applications by the external contractor of the EIT:

- Creative Force Ltd., established in Malta, is an external service provider (i.e. processor). Their product, Award Force, is used for the submission of applications by the nominees and for the jury voting. Therefore, Creative Force processes personal data related to the nominees and to the jury. Their privacy statement and their cookie policy are available at: <https://www.creativeforce.team/privacy-policy/>. Personal data are stored in the EU.

### **How long do we keep your data?**

1) Data of prize winners (i.e. awarded nominees): the personal data of the prize winners is retained for a period of **ten years** from the date of the notification letter to the awarded nominees.

Any further data required for statistical purposes should be kept in an anonymous form.

2) Data of non-awarded nominees are kept for a period of **five years** from the date of the notification letter to the non-awarded nominees for the purposes of potential review procedures and for budgetary or audit purposes. In case the length of the review procedure exceeds the period of five years, the relevant data are kept for the duration of the ongoing review procedure.

3) Data collected for voting from the jury: the Award Force online voting website collects the e-mail addresses, first name and last name of jury. The retention period for this data is **six months** after the end of the EIT Awards 2022 event. This period may be extended in case of a complaint regarding the voting procedure.

### **What are your rights as being a data subject?**

Nominees have the **right for information** and the **right to access** their personal data, as ensured by Article 15 and 17 of the Data Protection Regulation of the European institutions. In addition, the nominees have the **right to rectification** of inaccurate personal data concerning them without undue delay; and the right to have incomplete personal data completed, in accordance with Article 18 of the

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<sup>3</sup> Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation, OJ L 119, 4.5.2016, p. 1–88)

Regulation. The exercise of such rights may not result in unequal treatment of the nominees and may not be contrary or harmful to the aim of the prize contest or to its confidentiality.

Prize winners may, on written request, gain access to their personal data and request the rectification of any personal data that is inaccurate or incomplete, as long as it does not call into question the award decision and result in unequal treatment.

Data subjects have the right to obtain the **erasure** of their personal data in accordance with Article 19 of the Regulation and in particular in the cases when the personal data are no longer necessary in relation to the purposes for which they were collected, if the data subject withdraws its consent, or in case of unlawful processing.

Data subjects have the **right to restriction** of processing of personal data in accordance with Article 20 of the Regulation, and the **right to object** on grounds relating to their particular situation in accordance with Article 23 of the Regulation.

After the deadline for submitting nominations, personal data related to the admissibility, eligibility, exclusion and selection criteria cannot be rectified or erased with the exception of obvious clerical errors, while personal data related to the identification of the nominee can be rectified at any time during the award procedure and while the data is kept by the EIT.

Any issues with regard to the evaluation procedure may be addressed by means of the available review procedures (see Calls for Nomination).

The rights of data subjects can be exercised only based on a written request. In case of any queries concerning the processing of personal data, nominees may send their written requests to [EIT-Awards@eit.europa.eu](mailto:EIT-Awards@eit.europa.eu). As a general rule, the requests for information, access, rectification, erasure restriction are handled without undue delay and in any event within one month of receipt of the request; this period may be extended by further two months where necessary, taking into account the complexity and number of requests. In case the data subject contests the accuracy of the data, upon request, the data is restricted immediately for the period of verification of the accuracy of the data, not exceeding one month.

Data subjects have the **right of recourse** at any time to the Data Protection Officer of the EIT ([EIT-DPO@eit.europa.eu](mailto:EIT-DPO@eit.europa.eu)) and to the European Data Protection Supervisor ([EDPS@edps.europa.eu](mailto:EDPS@edps.europa.eu)) for matters relating to the processing of their personal data.

Restrictions to the rights of data subjects may be applied by the EIT, in accordance with Article 25 of the Data Protection Regulation of the European institutions and the EIT internal rules on restrictions<sup>4</sup>.

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<sup>4</sup> Currently under adoption. The final version will be published at the following link: <https://eit.europa.eu/who-we-are/legal-framework/data-protection>

## Legal basis of the processing operation

### General legal basis

- Regulation (EU) 2021/819<sup>5</sup> of the European Parliament and of the Council of 20 May 2021 on the European Institute of Innovation and Technology (“EIT Regulation”);
- Decision (EU) 2021/820<sup>6</sup> of the European Parliament and of the Council of 20 May 2021 on the Strategic Innovation Agenda of the European Institute of Innovation and Technology (EIT) 2021-2027: Boosting the Innovation Talent and Capacity of Europe and repealing Decision No 1312/2013/EU (“Strategic Innovation Agenda 2021-2027”);
- Regulation (EU) 2021/695<sup>7</sup> of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013);
- Regulation (EU, Euratom) No 2018/1046<sup>8</sup> of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union and amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014 and repealing Regulation (EU, Euratom) No 966/2012 (“EU Financial Regulation”).

### Specific EIT legal basis:

- Decision 21/2019<sup>9</sup> of the Governing Board of the European Institute of Innovation and Technology on the financial regulation of the European Institute of Innovation and Technology;
- Decision 35/2021<sup>10</sup> of the Governing Board of the European Institute of Innovation and Technology on the Adoption of the revised Final Single Programming Document (2021-2023) of the EIT;
- Decision of the Governing Board of the European Institute of Innovation and Technology on the Adoption of Final Single Programming Document (2022-2024)<sup>11</sup>;

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<sup>5</sup> OJ L 189, 28.5.2021, p. 61

<sup>6</sup> OJ L 189, 28.5.2021, p. 91–118

<sup>7</sup> OJ L 170, 12.5.2021, p. 1–68

<sup>8</sup> OJ L 193, 30.7.2018, p. 1–222

<sup>9</sup> Ares(2019)681085

<sup>10</sup> Ares(2021)4853672

<sup>11</sup> Foreseen to be adopted in December 2021 / January 2022.

- Account transfer agreement concluded by and between the EIT and Creative Force Ltd.

### **Lawfulness of the processing operation**

In line with Article 5(1)(a) of Regulation 2018/1725, the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the EIT. In particular, the provision of the EIT Awards contribute to the attainment of the objectives of the EIT as laid down in the EIT Regulation and the Strategic Innovation Agenda 2021-2027 of the EIT.

Furthermore, regarding the cookies, the processing is also lawful based on Article 5(d) of Data Protection Regulation of the European institutions: the data subjects are free to give their data on a voluntary basis and can withdraw their consent any time.