



EUROPEAN MEDICINES AGENCY  
SCIENCE MEDICINES HEALTH

26 January 2024  
EMA/568334/2023  
International Affairs

## European Medicines Agency's Data Protection Notice for grant procedures.

This Data Protection Notice explains the essential details about how personal data of applicants for grant procedures are processed by the European Medicines Agency (hereinafter "EMA" or "Agency"). In relation to this data processing activity this document also provides information about the rights of the individuals concerned (i.e. the data subjects) to access and to rectify their personal data which is processed.

### 1. Who is responsible for processing your data?

#### 1.1. Who is the data controller?

The European Medicines Agency ("EMA") is ultimately responsible to comply with your data protection rights and freedoms.

On behalf of EMA, the controller of this processing is the relevant Head of Division, Task Force or Advisory Function, indicated in the 'call for proposals' and appointed as 'Internal Controller' to ensure the lawful conduct of this processing operation. You may contact the Internal Controller via the following email address: [Datacontroller.International@ema.europa.eu](mailto:Datacontroller.International@ema.europa.eu)

### 2. Purpose of this data processing

Upon receipt of your grant proposal/application by EMA, your personal data is collected and processed for the purpose of:

- The management and administration of the respective grant award procedure by EMA. This includes assessing the project proposal, budget, and impact, communicating with you about the grant process, keeping records related to our grant procedures;
- Additionally, and only with regard to the personal data of awarded applicant(s), the preparation of the grant agreement.

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**Official address** Domenico Scarlattilaan 6 • 1083 HS Amsterdam • The Netherlands

**Address for visits and deliveries** Refer to [www.ema.europa.eu/how-to-find-us](http://www.ema.europa.eu/how-to-find-us)

**Send us a question** Go to [www.ema.europa.eu/contact](http://www.ema.europa.eu/contact) **Telephone** +31 (0)88 781 6000

An agency of the European Union



## **2.1. Personal data concerned**

EMA processes personal data submitted directly by you in the course of the grant procedure (e.g. in your grant proposal and in other documents submitted as part of the procedure). The provision of personal data in the context of grant procedures is in principle not mandatory, although failure to provide certain information may imply the exclusion from the evaluation and award procedure.

The personal data processed will concern the applicant, its staff, and any subcontractors. Information can relate to the following data:

- Basic personal information about the applicant, that may be included in curriculum vitae' s e.g. surname, first name, date of birth, gender;
- Contact details and information provided by the applicant to allow the practical organisation of selection, award and grant implementation (in case of award), e.g. address information: street, postcode, town, country, telephone, e-mail;
- Information provided by the applicant for the evaluation of eligibility and selection criteria, e.g. financial and economic capacity (bank statements or balance sheet or statement of turnover), expertise, technical and language skills, educational background, professional experience including details on current and past employment;
- Other personal data contained in the grant application;
- Information submitted as evidence that the applicant is not in any of the situations of exclusion referred to in Article 136 of the general Financial Regulation (referenced below) and further stipulated in the declaration on honour.

The collected personal data and all related information are stored within EMA 's dedicated cloud tenant with appropriate levels of security.

## **2.2. Legal basis of the processing**

EMA processes your personal data in accordance with Regulation (EU) 2018/1725<sup>1</sup> 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.

More specifically, the legal basis for the processing of personal data is Article 5(1)(b) i.e. the processing is necessary for compliance with a legal obligation to which we are subject to.

This is to comply with the requirements of Regulation (EU, Euratom) 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, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 ("Financial Regulation"), in particular Articles 180 to 205 for grant procedures.

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

Original signed grant agreements which include specifications of the call for proposals and the winning applicant's grant proposal/application are archived for seven years from the expiry of the resulting

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<sup>1</sup> [Regulation - 2018/1725 - EN - EUR-Lex \(europa.eu\)](#)

grant agreement. The remaining documentation (including proposals/applications of unsuccessful applicants) is destroyed five years after the award decision.

List of names for Curricula Vitae are destroyed following finalisation of the grant procedure in question. The Curricula Vitae are kept for five years after signature of the award decision in question. Extracts from judicial records are kept for two years after signature of the award decision in question.

## 4. Who has access to your information and to whom is it disclosed?

For the purposes indicated in section 2, access to your personal data is given to authorised staff members dealing with grant procedures which may include the Head of Division, Department or Service for the relevant grant procedure, procurement officers, staff dealing with financial matters and the Accounting Officer, appointed members of evaluation committees, external experts or project managers responsible for grant agreement implementation, and staff in the Legal Department. Authorised staff members from external bodies in charge of a monitoring, auditing or inspection task in accordance with European Union legislation (such as the European Court of Auditors, the Internal Audit service of the European Commission, the European Anti-Fraud Office (OLAF) as well as the EU Ombudsman or the European Data Protection Supervisor) may also have access to relevant personal data for audit control and other monitoring purposes.

Data of economic operators who are in one of the exclusion situations referred to in Article 136 of the Financial Regulation may be included in the Early Detection and Exclusion System (EDES) and communicated to the designated persons of the European Commission, other EU institutions, agencies, authorities and bodies mentioned in Articles 142 and 143 of the Financial Regulation. This refers as well to the persons with powers of representation, decision-making or control over the said economic operators.

In case of litigation, including for contractual liability claims, data may be shared with the competent courts (e.g., General Court of the European Union, Courts of Amsterdam, the Kingdom of the Netherlands).

Pursuant to the publication requirements laid down in the Financial Regulation, limited personal data of the winning applicants is made public. This information concerns the name, address and amount for which successful applicants are awarded a grant agreement. The data is published on the EMA corporate website:

<https://www.ema.europa.eu/en/about-us/procurement/procurement-archive>

Further information on the processing of personal data in the context of public procurement procedures is available as follows: [EMA-A-046-DPN-public procurement procedures-Public \(europa.eu\)](#)

## 5. Your data protection rights

As data subject (i.e. the individual whose personal data is processed), you have a number of rights:

- **Right to be informed** – This Data Protection Notice provides information on how EMA collects and uses your personal data. Requests for other information regarding the processing may also be directed to the Internal Controller.

- **Right to access** – You have the right to access your personal data. You have the right to request and obtain a copy of the personal data processed by EMA.
- **Right to rectification** – You have the right to obtain - without undue delay - the rectification or completion of your personal if it is incorrect or incomplete .
- **Right to erasure** – You have the right to require EMA to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing. In certain cases your data may be kept to the extent it is necessary, for example, to comply with a legal obligation of the Agency or if it is necessary for reasons of public interest in the area of public health.
- **Right to restrict processing** – In a few, codified cases, you have the right to obtain the restriction of the processing, meaning that your data will only be stored, but not actively processed for a limited period of time.

If the exercise of one of the abovementioned rights (especially the right to erasure) concerns information that is necessary for the management, administration, or evaluation of grant proposals/applications, executing your request may lead to the rejection from the evaluation and award procedure.

The rights of the data subject can be exercised in accordance with the provisions of Regulation (EU) 2018/1725. For anything that is not specifically provided for in this Data Protection Notice, please refer to the contents of the general EMA Data Protection and Privacy Statement:

[www.ema.europa.eu/en/about-us/legal/privacy-statement](http://www.ema.europa.eu/en/about-us/legal/privacy-statement)

## 6. Recourse

In case you have any questions regarding the processing of your personal data, or you think that the processing is unlawful or it is not in compliance with this Data Protection Notice or the general EMA Privacy

Statement, please contact the Data Controller.

The contact details of the Data Controller are indicated in the 'call for proposals'.

You also have the right to lodge a complaint with the European Data Protection Supervisor:

- Email: [edps@edps.europa.eu](mailto:edps@edps.europa.eu)
- Website: [www.edps.europa.eu](http://www.edps.europa.eu)
- Further contact information: [www.edps.europa.eu/about-edps/contact\\_en](http://www.edps.europa.eu/about-edps/contact_en)