

## **REGULATORY BASES**

### **1.- Purpose**

**1.1** The purpose of these regulatory bases is to regulate the Protection of Privacy by Design Award of the Catalan Data Protection Authority.

**1.2** The purpose of the award is to give honorary recognition to technological solutions in the field of the protection of personal data that improve the implementation of security measures, enable compliance with the obligations established by law, reinforce people's control over their own information and, in general, facilitate management of privacy.

### **2.- Requirements for participation**

**2.1** All companies, physical or legal persons, researchers and developers that, individually or collectively, have developed an application or technological solution that contributes to achieving the purpose of this award may take part.

Members of the Jury and their first-degree relatives are not eligible to take part.

**2.2** A single company may present one or more candidatures. In this latter case, the company should submit separate applications for each application or technological solution.

**2.3** Technological solutions may be either for management or end user applications, for any platform or device.

**2.4** They may be solutions already launched on the market or ready for the formulation of a marketing plan. In any case, they must be available for use at the time they are evaluated by the Jury.

**2.5** The user interface for the application or solution submitted may be in Catalan, Spanish, French or English.

**2.6** Candidates conserve all the rights they may possess under intellectual and industrial property copyright law.

**2.7** Participation in this competition implies acceptance of these rules.

### **3.- Prize**

**3.1.** The prize shall comprise an award that gives honorary recognition by the Catalan Data Protection Authority. The winning company may cite this award without restriction with relation to products and/or services that include the prize-winning solution.

**3.2** One prize will be awarded per edition. According to the quality of the applications and solutions submitted, a maximum of two honorary mentions may be given.

**3.3** No financial value is attached to either the Prize or the honorary mentions.

**3.4** The Prize may be declared not awarded if none of the applications or solutions submitted is considered to be of sufficient quality from the standpoint of data protection.

#### **4.- Presentation of applications and documentation**

**4.1.** Applications must be submitted using the form reproduced in Annex 2, which can be obtained online from the website of the Authority ([www.apd.cat](http://www.apd.cat)) or at its offices.

**4.2.** Applications should be submitted to the Registry of the Catalan Data Protection Authority (C. Rosselló, 214, Esc. A, 1r, 1a, 08008 Barcelona) or at any other place established by Article 38.4 of Law 30/1992, of November 26, on the Legal System of Public Administrations and Common Administrative Procedure.

**4.3** Applications should be accompanied by the following documents, as applicable:

- a) Copy of the Identity card, passport or NIF of the applicant and/or representative.
- b) Original or certified copy of the statutes of the company or organisation.
- c) Original or certified copy of the powers of the person representing the company or organisation.
- d) A statement of responsibility, in accordance with the form reproduced in Appendix 3. If the organisation that submits the application does not own the intellectual and/or industrial property rights to the application or solution, this statement must be accompanied by authorisation from the rights holders giving permission to submit the solution to the call for proposals.
- e) Project report with a description of the application or technological solution, stating the technical features, technology and language used, most innovative aspects, current state of development, benefits for the management of privacy, social impact, and impact on efficiency and quality of public services, and other benefits.
- f) Any additional documentation or material considered of interest to exhibit, demonstrate the operation, provide details or clarify the results obtained from the solution proposed.

Candidatures may also accompany their proposals with an audiovisual presentation with a duration of no more than 10 minutes.

The application form and attached documents may be in Catalan, Spanish, French or English.

**4.4** Certified copies of the original documents can be requested from the incoming registry of the Catalan Data Protection Authority at the moment the application is submitted.

**4.5** Should the documentation presented not meet the requirements established, the applicant will be requested, within a period of ten days from the day following reception of notification, to correct any defects and present the required documents, and will be informed that, should they fail to do so, their application will have to be rejected, by Resolution, in accordance with the provisions established in Article 71.1 of Law 30/1992, of November 26, on the Legal System of Public Administrations and Common Administrative Procedure.

**4.6** Requests to take part in this call for proposals submitted outside the period established will not be processed.

#### **5.- Jury**

**5.1** The prize is awarded by a jury composed of the following members:

- a) President: Ms M. Àngels Barbarà i Fondevila, director of the Catalan Data Protection Authority

b) Members:

- Mr. Enric Colet Petit, teacher at ESADE
- Mr. Ricard Martínez Martínez, President of the Spanish Privacy Professionals Association (APEP)
- Mr. Jordi Guix Armengou, Dean of the Catalan Industrial Engineers Professional Association
- Mr Ramon Martín Miralles López, Auditing and Security of Information Coordinator at the Catalan Data Protection Authority

c) Secretary: Santiago Farré Tous, head of the Legal Department at the Catalan Data Protection Authority, with voice but no vote.

**5.2** Persons who represent or have, or have had, any professional link of any kind with any of the organisations that submit candidatures for the prize are not eligible to act as members of the Jury.

In such a case, or if any member resigns for any other reason, another person can be appointed to replace them, and their appointment will be announced on the Authority's website with sufficient notice.

**5.3** The Jury will resolve any issues not specifically provided for in these regulatory bases.

## **6.- Assessment of applications**

**6.1** Having examined the documentation attached with applications, the Jury shall draw up an assessment report on all the solutions proposed, in accordance with the assessment criteria established in Rule 6.4, in order to select the candidature that shall receive the award and, if applicable, the candidature or candidatures that shall be given honorary mention.

**6.2** To ensure that the best possible hearing is given to the candidatures submitted, the Jury may agree to invite the candidate organisations to make a face-to-face presentation or demonstration of the operation of the computer application or solution. In this case, the Jury may request any necessary clarification or additional information to assess the candidature. If applicable, the Jury may also take external assessment reports into consideration

**6.3** All communications that may be necessary during the assessment process shall be conducted with the contact person designated in the application, using electronic means, unless the candidature opts for a different communication channel.

**6.4** The Jury shall assess the candidatures in accordance with the following criteria:

- a) Innovation: up to 10 points
- b) Degree of maturity of development: up to 10 points
- c) Benefits that the solution offers for data protection: up to 20 points
- d) Other benefits offered by the solution (user-friendliness, robust nature, accessibility, multi-platform, utility, etc.), up to 10 points
- e) Technical quality of the solution presented, particularly as regards the application of solutions based on the "security by default" criterion: up to 20 points.
- f) Social impact: up to 20 points.
- g) Contribution to improve the quality and efficiency of public services: up to 10 points.

## **7.- Resolution**

The Jury's agreement to award the prize and, if applicable, any honorary mentions, shall be published in the DOGC and on the website of the Catalan Data Protection Authority, and all the candidatures submitted shall be notified. This notwithstanding, the Authority may also opt to publicise the resolution using other channels.

The documentation submitted to accompany candidatures shall not be made public, except for the audiovisual presentation, which may be disseminated publicly with the consent of the candidature.

## **8.- Appeals**

Appeals against the Jury's resolution, which does not exhaust the administrative channel, may be lodged before the director of the Catalan Data Protection Authority within a period of one month from the day after its publication in the DOGC, in accordance with articles 114 and 115 of Law 30/1992, of November 26, on the Legal System of Public Administrations and Common Administrative Procedure.

## **9.- Ceremony to award the Prize and honorary mentions**

The Prize and, if applicable, any honorary mentions, shall be awarded at a public event that will be announced with due notice on the website of the Catalan Data Protection Authority ([www.apd.cat](http://www.apd.cat)) and of which all candidatures will also be notified.

## **10.- Processing of personal data**

In accordance with Law 15/1999, of December 13, on the protection of personal data, personal information provided in order to process this call for proposals will be entered into the file "Premis", managed by the Catalan Data Protection Authority. This information will be processed with the sole purpose of managing and processing the call for proposals in accordance with the regulatory bases. Those concerned may exercise their rights of access, rectification, cancellation and objection before the Management of the Catalan Data Protection Authority (C. Rosselló, 214, Esc. A, 1r, 1a, 08008 Barcelona, tel. 935527800, [apdcat@gencat.cat](mailto:apdcat@gencat.cat)).