

REGULATORY CONDITIONS

1. Object and Purpose

1.1 The purpose of these rules is to regulate the Catalan Data Protection Authority prize "Data Protection in the design Award".

1.2 The purpose of this Award is to recognise technological solutions that, from design, help to improve the right to data protection, to enhance the implementation of security measures, reinforce people's control over their own information, and facilitate management of Data Protection, in general.

2. Eligibility requirements

2.1 May participate in this Award all companies, individuals or legal entities, researchers, developers that, individually or jointly, have developed an application (app) or technology solution that contributes to improve the achievement of the purpose of this Award.

Prize Jury members or their first degree relatives cannot participate in this Award.

2.2 The same company can submit one or more nominations. In such a case, they must submit an application for each apps and technology solution.

2.3 The technological solution can be both management and end user, and for any platform or device.

2.4 It may be a solution already marketed or available to develop a marketing plan. In any case it must be capable of being used at the time of their evaluation by the jury.

2.5 The user interface of the app or solution can be presented in Catalan, Spanish, French or English.

2.6 Candidates retain all their intellectual property rights (both copyright and industrial property).

2.7 Participation in this competition implies acceptance of these rules.

3. Award

3.1. The Award shall consist of financial prize of € 5.000.- and an honorary recognition from the Catalan Data Protection Authority. The awarded candidature will be able to use the recognition indefinitely in relation to products or services which incorporate the awarded solution.

3.2 Depending on the quality of apps and solutions presented, a maximum of two honourable mentions can be awarded. It will consist of a financial prize of € 2000.- each one and an honorary recognition from the Catalan Data Protection Authority. The awarded candidature will be able to use the recognition indefinitely in relation to products or services which incorporate the awarded solution.

3.3 The amount of the prize and honourable mentions will be borne by the section D/483000100/1110/0000 of the Catalan Data Protection Authority budget for 2018. This amount may be subject to Personal Income Tax.

3.4 Persons enjoying the amount of the Awards must be both up-to-date with their social security and tax obligations and cannot have outstanding debts with the Catalan Government (Generalitat de Catalunya).

3.5 Persons enjoying the prize are obliged to provide any information requested by the Intervention of the Generalitat de Catalunya, Ombudsman, or other competent bodies, in accordance with Legislative Decree 3/2002, of 24 December, approving the revised text of the Law of Public Finances of Catalonia.

3.6 The prize may be declared null if any of the applications or solutions presented reaches from the point of view of data protection, a sufficient level of quality.

4. Presentation of applications and documentation

4.1 Applications must be submitted using the form set out in Annex 2, available online at the website of the Authority (<http://apdcat.gencat.cat/ca/actualitat/Premi/>) or at its offices.

4.2 Persons or entities participating in this call shall subscribe an statement of responsibility, stating, on their own responsibility, that they comply the requirements set out in the call, that they have the required supporting documents and they promise to maintain these requirements until the end of the procedure.

4.3 Applications and the provided documentation can be submitted by the following channels:

- a) Electronically, by submitting the registration form available online at the Catalan Data Protection Authority website (<https://seu.apd.cat/ca/tramits>), in section “Premi Protecció de dades en el disseny”. The following documents have to be attached to this application:
 - Application form set out in Annex 2, available for download in electronic format on the Authority website (<http://apdcat.gencat.cat/en/actualitat/premi/>).
 - Statement of responsibility set out in Annex 2, available for download in electronic format on the Authority website (<http://apdcat.gencat.cat/en/actualitat/premi/>).
- b) Those who do not have the obligation to interact electronically with Public Administrations, may submit in person, at the Register of Catalan Data Protection Authority (c/ Rosselló, 214, Esc. A, 1r, 1a, 08008 Barcelona) or in any other places set by Article 16.4 of Law 39/2015 of 1 October on the Common Administrative Procedure of public Administrations, the following documentation:
 - Application form, available in Annex 2.
 - Statement of responsibility, available in Annex 3.

4.4 In addition to the documentation established in section 4.3, the following documents must be attached to the application:

- a) Authorisation of the copyright owner of the app or technology solution, when the Candidature is not presented by the holder of the rights.

- b) Project report with a description of the app or technological solution, stating the technical features, technology and language used, most innovative aspects, current state of development, benefits for the management of Data Protection, social impact, and impact on efficiency and quality of public services, and other benefits.
- c) 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 not exceeding 5 minutes.

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

4.5 If the documentation presented does not meet the requirements established, the applicant will be requested, within a period of ten days from the day after the receipt of the notification, to correct any defects and present the required documents, and stating that if it does not, shall be regarded as withdrawn or abandoned, by a Resolution, in accordance with the provisions established in Article 68.1 of Law 39/2015 of 1 October on the Common Administrative Procedure of public Administrations

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

4.7 In any moment of the procedure, the Catalan Data Protection Authority of Data can verify the accuracy of the declared data, in accordance with article 69.1 of the Law 39/2015 of 1 October on the Common Administrative Procedure of public Administrations.

Any essential inaccuracy, falsity or omission of the declared information or the failure of the required documentation will determine, previous resolution of the Catalan Data Protection Authority, the impossibility to continue the procedure, in accordance with article 69.4 of the Law 39/2015 of 1 October on the Common Administrative Procedure of public Administrations

5. Compatibility with other aids

The prize regulated in these bases is compatible with the aids from other public administrations or other national or international public or private bodies for the same purpose.

6. Jury

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

- a) President: Mrs M. Àngels Barbarà Fondevila, director of the Catalan Data Protection Authority.
- b) Members:
 - Mrs. Montserrat Torrent i Robledo, lawyer and President-in-Office of the Advisory Council for Data Protection
 - Mr. Josep Domingo Ferrer, chair at the Rovira i Virgili University and director of the Unesco Chair in data privacy
 - Mr. Manel Medina Llinàs, director esCERT-inLab-UPC and director of Cybersecurity master in the Universitat Politècnica de Catalunya

- Mr. Ramon Martín Miralles López, Auditing and Security of Information Coordinator at the Catalan Data Protection Authority

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

6.2 Persons who represents, have or have had a professional link of any other kind of link with the entities competing for the prize cannot become 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 well in advance.

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

7. Assessment of applications

7.1 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 7.4, in order to select the candidature that shall receive the Award and, if applicable, the candidature or candidatures that shall be given honorary mention.

7.2 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 app 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.

7.3 All communications that may be necessary during the assessment process shall be conducted with the contact person designated in the application, annex 2, using electronic media, unless the candidature is not required to use it and opts for a different communication channel.

7.4 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) The incorporation of data protection by design and data protection by default criteria, in particular the transparency, the empowerment to the data subject and data minimisation: up to 20 points.
- d) The security and the strength of the solution: up to 20 points.
- e) Other benefits for the right to data protection: up to 20 points
- f) Social impact: up to 10 points.
- g) Contribution to improve the quality and efficiency of public services: up to 10 points

8. Resolution

The maximum time for deciding on this procedure and notifying candidatures is established not later than six months. If the resolution has not been notified within the time limit, applications submitted shall be rejected.

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.

It will also be provided to the National Grants Database for publicity purposes, according to grants law.

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.

9. 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 121 and 122 of Law 39/2015 of 1 October on the Common Administrative Procedure of public Administrations and with article 76 of Law 26/2010, of 3 August, on the Legal System and Procedure of Public Administrations of Catalonia.

10. Award Ceremony

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 (<http://apdcat.gencat.cat/en/actualitat/premi/>) and shall be communicated to all candidatures.

11. Revocation and administrative offenses

Non-compliance by beneficiaries with the obligations arising from these rules and call, or other obligations established by the applicable regulation, will be a cause of revocation of the aid granted, and it will entail, where applicable, the refund of the amounts unduly perceived, with the interest charged on the amount of prize from the date on which it was granted until the date it is reimbursed. This notwithstanding, such breaches may constitute an administrative offence on grants and which can lead to the initiation of sanction procedure.

12. 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" (Awards), 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). You can also exercise your rights using the electronic form on the website <https://seu.apd.cat/ca/tramits/arco>

13. Applicable regulation

For what is not foreseen in this call, will be applicable Law 38/2003, of November 17, General Grants Act, in accordance with its Tenth additional provision, Legislative Decree 3/2002, of 24 December, approving the revised text of the Law of Public Finances of Catalonia, in particular, when must be recover unduly paid amounts, Law 19/2014, of 29 December, on transparency, access to public information and good governance, and other applicable regulation.