

GENERAL RULES OF CONTEST FOR EDCTP2 PRIZES

[The General Rules are included in the EDCTP Work plans for 2015 and 2016.]

- 1. Objectives pursued, expected results and specific award criteria**
These are specified under the detailed description of the EDCTP2 Prize.
- 2. Arrangements and final dates for the registration of contestants, if required, and arrangements and final dates for the submission of entries**
These are specified under the detailed description of the EDCTP2 Prize.
- 3. Required entry forms and deadlines for submission.**
[Forms will be accessible via the EDCTP website.]
- 4. Amount of prize(s) including specific amount for each prize, if applicable**
Specified under the detailed description of the EDCTP2 Prize.
- 5. Arrangement for the payment of the prize to the winner after its award**
The prize winner shall be notified through an official letter from the EDCTP Executive Director.
This award letter shall clearly stipulate when the prize will be announced publicly, and the process and conditions for payment of the cash prize.
- 6. Conditions for cancellation of the contest, if any**
 - a.** The EDCTP Association has the right to terminate the contest before its closing date without any obligation to indemnify contestants in case the objective of the contest has been achieved by a non-registered or non-eligible contestant.
 - b.** The EDCTP Association has the right to decide not to award any prize if no entries are received or if no entries are to be awarded by the prize selection committee.
- 7. Conditions for participation**
The contestant must not have received any other EDCTP2 prize before that is the subject of the current competition.
- 8. Eligibility criteria**
[OPTION 1 by default: The contest is open to all legal entities (i.e. natural or legal persons, including International organisations) or groups of legal entities, regardless of place of establishment.
[OPTION 2 if further specific eligibility criteria are provided in the work plan/call: The contest is open to [insert eligibility criteria from WP/call].]

Please note however that special rules apply for Israeli entities and for Crimean legal persons and that entities from non-EU Member States that are covered by Council sanctions are not eligible to participate (see section 6.1).

Moreover, applicants that have already received an EDCTP prize cannot receive a second prize for the same activities.
- 9. Exclusion criteria**
Contestant will be excluded from participating in the competition if they fall under any of the following situations:
The contestant:
 - a.** is bankrupt or being wound up, is having his/her affairs administered by the courts, has entered into an arrangement with creditors, has suspended business activities, is the subject of proceedings concerning those matters,

or is in any analogous situation arising from a similar procedure provided for in national legislation or regulations;

- b.** has been convicted of an offence concerning professional conduct by a judgment of a competent authority, which has the force of *res judicata*;
- c.** has been guilty of grave professional misconduct proven by any means which the EDCTP Association can justify including by decisions of the European Commission and other EU bodies, the European Investment Bank and international organisations;
- d.** is not in compliance with all his/her obligations relating to the payment of social security contributions and the payment of taxes in accordance with the legal provisions of the country in which he/she is established, with those of the country of the authorizing officer responsible and those of the country where the action is to be implemented;
- e.** has been the subject of a judgement which has the force of *res judicata* for fraud, corruption, involvement in a criminal organization, money laundering or any other illegal activity, where such activity is detrimental to financial interests of the EDCTP Association or the EU;
- f.** is subject to an administrative penalty for being guilty of misrepresenting the information required as a condition of participation in a procurement procedure or another grant award procedure or failing to supply this information, or having been declared to be in serious breach of his/her obligations under contracts or agreements covered by the EU's budget.

Furthermore, contestants must:

- g.** have no conflict of interests in connection with the prize; a conflict of interests could arise in particular as a result of economic interests, political or national affinity, family, emotional life or any other shared interest;
- h.** inform the EDCTP Association, without delay, of any situation considered a conflict of interests or which could give rise to a conflict of interests;
- i.** have not been granted, and will not grant, have not sought and will not seek, have not attempted and will not attempt to obtain, and have not accepted and will not accept any advantage, financial or in kind, to or from any party whatsoever, where such advantage constitutes an illegal practice or involves corruption, either directly or indirectly, inasmuch as it is an incentive or reward relating to the award of the prize.

In case of award of a prize, the following evidence shall be provided upon request and within the time limit set by the EDCTP Association:

For situations described in (a), (b) and (e), production of a recent extract from the judicial record is required or, failing that, a recent equivalent document issued by a judicial or administrative authority in the country of origin or provenance showing that those requirements are satisfied. Where the contestant is a legal person and the national legislation of the country in which the contestant is established does not allow the provision of such documents for legal persons, the documents should be provided by natural persons, such as the company directors or any person with powers of representation, decision making or control in relation to the contestant.

For the situation described in point (d) above, recent certificates or letters issued by the competent authorities of the country concerned are required. These documents must provide evidence covering all taxes and social security contributions for which the contestant is liable, including for example, VAT, income tax (natural persons only), company tax (legal persons only) and social security contributions.

For any of the situations (a), (b), (d) or (e), where any document

described in the two paragraphs above is not issued in the country concerned, it may be replaced by a sworn or, failing that, a solemn statement made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in his/her country of origin or provenance.

If the contestant is a legal person, information on the natural persons with power of representation, decision making or control over the legal person shall be provided only upon request by the EDCTP Association.

10. Sole liability of contestants

The EDCTP Association may not be held responsible for any claim relating to the activities carried out in the framework of the contest by the contestant. The EDCTP Association shall not be held liable for any damage caused or sustained by any of the contestant, including any damage caused to third parties as a consequence of or during the implementation of the activities related to the contest.

11. Checks and audits

The contestants accept that, if they are awarded a prize, the EDCTP Association, the European Commission, OLAF and/or the Court of Auditors may carry out checks and audits in relation to the contest and the received prize.

12. Publicity

a. Publicity by the winner of the prize

The contestants accept, if they are awarded a prize, to promote the action and its results, by providing targeted information to multiple audiences (including the media and the public) in a strategic and effective manner. Unless the EDCTP Association requests or agrees otherwise or unless it is impossible, any communication activity related to the action (including in electronic form, via social media, etc.) must:

- i. display the EDCTP logo and EU emblem and
- ii. include the following text: “[name of prize winner] has been awarded the [name of the prize] which is part of the EDCTP2 programme supported by the European Union”.
- iii. When displayed together with another logo, the EDCTP logo and EU emblem must have appropriate prominence.
- iv. For the purposes of its obligations, the winner of the prize may use the EDCTP logo and EU emblem without first obtaining approval from the EDCTP Association and the European Commission. This does not, however, give it the right to exclusive use. Moreover, the winner of the prize may not appropriate the EDCTP logo, the EU emblem or any similar trademark or logo, either by registration or by any other means.

b. Publicity by the EDCTP and the European Commission

- i. The EDCTP Association and the European Commission may use, for its communication and publishing activities, information relating to the action, documents notably summaries for publication and public deliverables as well as any other material, such as pictures or audio-visual material that it receives from the winner of the prize (including in electronic form).
- ii. The EDCTP Association will publish the name of the winner, its locality, the amount of the prize and its nature and purpose. The contestant may request the EDCTP Association to waive such publication if disclosure risks threatening its security and safety or harm to his/her commercial interest.

- iii. Photos and videos taken by the EDCTP Association either in preparation of the award ceremony or during the award ceremony are the sole property of the EDCTP Association.

13. Processing of personal data

Registration and submission of application shall be made in writing, which implies by letter or by electronic means (as specified in the rules of the contest), provided that they are non-discriminatory in nature and ensure integrity, confidentiality and protection of personal data.

EDCTP complies with the provisions of the "Wet bescherming persoonsgegevens (Dutch Law on protection of personal data)", dated 6 July 2000, which Act is based on Directive nr. 95/46/EG (PbEG L 281) and adapted to the General Data Protection Regulation dated 25 January 2012 (Com 2012 11 final; 2012/0011 COD). Registration with EDCTP grants and grant proposal submission will involve the recording and processing of personal data. These data will be held securely, processed lawfully and retained for no longer than necessary by EDCTP. Data may be used to compile lists, including project details, of EDCTP grants, which will be made publicly available. By submitting the application, the participants in the project give EDCTP their consent to do so.

Any personal data used by the European Commission will be processed in compliance with EU Regulation No 45/2001 and according to the 'notifications of the processing operations' to the Data Protection Officer (DPO) of the Commission.

Contestants may, on written request, gain access to their personal data and correct any information that is inaccurate or incomplete. They should address any questions regarding the processing of their personal data to the Controller, via the contact person announced in the rules of the contest. Please send in addition a scanned copy of your letter to the email address announced in the rules of the contest.

Contestants may, at any time, enquire or make a complaint about the processing of their personal data to the EDCTP Data Protection Supervisor or the European Data Protection Supervisor.

The EDCTP Association shall be authorised to publish, in whatever form and on or by whatever medium, the following information:

- a. The name of winner(s);
- b. The locality of winner(s)
- c. The general purpose of the activities of the winner(s) in relation to the award of the prize, in the form of the summary provided by the winner(s);
- d. The amount of the prize awarded.

14. Applicable law and competent jurisdiction

The contest is governed by the applicable Union law complemented, where necessary, by Belgium law. The competent national court of the Netherlands shall have sole jurisdiction to hear any dispute between the EDCTP Association and any participant concerning the interpretation, application or validity of the rules of this contest, if such dispute cannot be settled amicably.

If international organizations are eligible, this general rule may be complemented by the special conditions proposed in the model grant agreement on dispute settlement - arbitration and applicable law.