

INFORMATION NOTICE

The present information notice (the « Information Notice ») describes the conditions under which the non-profit organisation Capitale Européenne de la Culture 2022, registered with the Luxembourg Trade and Companies Register under number F10850, having its registered office at 153 rue de Luxembourg, L-4222 Esch-sur-Alzette (« we » or « Esch2022 »), collects and processes personal data pertaining to the projects holders (the « Project(s) Holder(s) ») having submitted their project (the « Project(s) ») online, on the website located at the following URL: www.esch2022.lu (the « Website »).

What personal data does Esch2022 process ?

Personal data means any information relating to an identified or identifiable natural person (the « Personal Data »).

Personal Data collected and processed by Esch2022 are those provided by the Project Holder himself/herself when submitting an application to the « European Capital of Culture 2022 » programme.

This information include, without this enumeration being exhaustive:

- identification data (first name, last name, phone number, email address, etc.) ;
- data relating to education, training and professional qualification (academic curriculum, professional qualifications, licenses held, professional experience, affiliation / participation in organizations, publications, etc.) ;
- banking and financial data (projected expenditure and income, allowances / subsidies, loans, etc.).

Esch2022 may collect and process additional information on the Projects Holders of selected Projects, such as the Project Holder's identification and bank account number.

For what purposes are the personal data collected and processed by Esch2022 ?

Personal data collected by Esch2022 will be processed by Esch2022 for the following purposes:

- management of the applications (receipt, processing and analysis of the applications, selection of Projects) ;
- communication with the Projects Holders of selected or rejected Projects ;
- assistance with the implementation of the selected Projects ;
- subsidy payments to the holders of selected Projects ;
- compilation of statistics on the applications received ;
- processing of access, rectification and opposition requests, and other rights with respect to Personal Data ;
- claims and litigation management.

The processing of the Personal Data is necessary for the participation in the « European Capital of Culture 2022 » programme (application, selection and implementation of Projects) and the awarding of subsidies to the holders of selected Projects. It is also necessary for the legitimate interest of Esch2022 to develop its missions and services and to provide the assistance required by its corporate purpose.

These purposes constitute the legal basis for the data processing carried out by Esch2022.

Who are the data recipients ?

Personal Data will be processed internally by duly authorized persons, within the limits of their respective attributions.

They may also be communicated to the following third-parties:

- competent administrative and judicial authorities, such as tax authorities, to enable Esch2022 to fulfill its legal obligations in this regards ;
- financial institutions holding financial accounts ;
- Esch2022 data processors (including IT service providers) and external services providers (such as legal advisers, insurers, accountants, etc.), to the strictest extent necessary and subject to the existence of contractual guarantees to ensure the security and confidentiality of the data ;
- external partners of Esch2022 for the organization and / or financing of the « European Capital of Culture 2022 » programme (such as in particular the Ministry of Culture) ;
- external experts members of the selection Committee.

A description of the Projects retained by Esch2022, including the identity of the Project Holder, may be published by Esch2022 on the Website. The holder of the Project may also not object to its mention in Esch2022's programme of activity, for any reason whatsoever.

How does Esch2022 ensure the security of Personal Data ?

Personal Data collected by Esch2022 will be processed by Esch2022 as a data controller, in compliance with the applicable data protection legislation (i.e. EU General Data Protection Regulation 2016/679 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 (known as "GDPR") and Luxembourg law dated 1st August 2018 on the organisation of the National Data Protection Commission and the general data protection framework, as well as any successor texts).

Esch2022 undertakes to implement technical and organizational security measures to ensure the protection of Personal Data against the risks associated with the use of information systems.

Esch2022 follows generally accepted security standards to help protect Projects Holders' Personal Data. However, no method of transmission over the Internet, or of electronic storage, is 100% secure. Therefore, Esch2022 cannot guarantee the absolute security of the Personal Data.

Personal data will be stored on dedicated computer servers in Switzerland. Switzerland has been recognized by the European Commission as providing a level of personal data protection equivalent to that in force in the European Union.

Personal Data will be kept for the duration of the Project, as well as for the duration of the applicable prescription. Upon completion of the Project, Personal Data will be archived on a separate computer medium and accessible only if necessary by a limited number of persons specifically authorized to do so. Upon the dissolution of Esch2022, Personal Data will be transferred to the Ministry of Culture who will process them, as a data controller, for purposes of preservation and documentation of the national cultural heritage, according to its own policies.

Personal Data relating to the rejected Projects will be kept for a period of two years, for purposes of documentation of our activity. After a period of 6 months from the date of rejection of the Project, however, they will be archived and accessible only if necessary by persons specifically authorized for this purpose. Upon the dissolution of Esch2022, such data will be purely and simply destroyed.

What are the Projects Holders rights ?

In accordance with the applicable data protection legislation, and subject to the limits provided by the applicable rules, Projects Holders are entitled to obtain, free of charge :

- access to the Personal Data pertaining to them ;
- confirmation that their Personal Data is or is not being processed ;
- information concerning at least the purposes of the processing, the categories of data to which the processing relates and the recipients or categories of recipients to whom the data are communicated; and
- communication, in an intelligible form, of the data being processed.

Subject to the limits provided by the applicable rules, Projects Holders may also have inaccurate or incomplete personal data rectified, object to the collect and processing of such data, on grounds relating to their particular situation, request the erasure of all or part of the data or a restriction of the processing, and make use of their right to data portability. However, Esch2022 can only respond favourably to the request for erasure within certain limits, in particular those related to its legal obligations as a data controller.

These rights may be exercised in written, by email addressed to : info@esch2022.lu. Esch2022 reserves the right to request a scan / hard copy of your ID so that we can verify your identity before processing your request. Projects Holders can also rectify their Personal Data via their personal account.

For more information on how Personal Data are collected and processed by Esch2022 or on how to exercise any of the aforementioned rights, you can contact us at the above mentioned address.

In the event of a breach of the data protection rules, you may also lodge a complaint before a supervisory authority such as the National Commission for Data Protection (CNPD), 1 Avenue du Rock'n'Roll, L-4361 Esch-sur-Alzette.