

# PERSONAL DATA PROTECTION and GDPR at the CZECH SCIENCE FOUNDATION of the CZECH REPUBLIC

## PERSONAL DATA PROTECTION POLICY of the CZECH SCIENCE FOUNDATION

**The Czech Science Foundation<sup>1</sup> (hereinafter “GACR”) regards personal data protection as important and pays proper attention to it. When processing personal data, we are compliant with existing legislation, and in particular Regulation (EU) 2016/679 of the European Parliament and of the Council 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 (hereinafter “GDPR”), and Act No. 110/2019 on Personal Data Processing.**

This document provides information on personal data processing and the rights associated with such processing for data subjects including but not limited to:

- members of potential investigation teams applying for targeted aid for basic research;
- members of investigation teams receiving targeted aid for basic research;
- members of expert advisory bodies of GACR (including authors of expert reviews and evaluators);
- employees and other collaborators (including potential ones) – suppliers of products and services in particular;

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<sup>1</sup> The registered, official name of the Czech Science Foundation is the “Grant Agency of the Czech Republic”, abbreviated as GACR

- employees and other individuals working together with individuals and organisations providing GACR with various support products and services (suppliers);
- sole proprietors in the position of suppliers of products and services;
- any other third persons whose personal data we lawfully process.

**We are the controllers of your personal data, and our contact details are:**

Grant Agency of the Czech Republic, registration number: 485 49 037, with its seat at Evropská 2589/33b, 160 00, Prague 6, Czech Republic, e-mail: [podatelna@gacr.cz](mailto:podatelna@gacr.cz), telephone.: +420 227 088 841, digital data box: a8uadk4, [www.gacr.cz](http://www.gacr.cz)

**What are the legal bases to process your data and what purpose do we process them for?**

In its activities, GACR deals with various types of personal data, which it obtains continually, and on separate legal bases for processing such data. These legal bases are listed below:

**(a) Due to legal requirements that we are subject to on the basis of legislation, including but not limited to the Act on Funding Research, Development and Innovation (hereinafter “R&D Funding Act”), the Accounting Act, Act on Value-Added Tax, Income Tax Act, and in order to issue invoices and other accounting documents, to manage book-keeping, to pay taxes, etc.**

**This is called the Statutory License**, i.e. an obligation stipulated by law related to personal data processing where the bulk of the data being processed is personal data which GACR is authorised to process on the basis of a Statutory License as defined by the R&D Funding Act. Personal data provided in a grant application or during any further phase of a tender are processed by GACR as the *data controller*, in compliance with GDPR, in order to meet a legal obligation, which – in this case – is the proper administration of a research, development and innovation tender organised under the

R&D Funding Act; this purpose includes but is not limited to the receipt of proposals, evaluation of compliance with the terms of participating in a public tender, evaluation of the project proposals submitted, record-keeping, and project documentation, and for a publication in the VaVal evaluation system. This Act imposes various obligations on us, and in order to meet those obligations, we need personal data related to projects and actions related to such projects.

**(b) Due to our legitimate interest, including but not limited to the protection of the assets and health of others, safety and security, prevention of damage, and in order to exercise and enforce our legal claims, in particular debt collection and defences against third parties but subject to your interests and rights, which always take precedence.**

Where GACR does not have any Statutory License to store and process personal data, such data are processed on the basis of **legitimate interest/reason on part of GACR**. This legal basis also applies to all users of the GRIS system. A legitimate interest of GACR lies in the purpose of GRIS, which stores a database of reviewers/evaluators, serves to administer research, development and innovation projects funded by GACR, and the legal steps related to project applications, evaluation and administration are executed through GRIS; it is necessary to identify the individuals who make such legal steps in GRIS, including users on part of both applicants and evaluators. It is also necessary for panel members and/or other reviewer/evaluators to be identified upon entry into the database because failure to do so would equal to GACR'S non-compliance with the R&D Funding Act and the requirements for impartial and expert evaluation as stipulated therein. GRIS features advanced security and protection which makes any unauthorised handling of personal data of data subjects impossible, and also creates logs of any steps (including the display of specific information) made in the system. A legitimate reason may also arise due to any activity of GACR required by law or any other regulation which does not define the details of the process or the circumstances related to the given activity but only identifies the result of such activity, for example.

**(c) Due to measures necessary to enter into an agreement and subsequently to perform under that agreement, due to contract negotiations, including meetings and correspondence, and due to compliance with the terms of a commercial agreement (a contract for the delivery and receipt of products and services, including warranties, service terms etc.)**

Another legal basis will lie in the use of personal data coming from a **contractual relationship** where in and of itself GACR must identify the entity/person or entity with which/whom enters into a contractual relationship. All personal data will, therefore, fall under this legal basis.

**If we process your personal data due to the reasons stated in sections (a) through (c) above, we do not need your consent.**

**(d) Different situations may arise, however, in which we will need your express consent to process your personal data for a certain purpose. You will provide your personal data on strictly voluntary basis, and you will be able to revoke your consent at any time.**

CESNET, z. s. p. o., with its seat at Zikova 1903/4, 160 00 Prague 6, Czech Republic, is GACR's internet provider. GACR hereby represents that it uses Antispam Gateway, which provides antispam and antivirus protection of the end-user's e-mail servers (domains) in order to improve and protect digital communication with data subjects.

GACR uses additional services provided along with internet access. In relation to GDPR, GACR uses the following:

- Antispam filter – description here: <https://www.cesnet.cz/services/antispam-gateway/?lang=en> , this service also includes:
- Back-up mail relay – description here: <https://www.cesnet.cz/services/backup-mail-server/?lang=en>.
- Eduroam – to provide wireless access mostly to evaluators and employees: <https://www.cesnet.cz/services/eduroam-roaming-infrastructure/?lang=en>.

- Data storage: <https://www.cesnet.cz/services/data-storage/?lang=en>.

## **How will we process your personal data?**

The data we will process includes but is not limited to the personal data as listed below and always only to the degree necessary:

**(a) identifiers**, in particular: given names and surname, registered business/company name, academic title(s), date of birth, personal identification number, registration number, tax number, personal identification document number (and type of document);

**(b) contact details**, in particular: address of permanent residence, registered seat or place of business, contact address, e-mail address, telephone number, and any other contact details you may give us;

**(c) payment and invoice particulars**, such as bank account number and your address on the invoice;

**(d) any additional data** beyond those in sections (a) through (c), such as data from communication between you and GACR, data which we obtain during a visit, and the like.

For the sake of completeness, we would like to note that we collect personal data from you and/or from public sources (such as the Commercial Register, Register of Trades, Land Registry, from websites etc.)

## **How will your personal data be protected?**

We treat your personal data with due care and in compliance with GDPR and any other generally binding legislation. We strictly comply with security measures, and protect personal information to the highest degree possible, corresponding to the level of technology available; only authorised personnel trained in personal data management has access to personal data.

## **You have the right to:**

1. access your personal data processed by us – to put it simply, you have the right to know which of your data we process and why;
2. correct your personal data if they are incomplete or incorrect;
3. have your personal data deleted, or to reduce the processing of them unless we have a lawful reason to process them;
4. object against the processing of your data if the data are being processed on the basis of our legitimate interest;
5. transfer your personal data shared with us to another data controller;
6. revoke your consent with the processing of your personal data on the basis of your consent; this will be at no extra cost and/or consequences to you. Your revocation of consent will be without prejudice to the lawfulness of processing personal data on the basis of your consent before you revoked it.

## **Disclosure of personal data to third parties**

It is our standard not to disclose personal data to third parties. The only exception is if we are required to do so by law (in particular, in relation to governmental authorities) or in relation to external entities which may provide us with support services; nevertheless, we only disclose personal data to the minimum degree and as necessary, and such third parties must undertake to protect and safeguard any personal data in an agreement.

Within GACR's international cooperation, personal data will be disclosed to third countries (to similar agencies abroad which cooperate with us). This protection of these personal data will be covered by an agreement.

## **We do not practice automated decision-making**

Your personal data will not be used for decisions based on purely automated processing or profiling.

## **How long do we store your personal data?**

We only store personal data for as long as absolutely necessary to serve the purpose for which they are processed, and for as long as absolutely necessary to protect our legitimate interests, in particular to exercise and/or defend our legal claims and entitlements. This period typically does not exceed 3 years from the last contact with you. In some situations, this period may be longer due to record-keeping requirements defined by laws, such as the R&D Funding Act, Act on Record Keeping, the Accounting Act, and others.

In some of the situations below, it is necessary to store your personal data for a longer period, for example data obtained in one of the following ways:

- data obtained from grant recipients, including project investigators and other individuals participating in project investigations, will be stored for at least 10 years from the provision of the grant;
- data obtained from the public will be stored for 3 years unless a data subject requests otherwise;
- data obtained from GRIS users will be stored for at least 10 years from the provision of the grant;
- data obtained from members of review and evaluation bodies – panels and/or discipline committees<sup>2</sup> – will be stored for at least 10 years from the provision of the grant.

Our data controller is in contact with the top management of GACR, and will be involved in any data protection issues. The data controller is also in contact with the Office for Personal Data Protection, and data controllers from other institutions.

### **Feel free to contact us anytime.**

You are welcome to contact us anytime at <gdpr@gacr.cz> or any of the contact details below. We will handle your request immediately, although we may request additional

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<sup>2</sup> a discipline committee is equivalent to a subject-matter committee

information from you. There may be a fee associated with your request in certain situations, in particular if the request is obviously groundless and/or unreasonable, and especially if it is a repeated request.

**Data controller contact details:**

**Mgr. Hynek Vlas, [gdpr@gacr.cz](mailto:gdpr@gacr.cz),**

**address: Evropská 2589/33 b, 160 00 Prague 6, Czech Republic**

**You have the right to file a complaint with the supervising authority:**

**Supervising authority:**

**Office for Personal Data Protection, Pplk. Sochora 27, 170 00 Prague 7, Czech Republic**

**Tel: +420 234 665 111, [www.uoou.cz](http://www.uoou.cz)**