

USER ACCESS AGREEMENT
within the framework for access to the physical
RESEARCH INFRASTRUCTURES of the JRC
for the purposes of TRAINING AND CAPACITY BUILDING

User details

Ms/Mr. [to be added], appointed by the User Institution [User Institution to be added] to receive Access for the purposes of Training and Capacity Building, born in [place to be added] on [date to be added], (hereinafter referred to as the ‘the User’ or "I" or "me")

Purpose

The User will be accessing the JRC Research Infrastructure [to be added], located at Geel, Belgium / Ispra, Italy / Karlsruhe, Germany / Petten, Netherlands / Sevilla, Spain,

to perform work in the framework of the User Access Project, described in **Annex 1**.

I acknowledge that this does not create in any way an employment relationship between myself and the Commission.

Duration

The period of access will start on [date to be added] and will end on [date to be added]. The number of User Stay Days and estimated time-schedule are described in **Annex 1**. The exact schedule will be agreed in writing between the Lead User and the JRC and shall be within this period. *[please add this sentence if the stay is limited to 5 daily visits per month or remove if the stay exceeds 5 daily visits: During this period, the stays are limited to a maximum of 5 daily visits per month.]*.

The User may end the period of access with prior notice to the JRC.

Use of the facilities

I agree to comply with the following provisions, of which I have been made cognisant:

- Relevant provisions of the "Framework for Access to the Physical Research Infrastructures of the Joint Research Centre for the purposes of Training and Capacity Building"¹
- Rules and regulations (including those relating to health, safety and security) in force at the JRC

¹ Published at the EU Science Hub: https://joint-research-centre.ec.europa.eu/knowledge-research/training-programmes/open-access-training_en

I will follow the instructions, including technical instructions and those relating to health, safety and security, given by the designated representative of the JRC.

I shall not use the name of the JRC or the European Commission on any advertisement, product or service that is directly or indirectly related to the User Access Project, nor imply in any way that the JRC or the European Commission endorses its products or services. I shall seek prior agreement of the JRC for any publication, in any form, containing references to JRC or to activities carried out under the present User Access Project.

[to be added only if in-kind contribution is provided:

The Lead User provides to the JRC the in kind contribution described in Annex 2]

I agree to notify promptly to the JRC any signification information, fact, problem or delay likely to affect the User Access Project.

[If Lead User: As Lead User, I will complete a “User Questionnaire” upon completion of the User Access Project, to enable the JRC to evaluate, monitor and improve the services provided through Access to the [name of the Research Infrastructure]. All replies will be treated in strictest confidence.]

Confidentiality

I bind myself to exercise the greatest discretion with regard to all facts and information coming to my knowledge in the course of or in connection with the performance of my duties as a User. I shall not in any manner whatsoever disclose to any unauthorised person any document, knowledge or information that comes to my attention in the course of or in connection with the performance of my duties as a User, and is not already made public.

I pledge that I will not, whether alone or together with others, publish or cause to be published without explicit written consent of the Commission any matter dealing with the work of the **European Union or the European Atomic Energy Community**, which consent may not be unreasonably withheld.

The commitments entered into in this declaration shall be maintained for a period of five years following the end of the period of use.

Intellectual Property

Intellectual Property Rights will be allocated in accordance with Article 4.a of the "Framework for Access to the Physical Research Infrastructures of the Joint Research Centre for the purposes of Training and Capacity Building ", which I acknowledge I have been made cognisant of.

Data protection

Where the JRC processes personal data included in or related to this Agreement, it will do so in accordance with Regulation (EU) 2018/1725. Details concerning the processing

of personal data will be made available to data subjects by the JRC in the corresponding data protection notices, in particular the notices included as an Attachment to the present Agreement.

Documents to be provided prior to the stay

1. Copy of passport and visa when necessary and permit to stay according to the laws of the Member State in which the Directorate is located.
2. When the stay exceeds three calendar months over the duration of the User Access Project, a valid and original criminal record extract issued by the competent national authorities from your country of nationality; and from the latest country of residence (if different from your country of nationality) where you have been a resident for more than 6 months. The criminal record should be in one of the 24 official languages of the EU. A translation into English, French, German or the language of the country in which the JRC Directorate is located is recommended in order to speed up the process. If the criminal record is issued in a language other than the 24 official languages of the EU, a legalised translation into English, French, German or the language of the country in which the JRC Directorate is located is required.
3. A relevant document ascertaining the appointment of the User by the User Institution to obtain Access to the Research Infrastructure.
4. Proof of coverage by a health care insurance scheme (including any special coverage that may be required for special laboratories/facilities) for the entire duration of the stay.
5. Proof of coverage by accident insurance scheme (including any special coverage that may be required for special laboratories/facilities) for the entire duration of the stay.
6. Proof of coverage of third party liability through an insurance scheme or an equivalent mechanism for the entire duration of the stay.

The JRC reserves the right to request additional documents in order to ensure the compliance with all requirements and specific rules applicable to JRC sites.

The documents under Points 1) and 2) above should be sent to the functional mailbox of the security services of the concerned site.

For the present User Access Agreement, the functional mailbox is the following, unless otherwise stated: [*Choose the appropriate address:*

For Ispra: JRC-SECURITY-ISPRA@ec.europa.eu

For Geel: Bart.VANOPPRE@ec.europa.eu

For Karlsruhe: JRC-ACTUSLAB-KARLSRUHE@ec.europa.eu

For Petten: JRC-PTT-SES@ec.europa.eu

The documents under Points 3) to 6) above should be sent to [*functional mailbox of the research infrastructure as indicated in the call*].

Rules on entry pass

[OPTION if stay is envisaged for more than 5 daily visits per month: Following the signature of this Agreement, an entry pass valid for the period authorised will be issued to the User. The pass will indicate the facilities, which are covered by the invitation. It must be visibly worn at all times by the User. The security services concerned must draw up the list of information required for such passes to be issued. Before issuing an entry pass, Security Services will verify if a request to obtain a permit to stay has been submitted to national authorities, where legally requested.]

On-site access is normally allowed only during working hours of the JRC site in question but can be granted outside such hours, at the discretion of the Director of the Directorate involved, if accompanied by qualified JRC staff.]

[OPTION if stay is limited to a maximum of 5 daily visits per month: Following the signature of this Agreement, daily entrance permits are to be requested by the Directorate in which the User will be working. The daily entrance permit must be visibly worn at all times by the User. The security services of the JRC site concerned will ensure that these daily permits are provided according to the normal local requirements. The security services concerned must draw up the list of information required for such passes to be issued. Before issuing an entry permit, Security Services will verify if a request to obtain a permit to stay has been submitted to national authorities, where legally requested.]

On-site access is normally allowed only during working hours of the JRC site in question but can be granted outside such hours, at the discretion of the Director of the Directorate involved, if accompanied by qualified JRC staff.]

Done in..... on

Name and Surname of the User in block letters:

.....

Signature:.....

ANNEX 1

USER ACCESS PROJECT DESCRIPTION AND SCHEDULE

1. General information

Call	
Proposal full title	
Proposal acronym	
Research Infrastructure	
Lead User Institution	
Lead User Name	
e-mail	

Period of Access	
Total number of Users	
User Stay Days²	

² A User Stay Day is a day of physical presence of a User at the concerned Research Infrastructure for Access related to the User Access Project. A User Stay Day counts as a registered entry to the JRC site where the Research Infrastructure is located.

2. Description of the Project

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3. Calendar

Date	Activities
xx/xx/202x	

One row for each date

ANNEX 2 [*Optional*]

IN-KIND CONTRIBUTIONS

ATTACHMENT

DATA PROTECTION NOTICE(S) RELATING TO THE USER ACCESS PROJECT

See documents attached containing the data protection notices concerning data processing in relation to the User Access Project:

[To be added as separate documents by the unit of JRC organising the User Access Project within the Framework for Access to the Physical Research Infrastructures of the JRC for the purposes of Training and Capacity Building]:

1. "DATA BASE OF OPEN ACCESS TO JRC PHYSICAL RESEARCH INFRASTRUCTURES" Privacy Statement prepared by Unit A.5 available at the EU Science Hub (the document is already attached in the pages below)

2. Depending on the site where the Research Infrastructure is located:

- Ispra: JRC-SECPAC-SUPPORT@ec.europa.eu - DPO-2734.4 - JRC : Access Control System at JRC Ispra Site
- Petten: IES-CONTACT@jrc.ec.europa.eu - DPO-1532.6 - JRC : ACCESS TO PERSONAL STAFF DATA BY OTHER ORGANISATIONS WORKING ON THE PETTEN SITE
- Geel: JRC-IRMM-DATA-PROTECTION@ec.europa.eu - DPO-1177.7 - JRC: ACCESS CONTROL AT JRC-GEEL
- Karlsruhe: JRC-SECPAC-SUPPORT@ec.europa.eu - DPO-1460; DPR-EC-01980 (Actinide User Laboratory. Controller: Unit G.I.5)

DATA PROTECTION NOTICE ON “DATABASE OF OPEN ACCESS TO JRC PHYSICAL RESEARCH INFRASTRUCTURES”

PROTECTION OF YOUR PERSONAL DATA

This privacy statement provides information about the processing and the protection of your personal data.

Processing operation: Open access to JRC physical research infrastructures

Data Controller: JRC.A.5

Record reference: DPR-EC-00745

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1. Introduction

The European Commission (hereafter 'the Commission') is committed to protect your personal data and to respect your privacy. The Commission collects and further processes personal data pursuant to [Regulation \(EU\) 2018/1725](#) of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data (repealing Regulation (EC) No 45/2001).

This privacy statement explains the reason for the processing of your personal data, the way we collect, handle and ensure protection of all personal data provided, how that information is used and what rights you have in relation to your personal data. It also specifies the contact details of the responsible Data Controller with whom you may exercise your rights, the Data Protection Officer and the European Data Protection Supervisor.

The information in relation to processing operation "Open access to JRC physical research infrastructures" to open up access to its physical research infrastructures undertaken by JRC.A.5 is presented below.

2. Why and how do we process your personal data?

Purpose of the processing operation: JRC.A.5 collects and uses your personal information to manage the proposals submitted (application phase), to ensure their follow-up (evaluation and implementation phase) as well as the reporting of the programme to the JRC.

The JRC is opening up access to its physical research infrastructures as part of the JRC Strategy 2030. To this end the JRC drafted a Framework with the purpose of delivering access to users for conducting research, undertaking experimental development, and providing education and training. The Framework defines the principles and modalities under which the JRC opens its facilities to external users, following an open access policy.

Concerning the application phase, applicants submit a proposal following a "call for proposals" announced at the EU Science Hub. Selected proposals sign a Research Infrastructure Agreement (RIAA) with the JRC. Single users (individuals) sign a User Access Agreement (UAA) the first time they visit the JRC in relation to the RIAA. Data provided by the users will be used by the Commission to monitor the programme and its impact on the various European scientific communities.

JRC. A.5 will coordinate all the process and different units will take part of it in order to evaluate the proposals, and to invite and receive the successful candidates.

- For the proposal phase - JRC. A.5 will launch the call for proposals and will receive the proposals in order to check that the eligibility criteria are fulfilled.
- For the evaluation phase - staff from the JRC Directorates with Research Infrastructures, as well as members external to the JRC will take part in this phase. They will only have access to the proposals related to the calls offering access to their Research Infrastructure. A User Selection Committee (USC) will be organised to evaluate the proposals that are eligible. The proposals could be accepted, rejected or placed in a waiting list. In any case,

JRC. A.5 will communicate to the lead user of each proposal the decision taken.

- For the implementation phase - JRC A.4 Legal Affairs Unit will have access to some personal data in order to support drafting of the relevant agreement (Research Infrastructure Agreement – RIAA) with successful proposals. JRC Security Services of the sites involved will be informed in order to grant access to each specific site to users from the the successful proposals having signed a RIAA. In some cases also the Medical services and the Radiation Protection Service at JRC Karlsruhe, Geel and Petten will have access to some of the personal data upon arrival of the users at these sites under the activity of "Open access to JRC physical research infrastructures".

Your personal data will not be used for an automated decision-making including profiling

3. On what legal ground(s) do we process your personal data

We process your personal data, because, according to Article 5(1)(d) of Regulation (EU)2018/1725, you have given consent to the processing of your personal data for a specific purposes.

We do not process special categories of personal data, therefore Article 10 of Regulation (EU) 2018/1725 does not apply.

4. Which personal data do we collect and further process?

In order to carry out this processing operation JRC. A.5 collects the following categories of personal data:

The personal data collected and further processed by the JRC for the participants are:

- For the proposal phase: Last name, First name, Gender, Date of birth, Nationality, Scientific background/CV, Position, Affiliation, Email, Home Institution name, Address, Fax, Telephone, Eligibility check for each call of proposals.
- For the evaluation phase: Access project number, Grading and assessment of the proposals (accepted, rejected and waiting list).
- For the implementation phase: Number of visits, Duration of stay and travel and subsistence reimbursed (yes/no) and data contained in the documents that users need to submit (passport, criminal records, insurances, etc.) to gain access to each site where the research infrastructure is located.

Note: during the implementation phase additional persons, not included in the proposal phase, but belonging to one of the institutions that signed the RIAA with the JRC, may visit the JRC to access the JRC research infrastructure related to the RIAA. For this purpose, the data indicated above in the proposal and implementation phase will also need to be collected.

For the external experts members of the User Selection Committee (USC) the personal data collected is: Last name, First name, Nationality, Gender, Affiliation, Email, Address, Telephone, Grading of proposals assessed by USC members and Signatures.

The provision of personal data is not mandatory.

5. How long do we keep your personal data?

JRC. A.5 only keeps your personal data for the time necessary to fulfil the purpose of collection or further processing, namely for:

- **Non eligible proposals:** 1 year after submission of the proposal.
- **Eligible proposals that signed the RIAA / users signing the User Access Agreement (UAA):** Files relating to collaboration instrument procedures and execution including personal data are to be retained in the service in charge of the procedure until the expiry date of the instrument, and in the archives for a period of 10 years following the expiry of the instrument.

These files could be retained until the end of a possible audit if one started before the end of the above periods.

After the periods mentioned above have elapsed, the files containing personal data are subject to an assessment procedure in line with the Common Retention List (SEC(2012)713), according to which they are either sent to the historical archives of the Commission for further conservation or destroyed.

- **Eligible proposals not signing a RIAA/ User Access Agreement (UAA):** 3 years after submission of the proposal.

Following the general Commission policy, all communication with the candidates will be registered in Ares as required by the Commission registration rules - (SEC(2003)349).

6. How do we protect and safeguard your personal data?

All personal data in electronic format (e-mails, documents, databases, uploaded batches of data, etc.) are stored on the servers of the European Commission. All processing operations are carried out pursuant to the [Commission Decision \(EU, Euratom\) 2017/46](#) of 10 January 2017 on the security of communication and information systems in the European Commission.

In order to protect your personal data, the Commission has put in place a number of technical and organisational measures in place. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the personal data being processed. Organisational measures include restricting access to the personal data solely to authorised persons with a legitimate need to know for the purposes of this processing operation.

7. Who has access to your personal data and to whom is it disclosed?

Access to your personal data is provided to the Commission staff responsible for carrying out this processing operation and to authorised staff according to the “need to know” principle. Such staff abide by statutory, and when required, additional confidentiality agreements.

The external experts participating in the User Selections Committee (USC) are bound by a specific contractual clause for any processing operations of your data on behalf of the Commission, and by the confidentiality obligations deriving from the transposition of the General Data Protection Regulation in the EU Member States ('GDPR' [Regulation \(EU\) 2016/679](#)).

The Lead user of each proposal receives all communication related to their own proposal (acknowledgment of receipt of the proposal, non eligibility, grading and assessment of the proposals (accepted, rejected and reserve list)).

The controller will transfer your personal data to the lead users of each proposals that could be located in a third country (Countries associated to Horizon 2020) in accordance with Regulation (EU) 2018/1725:

- Albania
- Bosnia and Herzegovina
- North Macedonia
- Montenegro
- Moldova
- Serbia
- Turkey
- Ukraine
- Tunisia
- Georgia
- Armenia

The controller will transfer your personal data based on a derogation for specific situations, according to Article 50(1) of Regulation (EU)2018/1725:

d) The transfer is necessary for important reasons of public interest

e) The transfer is necessary for the establishment, exercise or defense of legal claims.

The processing of personal data involved in sending correspondence to specific users in third countries regarding their participation in the programme is necessary for JRC to comply with its sound management duties. Since the participation of users in the programme cannot possibly be effective without the user’s awareness of such participation and his or her active cooperation, it is obvious that including personal data of the addressee on the communication so that the communication arrives, and including information on his or her participation is essential for the successful management by JRC of this action.

Therefore, the transfer of personal data necessary for maintaining correspondence with users in this programme is performed for important reasons of public interest in the execution of the JRC mission. In case of contentious issues the transfer may be necessary for the establishment, exercise or defense of legal claims.

These international transfers are conducted on an ad-hoc basis for each specific user, and are not massive, structured or repetitive.

The information we collect will not be given to any third party, except to the extent and for the purpose we may be required to do so by law.

8. What are your rights and how can you exercise them?

You have specific rights as a 'data subject' under Chapter III (Articles 14-25) of Regulation (EU) 2018/1725, in particular the right to access, rectify or erase your personal data and the right to restrict the processing of your personal data. Where applicable, you also have the right to object to the processing or the right to data portability.

You have consented to provide your personal data to JRC.A.5 for the present processing operation. You can withdraw your consent at any time by notifying the Data Controller. The withdrawal will not affect the lawfulness of the processing carried out before you have withdrawn the consent.

You can exercise your rights by contacting the Data Controller, or in case of conflict the Data Protection Officer. If necessary, you can also address the European Data Protection Supervisor. Their contact information is given under Heading 9 below.

Where you wish to exercise your rights in the context of one or several specific processing operations, please provide their description (i.e. their Record reference(s) as specified under Heading 10 below) in your request.

9. Contact information

- The Data Controller

If you would like to exercise your rights under Regulation (EU) 2018/1725, or if you have comments, questions or concerns, or if you would like to submit a complaint regarding the collection and use of your personal data, please feel free to contact the Data Controller:

JRC-RI-OPEN-ACCESS@ec.europa.eu

- The Data Protection Officer (DPO) of the Commission

You may contact the Data Protection Officer (DATA-PROTECTION-OFFICER@ec.europa.eu) with regard to issues related to the processing of your personal data under Regulation (EU) 2018/1725.

- The European Data Protection Supervisor (EDPS)

You have the right to have recourse (i.e. you can lodge a complaint) to the European Data Protection Supervisor (edps@edps.europa.eu) if you consider that your rights under Regulation (EU) 2018/1725 have been infringed as a result of the processing of your personal data by the Data Controller.

10. Where to find more detailed information?

The Commission Data Protection Officer (DPO) publishes the register of all processing operations on personal data by the Commission, which have been

documented and notified to him. You may access the register via the following link:
<http://ec.europa.eu/dpo-register>.

This specific processing operation has been included in the DPO's public register with the following Record reference: DPR-EC-00745 - Database of open access to JRC physical research infrastructures users at JRC.

**DPO DEPENDING ON THE SITE WHERE THE RESEARCH
INFRASTRUCTURE IS LOCATED**