

**A. Privacy Notice**  
**Expressions of interest for long-term research opportunities at**  
**European XFEL**  
**as of 11 October 2021**

This privacy notice is intended to inform about the processing of personal data in connection with the expressions of interest for long-term research opportunities (eventually through the submission of long-term proposals) at European XFEL.

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**1. Who is the controller of your personal data?**

The controller in the sense of the European data protection laws is European XFEL GmbH, Holzkoppel 4, 22869 Schenefeld, Germany (“**European XFEL**”). For further contact details as well as the **contact details of our data protection officer** see section "[Contact Information](#)".

**2. Purposes and legal bases of data processing**

We process your personal data for the purposes and based on the legal bases listed in the table below. Where the processing is based on legitimate interests (of us or a third party) we have also included a description of the respective interests:

<b>No.</b>	<b>Purpose for processing</b>	<b>Legal basis for processing</b>	<b>Description of legitimate interest for processing if applicable</b>
1	To contact you in order to discuss details of your project and keep you	Taking steps at your request prior to entering into a	N/A

	informed about further developments	contract / Performance of contract	
2	To assess whether your project is suitable to be considered for access to the resources of European XFEL	Taking steps at your request prior to entering into a contract	N/A
3	To create anonymous statistics about (proposed) interest in using European XFEL facility for research	Legitimate interest	We have a legitimate interest in creating anonymous statistics about interest in the use of our facility and potentially sharing these with third parties.
4	To safeguard and defend our rights	Legitimate interest	We have a legitimate interest in exercising and defending our rights

### 3. Recipients of your personal data

Your personal data may be transferred to the following categories of recipients:

#### a. Service providers (processors)

We reserve the right to appoint external service providers in connection with the expressions of interest for long-term research opportunities at European XFEL. These service providers will only have access to data they need for the performance of their service. Service providers will be appointed as so-called data processors which are only allowed to process the personal data on our behalf and according to our documented instructions. We disclose your data to the following categories of processors:

- IT service provider (e.g. Deutsches Elektronen-Synchrotron DESY, for hosting service, computing infrastructure), Germany

#### b. Other recipients

We generally do not disclose your personal data processed in connection with expressions of interest for long-term research opportunities at European XFEL to third

parties. Depending on the required expertise to assess your project, we may, however, disclose your personal data to external experts/referees.

Furthermore, there may be exceptional cases, in which this personal data can be provided to the following categories of third parties: Lawyers, tax advisors, consultants, external auditors.

Additionally, personal data might be transferred to third parties if we are obliged to transfer the data by statutory provisions or by an enforceable order of a court or an administrative authority. We may also release your data when we believe this is appropriate to comply with the law or one of our policies (e.g. our Scientific Data Policy), or to protect our or others' rights. Furthermore, we may transfer data which has been rendered anonymous to third parties for statistical purposes.

The parties mentioned above can be located in the European Economic Area (EEA) as well as in other countries. For transfers of personal data to countries outside the EEA see next section.

#### **4. Transfers of personal data to countries outside the EU/EEA**

The service providers to whom we transfer personal data in connection with the expressions of interest are based in Germany (cf. Section 3. a. above), so there are no transfers to service providers outside the EU/EEA.

If external experts or referees are located outside the European Union (EU) respectively outside the European Economic Area (EEA), we base the transfer on Art. 49 (1) b) GDPR as the transfer is necessary for the implementation of pre-contractual measures taken at the data subject's request.

You are entitled to receive an overview of third country recipients and a copy of appropriate or suitable safeguards in place. For your request please use the details provided in section "[Contact Information](#)".

#### **5. Duration of storage**

After the end of the assessment of your project and in case the feedback to your expression of interest is positive, after we provided you with the appropriate instructions on how to proceed and the follow-up is ensured through a specific call for proposals on long-term projects, we will delete your personal data with the exception

of those data that we need to store further for the establishment, exercise or defence of legal claims.

## **6. Your rights as data subject and how to exercise them**

You have the following rights, provided that the respective legal requirements are fulfilled:

- a. Right of access and rectification;**
- b. Right to erasure ('right to be forgotten');**
- c. Right to restriction of processing;**
- d. Right to data portability;**
- e. Right to withdraw consent;**
- f. Right to object:**

You have the right to object to the processing of your personal data that is based on our legitimate interest, on grounds relating to your particular situation, at any time. You also have the right to object to the processing of your personal data for marketing purposes at any time. Please also refer to section "[Information on your rights to object](#)".

## **7. Right to lodge a complaint with a supervisory authority**

You may lodge a complaint with a supervisory authority. You may file your complaint at your local supervisory authority or at the data protection authority competent for us.

This is:

Unabhaengiges Landeszentrum für Datenschutz Schleswig-Holstein (ULD)  
Holstenstraße 98  
24103 Kiel  
Germany

Telephone: +49 (0) 431 988-1200  
Fax: +49 (0) 431 988-1223  
Email: [mail@datenschutzzentrum.de](mailto:mail@datenschutzzentrum.de)

## **8. Contact information (including for data protection officer)**

If you have comments or questions, any concerns or a complaint regarding the processing of your personal data, please feel free to contact us at:

European X-Ray Free-Electron Laser Facility GmbH  
Holzkoppel 4  
22869 Schenefeld  
Germany  
[Email: useroffice@xfel.eu](mailto:useroffice@xfel.eu)  
Telephone: +49 8998 6767 - 6937

You may also contact our **data protection officer** Carsten Porthun at the following email address: [carsten.porthun@desy.de](mailto:carsten.porthun@desy.de).

## **B. Information on your right to object**

### **Right to object to processing based on legitimate interest**

You may have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you which is based on the legal basis legitimate interest, unless we are able to (i) demonstrate compelling legitimate grounds for the processing which override your interests or (ii) need to process the data for the establishment, exercise or defense of legal claims.

### **You may address your objections to:**

European X-Ray Free-Electron Laser Facility GmbH  
Holzkoppel 4  
22869 Schenefeld  
Germany  
[Email: useroffice@xfel.eu](mailto:useroffice@xfel.eu)  
Telephone: +49 8998 6767 - 6937