

## EU/EEA to US APPLICANTS: Data Protection Statement

### 1. Personal Data

We, the **Austrian-American Educational Commission**, MQ, Museumsplatz 1, A-1070, Vienna, Austria (the "Commission") and the Institute of International Education ("IIE", which administers the Fulbright Program ("Program")), will collect, process, and use your personal data only upon your consent and/or instruction or appointment for the purposes agreed with you or where there is any other legal basis as per Regulation (EU) 2016/679 (General Data Protection Regulation/GDPR); this will be done in compliance with data protection and civil law provisions.

Personal data means all data which includes details regarding personal or factual circumstances, such as, for example, name, address, email address, phone number, date of birth, age, gender, social security number, financial information, video recordings, photos, voice recordings of persons, and biometric data, such as fingerprints.

#### What personal data may be involved?

The application does not specifically request sensitive personal data. However, you may choose voluntarily to provide certain sensitive personal data as part of your application. This sensitive personal data could include the following (the "Volunteered Sensitive Personal Data"):

- Information concerning your health;
- Information about your political views;
- Information about your sexual orientation;
- Data revealing racial or ethnic origin;
- Political, religious or philosophical beliefs;
- Trade union membership;
- Genetic data or biometric data

Please do not provide us with any sensitive personal data that you do not believe is relevant to your application.

## 2. Legal Basis for Processing

If you apply for the Program, we collect and process personal data which you have either provided to us or which we obtain, for example in the course of interviews, or in the course of internal assessment centers or the performance of tests. We process your data according to Art 6 (1) point (b) GDPR in order to take necessary steps prior to entering into a contract.

We do not collect any special categories of personal data during the application process (in particular data revealing your racial or ethnic origin, political opinion, religious or philosophical beliefs or trade union membership, or health data, data on sex life, or sexual orientation). However, if you provide us with information that contains special categories of personal data, this constitutes your explicit consent pursuant to Art 9 (2) point (a) GDPR that we may process this data.

According to Sec 2d (1) Austrian Research Organisation Act (*Forschungsorganisationsgesetz – FOG*) we store your data for ten years after the end of the application process and delete it after such period. In case of a positive application, the "Fulbright Program Participants" data protection statement applies.

We will store your data beyond that period only if you consent, if we further process your data based on another legal basis or if it is necessary for the completion of possible legal disputes, in which the data is needed as evidence.

Please note that we will not be using personal data to make decisions about you based solely on automated processing, including profiling.

## 3. Rights of Data Subjects

As a data subject of our data processing you have the following rights and legal remedies:

According to Art 15 GDPR you have the right to access the personal data concerning you that is being processed by us. Without prejudice to other statutory restrictions, this right does normally not exist if the provision of this information would jeopardize a business or trade secret of us or third parties.

You also have the right to rectification of inaccurate or incomplete personal data according to Art 16 GDPR, the right to erasure ('right to be forgotten') of your personal data according to Art 17 GDPR, and the right to restriction of processing according to Art 18 GDPR. According to Art 20 GDPR you have the right to receive the data you have provided in a structured, commonly used and machine-readable format and the right that those data are transmitted without hindrance or restriction to another controller.

In accordance with Article 21 GDPR, you also have the right to object, on grounds relating to your particular situation, at any time with effect for the future, to the processing of personal data concerning you, which we process on the basis of a public or legitimate interest (Art 6 (1) point (e) and (f) GDPR); this also applies to profiling based on those provisions. We no longer process your personal data after you object to processing, unless there are compelling legitimate grounds for the processing which override your interests, rights and freedoms, or processing is necessary for the establishment, exercise, or defense of legal claims.

You can withdraw your consent at any time with effect for the future and without stating a reason in order to hinder further processing of your personal data that has been collected and used based on consent.

For processing activities carried out based on the Austrian Research Organisation Act, you may exercise your rights as a data subject only within the scope of Sec 2g (5) Austrian Research Organisation Act (*Forschungsorganisationsgesetz – FOG*).

In order to exercise your rights as a data subject, please send an e-mail to our data protection officer RA Prof. Franz J. Heidinger, LL.M.(Virginia).

E-Mail: [dataprotection@fulbright.at](mailto:dataprotection@fulbright.at)

Address: Alix Frank Rechtsanwälte GmbH, A-1010 Wien, Schottengasse 10, Austria.

For questions concerning the processing of your personal data, please also contact our data protection officer.

You are also entitled to lodge a complaint with a data protection supervisory authority. In Austria, this is the data protection authority (Österreichische Datenschutzbehörde, [www.dsb.gv.at](http://www.dsb.gv.at)).

#### **4. Data Security**

Your personal data is protected through appropriate technical and organisational measures. Those measures include but are not limited to protection against unauthorised, unlawful or accidental access, processing, loss, use and tampering.

Irrespective of our efforts to observe an appropriately high standard of due diligence at all times it cannot be excluded that information which you have provided to us via the internet will be inspected and used by other persons.

Please note that we, therefore, assume no liability whatsoever for disclosure of information due to errors in data transfers that were not caused by us and/or unauthorised access by third parties (e.g. hacker attack on email account or phone, interception of fax messages).

#### **5. Transfer of Data to Third Parties**

Within Austrian-American Educational Commission, only the responsible organizational entities and persons process your data. We do not transmit your personal data to other recipients, unless it is required to fulfil our contractual obligations or to comply with mandatory laws/authority requests.

However, your personal data is being processed also by our processors on our behalf. These processors are in particular providers of marketing tools, IT service providers, providers of other tools and software solutions, and IT maintenance services. Our processors process your data solely on our behalf and on the basis of our instructions.

In administering the Program, we may work with the Bureau of Educational and Cultural Affairs of the United States Department of State ("ECA") and/or U.S. Embassy Posts ("Post"). For example, IIE administers the Program on behalf of ECA, while Posts (rather than a Commission) may nominate you for a Fulbright award in some countries where no Commission is located.

The personal data that we collect about you may be transferred to, and stored at, or processed in one or more countries outside the European Economic Area ("EEA") which have not yet been deemed by GDPR Regulatory Authorities to offer adequate data protection. In such cases, we will take the following steps to ensure an adequate level of data protection in the country of the recipient as required under the GDPR: Standard Contractual Clauses.

The following third parties (the "Third Parties") may process your personal data for the purposes of assessing your application, event organization and communication:

- **ECA and Posts**
- **Members of Fulbright Selection Committees as appointed by the Commission or Post.**
- **IIE:** [GDPRContact@iie.org](mailto:GDPRContact@iie.org)
- **U.S. Embassy Vienna**  
Boltzmanngasse 16  
1090 Vienna, Austria
- **Austrian Federal Ministry of Education, Science and Research**
- **Office of Science and Technology Austria, Embassy of Austria, Washington, DC**
- **Commission for Educational Exchange Between the United States, Belgium and Luxembourg**  
Royal Library Albert Ier  
Boulevard de l'Empereur 4  
B-1000 Brussels, Belgium
- **Bulgarian-American Commission for Educational Exchange**  
17 Alexander Stamboliiski Boulevard  
1000 Sofia, Bulgaria
- **J. William Fulbright Commission for Educational Exchange in the Czech Republic**  
Karmelitska 17, 118 00 Praha 1  
Czech Republic
- **Denmark-America Foundation/Danish American Fulbright Commission**  
Fiolstraede 24, 3 sal,  
DK-1171 Copenhagen K., Denmark
- **Fulbright Finland Foundation**  
Hakaniemenranta 6  
FIN-00530 Helsinki, Finland
- **Franco-American Commission for Educational Exchange**  
9, rue Chardin, 75016  
Paris, France

- **German-American Fulbright Commission**  
Lützowufer 26  
D-10178 Berlin Germany
- **U.S. Educational Foundation in Greece**  
6 Vassilissis Sofias Avenue  
106 74 Athens, Greece
- **Hungarian-American Commission for Educational Exchange**  
Budapest Baross u. 62.  
Hungary – 1082
- **Iceland-United States Educational Commission**  
Hverfisgötu 105  
101 Reykjavik, Iceland
- **The Ireland-United States Commission for Educational Exchange**  
Brooklawn House  
Shelbourne Road  
Ballsbridge  
Dublin 4, Ireland
- **The U.S.-Italy Fulbright Commission**  
Via Castelfidardo 8  
00185 Rome, Italy
- **Netherlands America Commission for Educational Exchange (The Fulbright Center)**  
Westerdoksdiik 215  
1013 AD Amsterdam, The Netherlands
- **U.S.-Norway Fulbright Foundation for Educational Exchange**  
Arbinsgate 2  
0253 Oslo  
Norway
- **Polish-U.S. Fulbright Commission**  
ul. K.I. Gałczyńskiego 4  
00-362 Warszawa  
Poland
- **Luso-American Educational Commission (LAEC)**  
Av. Elias Garcia,  
59-5 1000-148 Lisboa
- **Romanian-U.S. Fulbright Commission**  
Ing. Costinescu St., No. 2  
011878, Sector 1, Bucharest, Romania
- **J. William Fulbright Commission for Educational Exchange in the Slovak Republic**  
Levicka 3  
821 08 Bratislava 2, Slovak Republic

- **Commission for Cultural, Educational and Scientific Exchange Between the United States of America and Spain**  
Calle General Oráa, 55  
28006 Madrid, Spain
- **Commission for Educational Exchange between the United States and Sweden**  
Vasagatan 15-17, 4th Floor  
SE-111 20 Stockholm, Sweden
- **Commission for Educational Exchange Between the United States of America and Turkey**  
Eskişehir Yolu 9.km  
Tepe Prime İş Merkezi B Blok  
No: 124  
Çankaya – Ankara  
06800 Turkey
- **The United States-United Kingdom Fulbright Commission**  
Unit 302, 3rd Floor Camelford House  
89 Albert Embankment  
London  
SE1 7TP, United Kingdom

## 6. Communication and Notification of Data Breaches

We endeavor to ensure that data breaches will be noticed early and immediately communicated to you and notified to the competent supervisory authority, where applicable, including the relevant categories of data concerned.

## 7. Our Contact Details

Protection of your data is of particular importance to us. Please do not hesitate to contact us using the contact details stated below at any time if you have any questions.

### **Austrian-American Educational Commission**

MQ,  
Museumsplatz 1  
A-1070 Vienna

### **Data Protection Officer**

RA Prof. Franz J. Heidinger, LL.M.(Virginia).  
Alix Frank Rechtsanwälte GmbH  
Schottengasse 10  
A-1010 Wien  
[dataprotection@fulbright.at](mailto:dataprotection@fulbright.at)

16.03.2020

Name (print): \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_