

01 MAY 2023

Vacancy Notice for establishing a reserve list for Legal Officer
in the KDT Joint Undertaking
CA FG IV
Reference: KDT-2023-09-FGIV-LO

Closing date for submission: 31/05/2023, 23:59 (CET, Central European Time, Brussels).

Key Digital Technologies Joint Undertaking (KDT Joint Undertaking) is a public-private European Partnership aimed at leveraging investments in the electronics sector in Europe to research and develop innovative key digital technologies. The KDT Joint Undertaking fosters research and innovation collaboration between stakeholders such as industry, public authorities, academia, and research and technology organisations, pulling together and focusing efforts. The KDT Joint Undertaking's strategy is aligned with the Horizon Europe Framework Programme and the programmes of Participating States to attract private investments and contribute to the effectiveness of public support by avoiding unnecessary duplication and fragmentation of efforts, thus contributing to the development of a strong and globally competitive industry in the European Union.

The KDT Joint Undertaking is based in Brussels, Belgium.

As part of the Multiannual Financial Framework (MFF) for 2021-2027 and in line with the Horizon Europe Framework Programme, the KDT Joint Undertaking is one of the nine Joint Undertakings established under the Council Regulation (EU) 2021/2085¹. The KDT Joint Undertaking is the successor to the former ECSEL Joint Undertaking² and supports the latter's ongoing projects.

The KDT Joint Undertaking addresses clearly defined topics that will reinforce the Union's technological autonomy in electronic components and systems, establishes the Union's scientific excellence and innovation leadership in emerging components and systems technologies, and ensures that components and systems will address Europe's societal and environmental challenges.

Members of the Joint Undertaking are the European Union through the European Commission, Member States and Associated Countries to the Framework Programme Horizon Europe on a voluntary basis, and three industrial associations forming the private members of the KDT Joint Undertaking: 'AENEAS', 'INSIDE' and 'EPoSS'.

¹ Council Regulation (EU) 2021/2085 of 19 November 2021 establishing the Joint Undertakings under Horizon Europe and repealing Regulations (EC) No 219/2007, (EU) No 557/2014, (EU) No 558/2014, (EU) No 559/2014, (EU) No 560/2014, (EU) No 561/2014 and (EU) No 642/2014 (OJ L 427, 30.11.2021, p. 17–119)

² Council Regulation (EU) No 561/2014 of 6 May 2014 establishing the ECSEL Joint Undertaking (OJ L 169 of 7.6.2014, p. 152) (ECSEL Council Regulation)



On 8 February 2022, the Commission proposed the ‘European Chips Act’, a comprehensive set of measures to ensure the EU’s security of supply, resilience and technological leadership in semiconductor technologies and applications³. As part of the Chips Act, the Regulation (EU) 2021/2085 is proposed to be amended⁴ so as to increase the scope of the activities of the current KDT Joint Undertaking, proposed to be renamed ‘Chips Joint Undertaking’. The renamed Chips Joint Undertaking would start its additional activities once the Chips Act regulation has entered into force. It would continue to implement the activities of the KDT Joint Undertaking as well as the largest part of the “Chips for Europe Initiative” established under the Chips Act. This would include investments into innovation and capacity building activities, such as pilot lines, design infrastructures, and competence centres.

For further information, please consult the following website: <http://www.kdt-ju.europa.eu>

³ https://ec.europa.eu/commission/presscorner/detail/en/IP_22_729

⁴ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52022PC0047>



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1 POSITION ADVERTISED

a Overall purpose

The Legal Officer will work together with the Legal Officer currently in place, under the supervision of the Head of Finance and Administration.

S/he will contribute to ensuring a sound legal environment for the KDT JU's overall functioning, in particular by providing legal advice and support on various legal aspects regarding KDT JU's work.

b Duties and responsibilities

S.he will:

General legal advice and legal acts

- Draft legally sound decisions for adoption by the Executive Director as well as other relevant acts;
- Provide legal advice on various requests (MoUs, implementing rules, staff regulations, etc.);
- Ensure compliance with European Union and KDT's rules and regulations;
- Contribute to the production of manuals, guidance, internal procedures.

Operational activities

- Prepare and implement KDT JU's programme and actions from a legal perspective, for both Horizon Europe and Digital Europe Programmes;
- Provide advice to the Programme Officers in any legal question in relation to the signature and implementation of the Grant Agreement during the entire project lifecycle.

Governance

- Collaborate with the other legal officer for the smooth functioning of the Governing Board and Public Authorities Board, organise meetings and written procedures, preparing decisions, etc;
- Prepare and follow-up Administrative Agreements with the National Funding Authorities.

Public procurement

- Initiate public administrative or operational procurements for good or services, review and follow up during implementation, in line with the EU financial regulation;
- Advise staff members on procurement rules when they want to purchase goods or services.

Litigation

- Defend the interests of the JU in any type of legal action or litigation;
- Contribute to find solutions to avoid litigation.

Data protection and document management

- Act as a Data Protection Officer and ensure compliance with the data protection framework;
- Act as a Document Management Officer and ensure compliance with document management standards of the European Commission.

Networking

- Collaborate with the other units of the JU in order to achieve the objectives and program of KDT JU and assist the Executive Director and Heads of Unit in any legal issues;
- Establish strong relations with legal networks and relevant DGs and liaise with the legal officers of other JUs for common procurements and other back-office arrangements.



2 ELIGIBILITY AND SELECTION CRITERIA

a Eligibility criteria

Candidates will be considered for the selection phase based on the following criteria to be fulfilled by the closing date for applications:

i General conditions

- Be a national of a Member State of the European Union;
- Be entitled to his/her full rights as a citizen;
- Have fulfilled any obligations imposed by the applicable laws concerning military service;
- Meet the character requirements for the duties involved;
- Be physically fit to perform the duties linked to the post⁵
- Very good command of written and spoken English (C level). Have a thorough knowledge of one of the official EU languages and a satisfactory knowledge (at least B2 level or equivalent) of another of these languages to the extent necessary for the performance of their duties (candidates are invited to specify in their CV any language certificates they have obtained which can demonstrate their language skills).

ii Education

On the closing date for applications, candidates must have:

- A level of education that corresponds to completed university studies of at least **three years attested by a diploma⁶**, and
- At least **three years full-time proven professional experience**, acquired after obtaining the degree.

b Selection criteria

Candidates selected based on the above eligibility criteria will then be evaluated according to the following selection criteria:

i Essential criteria

- Suitability to perform the tasks described under point 1 b);
- Proven professional experience of at least **2 years** in carrying out legal tasks (forming part of the minimum 3-year experience referred to under point 2 a) ii);
- Proven professional experience working with the Regulations, rules and procedures of relevance to EU institutions, including the EU Financial Regulation;

⁵ Before his/her appointment, the candidate shall be medically examined in line with the requirement of Article 12(2)(d) of the Conditions of employment of other servants of the European Union.

⁶ Only qualifications issued by EU Member State authorities and qualifications recognised as equivalent by the relevant EU Member State authorities will be accepted.



ii Advantageous criteria

- Experience in an EU/international organisation;
- Proven experience in the implementation of data protection regulations;
- Proven experience in public procurement;
- Proven experience in Horizon Europe Research and Innovation programme, Digital Europe Programme or similar research funding or other Union financing programmes;
- Knowledge of Microsoft IT Tools (Office package, SharePoint) and EU tools (Ares, Sygma, Compass).

iii Behavioural competences

- Excellent organizational skills and ability to prioritize;
- Ability to work effectively under pressure without close supervision, to respect tight deadlines, and to use his/her initiative to solve problems and to take a proactive approach;
- Excellent communication, interpersonal and collaboration skills (e.g. the ability to establish and develop good inter-personal relations with a broad range of stakeholders in cross-cultural environments as well as in the team).

In order to be evaluated in the best possible way, candidates are recommended to give **evidence of their knowledge with specific examples and/or detailed professional experience**. Candidates are invited to be as detailed and as clear as possible in the description of their professional experience and specific skills and competences in their application form.

Failure to comply with the eligibility and essential selection criteria will result in a disqualification of the applicant concerned.

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3 SELECTION PROCEDURE

A Selection Committee, appointed by the Appointing Authority of the KDT-JU, assesses the applications in accordance with the eligibility and selection criteria outlined in the vacancy notice and establishes a short-list of candidates invited for an **interview and a written test**.

The Selection Committee will interview the short-listed candidates. These candidates will also sit a written test related to the field of the duties. Following this, the Selection Committee will establish a reserve list of suitable candidates to be approved by the Executive Director.

Candidates are reminded that the Selection Committee's work is confidential. It is strictly forbidden for candidates to make direct or indirect contact with its members or to ask anybody to do so on their behalf.



4 APPOINTMENT AND RESERVE LIST

The Executive Director may decide to interview the candidates before establishment of the reserve list and/or appointment.

The Executive Director will approve a reserve list and select one candidate for the post. A binding commitment can only be made after the verification of all conditions and will take the form of a contract signed by the Executive Director.

The reserve list may be used to fill other positions within the KDT JU. Candidates should note that inclusion on the reserve list does not guarantee recruitment. Recruitment will be based on availability of posts and budget. The reserve list for this post will be valid until **31.12.2024** and may be extended at the discretion of the Executive Director.

The reserve list might be used by other Joint Undertakings to cover a similar position.

5 CONTRACTUAL CONDITIONS

The successful candidate will be appointed by the Executive Director as a **contractual agent Function Group IV for a period of three years**. The successful candidate will be asked to perform nine months of probationary period.

After an evaluation of the post holder's performance, the contract may be renewed in accordance with the KDT-JU legal basis. The period of engagement will in any case not exceed the lifetime of the KDT-JU.

Remuneration will be based on the Union scale of salaries. Pay is subject to Union tax and other deductions laid down in the Staff Regulations. Remuneration is, however, exempt from any national taxation.

The successful candidate who is offered a contract of employment will be graded on entry into service in step 1 or step 2 of the relevant grade, according to the length of his/her professional experience. The indicative basic monthly salaries of FG IV are:

- Step 1: 3.877,47€
- Step 2: 3.958,12€

The place of employment is Brussels, where the JU premises are located.

The working language is English.

For any further information on contractual and working conditions, please refer to the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Union, which is available on the following web page:

<https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:1962R0031:20140101:EN:PDF>



6 DECLARATION OF COMMITMENT TO SERVE PUBLIC INTEREST INDEPENDENTLY

The successful candidate will be required to make a declaration of commitment to act independently in the public interest and to make a declaration in relation to interests which might be considered prejudicial to his/her independence. Candidates must confirm their willingness to do so in their application.

7 EQUAL OPPORTUNITY

The KDT Joint Undertaking is committed to welcoming and managing diversity, gender equality and inclusion, and welcome applications from all candidates independently of their gender, race, colour, ethnic or social origin, language, religion or belief, age or sexual orientation, including from candidates with disabilities. Assistance can be provided to persons with disabilities during the recruitment procedure.

The KDT Joint Undertaking actively welcomes applications from all qualified candidates from diverse backgrounds, across all abilities and from the broadest possible geographical basis amongst the EU Member States.

8 APPLICATION PROCEDURE

For applications to be valid, candidates must submit an online application via the vacancies' portal:

<https://cloud.ecsel.europa.eu/web/vacancies>

Candidates are requested to:

1. Complete the **online application form** - to access the right form, candidates should select the vacancy for which they wish to apply;
2. Upload in one document a **letter of motivation** and a Curriculum Vitae (CV), in the **European CV format** <https://europa.eu/europass/en>

For the letter of motivation and the CV, only Word documents (.doc or .docx) or PDF documents (.pdf) will be accepted. The maximum file size is 2 MB.

IMPORTANT: for each position, any new application made by a candidate with the same e-mail address will automatically erase and replace the previous application for that position.

The application will be rejected if the dossier is incomplete.

Candidates are advised to apply using an e-mail address that will remain valid for several months: candidates that will leave their job in the coming months are advised not to use their professional e-mail address.

Supporting documents (e.g. certified copies of degrees/diplomas, references, proof of experience, etc.) should not be sent at this point but must be submitted at a later stage as indicated below.

In order to facilitate the selection process, application documents as well as all communications to candidates concerning this vacancy will be in English.

Application forms sent by e-mail or post **will not** be accepted.



Candidates are asked to report any potential change of contact details without delay, to the following e-mail address: vacancies@kdt-ju.europa.eu

Please remember to quote the reference of the vacancy for which you have applied in all correspondence:
KDT-2023-09-FGIV-LO

Candidates should assess and check before submitting their application whether they fulfil all the requirements as specified in the vacancy notice, particularly in terms of qualifications and relevant professional experience.

Should candidates be invited for an interview, in order for the application to be considered complete, they **must bring with them on the day of interview originals or certified photocopies of the supporting documents for their education qualifications and employment (diplomas, working certificates, etc.)**. All documentary evidence of professional experience must indicate both start and end date of previous positions and the start date of the position held currently, full time or part time work has to be also indicated. Freelance or self-employed candidates must provide either a copy of the entry in the relevant trade register, or any official document (for example a tax revenue) showing clearly the length of the relevant professional experience

The KDT-JU has the right to disqualify candidates who fail to submit all the required documents on the date of interview.

Closing date for submission: 31/05/2023, 23:59 (CET, Central European Time, Brussels).

9 REQUEST FOR REVIEW AND APPEAL PROCEDURES

Request for review

A candidate who feels that he/she has been treated incorrectly may ask to have his/her application reconsidered by sending, within 20 days of the date of notification, a request for review via e-mail to: vacancies@kdt-ju.europa.eu

The candidate should quote the number of the selection procedure concerned and address the request to the Chairman of the Selection Committee.

The Selection Committee will reconsider the application and notify the candidate of its decision within 45 days of receipt of the request.

Appeal procedures

If the candidate considers that he/she has been adversely affected by a particular decision, he/she can lodge a complaint under Article 90(2) of the Staff Regulations of Officials and the Conditions of employment of other servants of the European Union (CEOS), at the following address:

**Executive Director
KDT-JU
TO 56-60
B-1049 Brussels
Belgium**



The complaint must be lodged within 3 months. The time limit for initiating this type of procedure (see the Staff Regulations as modified by Council Regulation No 723/2004 of 22 March 2004 published in the Official Journal of the European Union L 124 of 27 April 2004 - <https://eur-lex.europa.eu/>) starts to run from the time the candidate is first informed of the outcome of the recruitment procedure).

If the complaint is rejected the candidate may bring a case under Article 270 of the Treaty on the Functioning of the European Union and Article 91 of the Staff Regulations and the CEOS before:

The European Union Civil Service Tribunal
Postal Address
L-2925 Luxembourg

The Appointing Authority does not have the power to amend the assessment decisions of the Selection Board. The Court has consistently held that the wide discretion enjoyed by Selection Committee is not subject to review by the Court unless rules which govern the proceedings of the Selection Committee have been infringed.

It is also possible to complain to the European Ombudsman pursuant to Article 228 (1) of the Treaty on the Functioning of the European Union and in accordance with the conditions laid down in the Decision of the European Parliament of 9 March 1994 on the Staff Regulations and the general conditions governing the performance of the Ombudsman's duties, published in the Official Journal of the European Union L 113 of 4 May 1994:

European Ombudsman
1 Avenue du Président Robert Schuman – CS 30403
F-67001 Strasbourg Cedex

Complaints made to the Ombudsman have no suspensive effect on the period laid down in the Articles 90(2) and 91 of the Staff Regulations for lodging, respectively, a complaint or an appeal with the European Union Civil Service Tribunal under Article 270 of the Treaty on the Functioning of the European Union.



10 KDT-JU PRIVACY STATEMENT

The KDT JU, like other EU institutions, bodies, agencies and offices (EU institutions), may process your personal data (also known as personal information) for a number of reasons, from dealing with public requests for information, staff matters, procurement contracts, grant agreements etc.

This privacy statement governs the processing of your personal data on the basis of the European Regulation (EU) N°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 on the free movement of such data (“EUI-GDPR”) by KDT Joint Undertaking set up by Council Regulation (EU) No 2021/2085 of 19 November 2021 establishing the KDT Joint Undertaking as part of your job application with us (as temporary agent (TA), contract agent (CA), seconded national expert (SNE), interim staff or trainee).

1. WHO ARE WE?

1.1. Your personal data are processed on the basis of applicable data protection legislation by KDT Joint Undertaking, located Avenue de la Toison d’Or, 1060 Brussels, Belgium (“Joint Undertaking”, “we”, “us”, “our”). You can contact us via e-mail at dpo@kdt-ju.europa.eu

1.2. Where reference is made in this Applicants’ Privacy Policy to laws or regulations, possible amendments to these laws or regulations are implicitly included.

1.3. We reserve the right to change and adapt this Applicants’ Privacy Policy on our own initiative. In that case, those changes will be communicated to you via e-mail. If you do not agree to the changes, you can withdraw your consent.

2. WHICH OF YOUR PERSONAL DATA DO WE PROCESS?

2.1. When you apply for a job (selection process), we process:

- Identity information you provide us with, such as your first name, last name, birthdate, preferences and interests;
- Contact details you provide us with, such as your e-mail address, postal address, country and (mobile) telephone number;
- Resume information you provide us with, such as your employer, professional experience, education, skills and references;
- Results of the selection process
- Any other personal data you provide us with to support your job application or to allow the verification of the eligibility and selection criteria laid down in the vacancy notice.

2.2. For the recruitment process, we process:

- All the information from the selection process mentioned above;
- Documents verifying nationality;
- Family situation;
- Documents verifying appropriate character references (in accordance with Article 12(2) and 82(3) of CEOS);



- Document sent from the Commission Medical Service indicating that the selected candidate is physically fit or not to perform the job;
- PMO forms to allow the establishment of the recruited staff's entitlements under the Staff Regulation and CEOS;
- Originals of the extracts of criminal record/attestation of good behavior;
- Any other personal data you provide us with.

2.3. We receive most of your personal data directly from you, but it may happen that our HR department includes additional information in your job application or that we receive information from a recruitment agency. In such case, the agency is responsible to provide you with the information in this Applicants' Privacy Policy. Also, we advise you to consult the privacy policy of the recruitment agency.

2.4. We do not intend to process sensitive personal data about you, such as information revealing your racial or ethnic origin, political opinions, religious and philosophical beliefs, trade union membership, genetic data, biometric data for the purpose of unique identification, data concerning health, sex life or sexual orientation. If such information is necessary for your job application, we will ask for your consent separately. If you nevertheless provide us with such information on your own initiative, we will derive your explicit, freely given, specific, informed and unambiguous consent to the processing of this data. Personal data concerning health (medical data) are processed by the Medical Service of the European Commission.

2.5. Candidates failing to provide compulsory data as requested in the vacancy notice will be excluded from the selection process.

3. FOR WHAT PURPOSES DO WE PROCESS YOUR PERSONAL DATA AND WHAT IS THE LEGAL BASIS FOR THIS?

3.1. We process your personal data for selection and recruitment purposes so that you are able to apply for a job with us at this moment or in the near future, as well as to keep track of your details in this context and to follow up on your application. We rely on your consent for this processing activity. We also rely on Article 2(a) and (f), 3(a), 12, 82 and 86 of CEOS. If special categories of personal data are processed, we may rely on the derogation explicit consent (Art. 10(2)(a) of Regulation (EU) 2018/1725) or Article 137(3) of the Financial Regulation (for criminal records).

4. TO WHOM DO WE SEND YOUR PERSONAL DATA?

4.1. We may share your personal data with third parties in order to process your personal data for the purposes outlined in Article Error! Reference source not found. above. Third parties are only allowed to process your personal data on our behalf and upon our explicit written instruction. We also warrant that all those third parties are selected with due care and are committed to observing the safety and integrity of your personal data.

4.2. We may be legally obliged to share your personal data with competent law enforcement agents or representatives, judicial authorities, governmental agencies or bodies.

4.3. We do not send your personal data in an identifiable manner to any other third party than the ones mentioned in Articles Error! Reference source not found. and Error! Reference source not found. without your explicit consent to do so. However, we may send anonymized data to other organizations that may use those data for improving our job application process.

5. WHERE DO WE PROCESS YOUR PERSONAL DATA?

5.1. We process your personal data within the European Economic Area (EEA).



6. WHAT QUALITY ASSURANCES DO WE COMPLY WITH?

6.1. We do our utmost best to process only those personal data which are necessary to achieve the purposes listed under Article 3.

6.2. Your personal data are only processed for as long as needed to achieve the purposes listed under Article 3 above or up until such time where you withdraw your consent for processing them. If you are recruited, your personal data are kept for 10 years after termination of employment. If you are not recruited, your personal data are kept for 5 years after expiry of the reserve list. If you are not on a reserve list, your personal data are kept for 5 years after the notification of non-selection.

6.3. We will take appropriate technical and organizational measures to keep your personal data safe from unauthorized access or theft as well as accidental loss tampering or destruction. Access by our personnel or third parties' personnel will only be on a need-to-know basis and be subject to confidentiality obligations. You understand, however, that safety and security are best efforts obligations which can never be guaranteed.

7. WHAT ARE YOUR RIGHTS?

7.1. You have the right to request access to all personal data processed by us pertaining to you.

7.2. You have the right to rectification, i.e. to ask that any personal data pertaining to you that are inaccurate, are corrected.

7.3. You have the right to withdraw your earlier given consent for processing of your personal data.

7.4. You have the right to erasure, i.e. to request that personal data pertaining to you be deleted if these data are no longer required in the light of the purposes outlined in Article 3 above or if you withdraw your consent for processing them.

7.5. You have the right to restriction instead of deletion, i.e. to request that we limit the processing of your personal data.

7.6. You have the right to object to the processing of personal data if the processing by us is necessary for the performance of a task carried out in the public interest, unless if we demonstrate compelling legitimate grounds which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.

7.7. You have the right to data portability, i.e. to receive from us in a structured, commonly-used and machine-readable format all personal data you have provided to us if the processing is based on your consent or a contract with you and the processing is carried out by automated means.

7.8. If you wish to submit a request to exercise one or more of the rights listed above, you can contact us by sending an e-mail to dpo@kdt-ju.europa.eu. An e-mail requesting to exercise a right will not be construed as consent with the processing of your personal data beyond what is required for handling your request. Such request should meet the following conditions:

- State clearly which right you wish to exercise; and
- Your request should be accompanied by a digitally scanned copy of your valid identity card proving your identity.

We will promptly inform you of having received your request. If the request meets the conditions above and proves valid, we will honor it as soon as reasonably possible and at the latest thirty (30) days after having received your request.



If you have any complaints regarding the processing of your personal data by us, you may always contact us by sending an e-mail to dpo@kdt-ju.europa.eu . If you remain unsatisfied with our response, you are free to file a complaint with the European Data Protection Supervisor (<https://edps.europa.eu>).