

Vacancy Notice for the position of Legal Officer

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1. Introduction

The Innovative Medicines Initiative 2 Joint Undertaking (IMI2 JU) is working to improve health by speeding up the development of, and patient access to, innovative medicines, particularly in areas where there is an unmet medical or social need. It does this by facilitating collaboration between the key players involved in healthcare research, including universities, the pharmaceutical and other industries, small and medium-sized enterprises (SMEs), patient organisations, and medicines regulators. The IMI2 JU is a partnership between the European Union and the European pharmaceutical industry, represented by the European Federation of Pharmaceutical Industries and Associations (EFPIA).

With a €3.3 billion budget for the period 2014-2024, the IMI2 JU is the world's biggest public-private partnership (PPP) in the life sciences. Half of the IMI2 JU budget (€1.638 billion) comes from Horizon 2020, the EU's framework programme for research and innovation. This will match €1.425 billion committed to the programme by EFPIA companies, plus up to €213 million that could be committed by other life science industries or organisations that decide to contribute to the IMI2 JU as members or associated partners in individual projects.

The specific goal of the IMI2 JU is to develop next generation vaccines, medicines and treatments, such as new antibiotics. It will build on the successes and lessons learnt under the IMI2 JU's first phase. It brings together companies, universities, public laboratories, innovative small and medium-sized enterprises (SMEs), patient groups and regulators in collaborative projects to pave the way for breakthrough vaccines, medicines and treatments to tackle Europe's growing health challenges, and secure the future international competitiveness of Europe's pharmaceutical industry.

For more information, please visit the IMI2 JU website: www.imi.europa.eu.

2. Job description

2.1 Profile

As a member of the Administration and Finance Unit, the Legal Officer will be part of the IMI2 JU legal team, which ensures a sound legal environment for the IMI2 JU's overall functioning. The Legal Officer will provide legal analysis and support on various legal aspects, in particular regarding IMI2 JU operations dealing with grant management, and collaborating with a wider team of Scientific Officers and Financial Officers. The Legal Officer will report directly to the Head of Administration and Finance (HoAF).

2.2 Tasks

The tasks of the Legal Officer will include, among others, the following:

- Providing accurate legal analysis and advice on grants procedures and the relevant IMI2 JU operational framework;
- Providing advice and support on legal matters in relation to the IMI2 JU Call for proposals process and documents, as well as the evaluation, preparation, and execution of research grants including settlement of disputes, in accordance with relevant IMI2 JU legal and operational framework;
- Preparing grant agreements, and processing related amendments according to the applicable legal frameworks;
- Advising and providing support to potential applicants, grantees and IMI2 JU colleagues on legal matters, including intellectual property, for the preparation of consortium agreements and during project implementation;
- Contributing to internal and external information sessions, seminars and trainings on legal and procedural issues in accordance with the relevant legal frameworks;
- Preparing draft replies on legal interpretation requests from within the IMI2 JU, as well as those received via the IMI2 JU InfoDesk;
- Preparing draft replies to questions and complaints and to investigations by the European Ombudsman, the European Court of Auditors and the Internal Audit Service;
- Providing legal advice on documents that are to be made publicly available;
- Advising on possible litigation risks and contributing to finding solutions to prevent litigation;
- Contributing to the preparation of legal documents and procedures for the implementation of IMI2 JU activities, including manuals and guidance documents;
- Verifying the validity and conformity of files against standing IMI2 JU rules and regulations;
- Liaising with representatives of IMI2 JU founding members, and participating in relevant meetings on legal matters;
- Providing advice and support on horizontal legal and administrative matters such as public procurement, access to documents and personal data protection;
- Contributing to the preparation and development of IMI2 JU internal rules and procedures.

The successful candidate may be required to undertake other tasks and activities as necessary under the responsibility of the Head of Administration and Finance according to the evolution and development of the IMI2 JU's structure or activities. Duties may evolve depending on the needs of the IMI2 JU.

3. Eligibility, qualifications and experience required

3.1 Eligibility criteria

At the closing date of applications, candidates must

- be a national of a member state of the European Union;
- enjoy his/ her full rights as a citizen¹;

¹ Prior to the appointment, the successful candidate will be asked to provide a certificate of good conduct, confirming the absence of any criminal record.

- 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 post².

Moreover, in order to be eligible, candidates must

- have a level of education which corresponds to completed university studies of at least three (3) years attested by a diploma³;
- have a thorough knowledge of one of the official EU languages and a satisfactory knowledge (at least B2 level) of another of these languages to the extent necessary for the performance of their duties (candidates are invited to specify in their CV possible language certificates they have obtained and which can demonstrate their language skills).

Eligibility criteria must be fulfilled by the deadline for applications, and maintained throughout the selection procedure and appointment.

4. Selection criteria

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

4.1 Essential criteria

- Suitability to perform the tasks described in point 2.2;
- University degree in law;
- Deep knowledge and demonstrated professional experience in the provision of legal advice, and in the drafting and interpretation of legal documents, particularly in relation to the application of the EU legal and financial framework;
- Demonstrated professional experience of at least three (3) years with EU-funded programmes and related legal and financial rules and procedures, e.g. H2020 or FP7 grant management;
- Fluent written and spoken English (native or near-native level).

4.2 Advantageous criteria

- Demonstrated professional experience in handling legal matters related to the governance of the EU institutional bodies;
- Demonstrated professional experience of at least three (3) years in providing legal advice on matters related to intellectual property rights (IPR), preferably in the field of health (life sciences, medical devices, health-related data issues, etc.);
- Knowledge or experience in public-private partnerships, and/or in the field of health (life sciences, medical devices, health-related data issues, etc.);
- Demonstrated professional experience in multilateral negotiations, particularly on collaborative research and/or IPR matters;
- Experience working in an international environment.

Candidates invited to the interview process will also be assessed on the following criteria that are essential to the post:

- Ability to work effectively under tight deadlines in a highly dynamic work environment;
- Excellent analytical capabilities and problem-solving skills;
- Self-control under pressure in demanding situations and ability to handle many tasks simultaneously;

² Before taking up his/her duties, the successful candidate will undergo a medical examination by one of the institutions' medical officers.
³ Only qualifications issued by EU Member State authorities and qualifications recognised as equivalent by the relevant EU Member State authorities will be accepted.

- Excellent communication, interpersonal and collaboration skills (e.g. the ability to establish and develop good interpersonal relationships 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 advised 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 when describing 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 the disqualification of the applicant concerned.

5. Independence and declaration of interest

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

6. Selection and appointment procedure

6.1 Assessment of the application

For each selection process, a Selection Committee is nominated by the Executive Director of the IMI2 JU.

After applications are screened, the Selection Committee, based on the vacancy notice and on elements of the application, will draw up a list of suitable candidates to be invited for an interview, which will be held in Brussels.

The interview will consist of a written test and an interview in order to assess

- the candidate's motivation and understanding of the position;
- the candidate's skills with reference to the job description;
- the candidate's knowledge of the field in which the Joint Undertaking operates;
- the candidate's general aptitudes and language abilities as necessary for the performance of their duties.

The Selection Committee may also decide to include additional tests.

6.2 Appointment and reserve list

The recruitment will take place upon a decision of the IMI2 JU Executive Director (the Appointing Authority).

The Executive Director of the IMI2 JU will select a successful candidate from the reserve list and offer them the post. A binding commitment can only be made after the verification of all conditions⁴ and will take the form of a contract signed by the Appointing Authority of the IMI2 JU.

The reserve list could be used to fulfil other positions within the IMI2 JU.

The reserve list will be valid until **31 December 2022** and may be extended at the discretion of the Appointing Authority.

⁴ Before the appointment, a successful candidate shall undergo a medical examination by the medical services of the Commission in order that the IMI2 JU may be satisfied that she/he fulfils the requirement of article 28(e) of the Staff Regulation of the Officials of the European Communities.

Candidates should note that inclusion on the reserve list does not guarantee recruitment. Recruitment will be based on the availability of posts and budget.

The IMI2 JU may decide at any time during the procedure not to pursue the recruitment.

7. Equal opportunities

The IMI2 JU, as a European Union body, applies the principles of equal opportunities and non-discrimination in accordance with article 1d of the Staff Regulations⁵.

8. Conditions of Employment

The successful candidate will be appointed as a **Temporary Agent AD 5**, pursuant to Article 2(f) of the Conditions of Employment of Other Servants of the European Communities, for a period of three years. After an evaluation of the post holder's performance, and subject to budget availability, the term of office may be extended. The period of engagement will not in any case exceed the lifetime of IMI2 JU.

The place of employment will be Brussels, where the Joint Undertaking premises are located.

Remuneration

The successful candidate who is offered a contract of employment will be graded on entry into service in the relevant step (1 or 2), according to the length of his/her professional experience.

The basic monthly salary for AD 5, step 1 is EUR 4.917,29. In addition to the basic salary, staff members may be entitled to various allowances, in particular expatriation allowance, household allowance, dependent child allowance and education allowance.

The salary is subject to a Community tax deducted at source and staff members are exempt of national taxation.

9. Application procedure

Important information for candidates

For applications to be valid, candidates must submit an online application via the IMI2 JU vacancies portal: <https://cloud.imi.europa.eu/web/imi-vacancies>. To access the correct form, candidates should select the vacancy for which they wish to apply.

When filling in their application, candidates are requested to **provide examples** of their **professional experience** and **competences**.

When submitting more than one application for a 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.

Candidates are advised to apply using an e-mail address that will remain valid for several months.

Candidates are asked to report any potential change of contact details in writing, without delay, to the following e-mail address: vacancies@imi.europa.eu. Please remember to quote the reference of the vacancy (or vacancies) for which you have applied in all correspondence.

⁵ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:1962R0031:20140101:EN:PDF>

Candidates are advised not to wait until the last few days before applying as heavy internet traffic or a problem with the internet connection could lead to your online registration being interrupted. After the deadline, applications will no longer be accepted.

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

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

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

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 of the procedure if requested.

Closing date

Applications must be completed and submitted by **14 February 2021, 23:59 CET** (Central European Time / Brussels time).

10. Protection of personal data

The personal information that IMI2 JU requests from applicants will be processed in line with 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, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (hereinafter referred to as the Data Protection Regulation).

Types of personal data

The following details are collected in the context of staff selection procedures:

- Personal details: names, gender, date and place of birth, nationality, civil status, family situation and related supporting certificates, residence certificate, ID format photos;
- Contact details;
- Passport number/ ID number; financial identification form, bank account; legal entity form;
- Degrees, diplomas or educational certificates concerning knowledge of languages, professional experience, current and previous employment contracts, recommendation letters, motivation letters;
- Moral conduct - recent criminal record;
- Declaration concerning conflicts of interest.

Purpose and technical means of personal data processing

The main purpose of the collection of the data above is to prepare selected candidates' files and to finalise the recruitment procedure to permit entry into service.

Recruitment files are stored electronically and access is protected by the management of access rights. Paper documents are archived in physical files and stored in a locked cabinet until their destruction.

Legal basis

- articles 12 - 15 of the Conditions of Employment of Other Servants of the European Union;
- general implementing provisions on the procedure governing the engagement and the use of temporary agents at the IMI2 JU.

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

For the purposes detailed above, access to your personal data is given to the following people, without prejudice to a possible transmission to the bodies in charge of a monitoring or inspection task in accordance with European Union law:

Only authorised IMI2 JU staff have access to your personal data for the purposes of screening, interviewing and recruiting candidates. The people to whom your data is disclosed include:

- members of the Selection Committee;
- IMI2 JU human resources staff.

Erasure

You may make a request for the erasure of your personal data under the conditions laid down by Article 19 of Regulation (EU) 2018/1725. In this case, you should send a written request to the e-mail address mentioned under “Access”.

We will respond to your request without undue delay and at the latest within one month.

You could further request cancellation of your application and deletion of all linked personal data by making use of the contact information mentioned above.

Restriction of processing

You may make a request for restricting the processing of your personal data under the conditions laid down by Article 20 of Regulation (EU) 2018/1725 for the following reasons: you would like to contest the accuracy of the personal data; you consider that the processing is unlawful and you would oppose the erasure of the personal data and request the restriction of the use of the personal data instead; when the IMI2 JU as controller no longer needs your personal data for the purposes of the processing, but it is required by you as data subject for the establishment, exercise or defence of legal claims; or when you have objected to processing pursuant to Article 23(1) of Regulation (EU) 2018/1725, pending the verification of legitimate grounds.

In this case, you should send a written request to the e-mail address mentioned under “Access”.

Right to data portability

You have the right to receive the personal data, which you have provided to us in a structured, commonly used, and machine-readable format, and you may also request us to transmit this data to any other controller under the conditions of Article 22 of Regulation 201/1725. In this case, you should send a written request to the e-mail address mentioned under “Access”.

Right to object

You may object at any time to processing of your personal data under the conditions laid down by Article 23 of Regulation (EU) 2018/1725, on grounds relating to your particular situation. In this case, you should send a written request to the e-mail address mentioned under “Access”.

What are your rights and how can you exercise them?

Access

In case you wish to access your personal information, you can contact the IMI2 JU’s Data Protection Officer at Data-Protection@imi.europa.eu

You may make a request to access the IMI2 JU register of data processing operations in order to obtain more detailed information on how we treat and protect your personal data, in accordance with Article 17 of Regulation (EU) 2018/1725.

Rectification

You can, if need be, rectify any inaccurate personal data throughout the entire selection process by sending a written request to the above-mentioned e-mail address.

You cannot, however, send us any changes of your personal data related to the admissibility criteria after the application deadline.

How long do we keep your personal data?

Recruitment files of successful candidates are stored for a period of ten years as of the termination of employment.

The files of non-recruited applicants are retained for up to two years following the recruitment procedure.

The retention of files of non-recruited applicants on reserve lists is fixed in terms of the validity and the actual extension of the respective reserve lists.

The periods indicated above may be extended in the event of audits initiated prior to the applicable expiry dates.

Contact information

For any questions related to your rights, feel free to contact the Data Controller at Data-Protection@imi.europa.eu, indicating 'Data Protection' in the subject and explicitly specifying your request.

Recourse to the European Data Protection Supervisor

You have the right to submit a complaint at any time directly to the European Data Protection Supervisor:

Rue Wiertz 60 – MO 63

B-1047 Bruxelles, Belgium

Tel: +32 2 283 19 00 - Fax: +32 2 283 19 50

E-mail: edps@edps.europa.eu

11. Appeal procedure

Candidates who consider that their interests have been prejudiced by any decision related to the selection procedure can take the following actions:

11.1 Request for review of the decision taken by the Selection Committee

After receiving the letter notifying the candidate of the decision taken by the Selection Committee, he/she may submit a written request for a review of such a decision, setting out the reasons for the request to the following e-mail address: vacancies@imi.europa.eu

11.2 Appeals

If a 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 within the time limits provided for at the following address:

Innovative Medicines Initiative 2 Joint Undertaking

For the attention of the Executive Director

IMI JU • TO 56 • 1049 Brussels

Belgium

The complaint must be lodged within three months, starting from the time IMI2 JU informs the candidate by e-mail.

Should the complaint be 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 of Officials and Conditions of Employment of Other Servants of the European Union before:

The Court of Justice of the European Union

Rue du Fort Niedergruenewald

L-2925 Luxembourg

https://curia.europa.eu/jcms/jcms/T5_6308

11.3 Complaint to the European Ombudsman

It is also possible to lodge a complaint to the European Ombudsman pursuant to Article 228(1) of the Treaty on the Functioning of the European Union and in accordance with the statute of the Ombudsman and the implementing provisions adopted by the Ombudsman. Before the Ombudsman can accept a complaint, it is necessary that the complaint is first addressed to IMI2 JU. Any complaint to the Ombudsman must be made within two years of receiving the Joint Undertaking's final position on the matter.

(<http://www.ombudsman.europa.eu>).