



## MINISTRY OF FOREIGN AFFAIRS, EUROPEAN UNION AND COOPERATION

### **ORDER AUC/1113/2021, SEPTEMBER 15, WHEREBY THE REGULATORY BASES FOR THE AWARDING OF THE PRIZES OF THE PHOTOGRAPHIC COMPETITION "OBJETIVO ÁFRICA" BY THE CASA AFRICA CONSORTIUM ARE APPROVED.**

The Casa África Consortium, a public law entity of an inter-administrative nature attached to the General State Administration, has among its general purposes, the encouragement of the global development of Spanish-African relations and the promotion of all types of institutional, economic, scientific, cultural, educational and academic activities to improve mutual knowledge between Spain and the African continent.

In compliance with these objectives, this Consortium organizes, on an annual basis, the "Objetivo África" Photography Competition, which rewards the photographs that best show the positive aspects of the African continent. Each year it is held under a different theme that is determined by Casa África's Action Plan. This competition was born with a dual purpose: on the one hand, to bring an image of Africa more appropriate to the realities of the continent, away from negative stereotypes and, on the other hand, to bring the institution to new audiences, and increase the audience on the African continent. The power of images makes it possible to change an often too homogeneous vision of Africa, a huge, rich and diverse continent made up of 55 countries. The images offer the keys to what is happening in Africa and the rest of the world, to the transformations the continent is undergoing in all areas and help to generate a necessary debate: to show the diversity of the continent, the multiple facets of all its countries and the positive impact of intra- and extra-African migrations.

The regulatory framework applicable to these awards, which are granted upon the prior request of the eventual beneficiary, is constituted by Law 38/2003, November 17, 2003, General Law on Subsidies, and by the Regulations of Law 38/2003, November 17, 2003, General Law on Subsidies, approved by Royal Decree 887/2006, July 21, 2006, whereby it is approved.

The tenth additional provision of the aforementioned Law 38/2003, November 17, 2003, imposes the regulatory development of the special regime applicable to the granting of cultural awards. In turn, its article 17.1, attributes the establishment of the regulatory bases for the granting of prizes awarded by public law entities with their own legal personality attached to the General State Administration, to the head of the ministerial department to which such entity is linked.

The purpose of this norm, therefore, is to establish the rules and regulations for the "Objetivo África" Photographic Competition, awarded by the aforementioned Consortium.



This Order conforms to the principles of good regulation contained in Article 129 of Law 39/2015, October 1, of the Common Administrative Procedure of Public Administrations. Specifically, the Order complies with the principles of necessity and effectiveness, since, in addition to complying with the aforementioned legal mandate, it promotes creative and research tasks that favor the dissemination of knowledge of aspects about the African continent, one of the purposes of public diplomacy exercised by Casa África, and shows a diverse and plural image of the multiple realities of the continent to Spanish society. It complies with the principle of proportionality, as it contains the regulation that is essential to meet the aforementioned need. Likewise, it guarantees the principle of legal certainty, since it is consistent with the general regulatory framework on subsidies. With regard to the principle of transparency, the Order clearly identifies its purpose, and the report, accessible to the public, provides a full explanation of the content and intention of Casa África in promoting this competition. Finally, the projected regulation also complies with the principle of efficiency, since it does not impose significant administrative burdens on those already assumed by the Consortium.

Article 149.2 of the Spanish Constitution requires the State to consider the service of culture as a duty and essential attribution without deterring or undermining competences that may be assumed by the autonomous communities.

In the preparation of this Order, the public consultation process has been complied with through Casa África's website. Likewise, the reports referred to in Article 17 of Law 38/2003, November 17, General Subsidies Law, have been issued by the State Attorney's Office and the department's Delegated Intervention.

By virtue, thereof, at the initiative of the Casa África Consortium, with the prior approval of the Minister of Finance and Public Function, it is hereby

## **I DECREE:**

### **Article 1. Purpose and objective.**

1. The purpose of this Order is to establish the regulatory bases for the awarding of prizes for the "Objetivo África" Photographic Competition by the Casa África Consortium.
2. The purpose of this competition is to contribute to the dissemination of knowledge about Africa and promote a positive image of the continent by encouraging creativity through photography, highlighting multiculturalism, coexistence and, ultimately, the enrichment that comes from the interaction between different cultures.

### **Article 2. Prizes.**

1. Casa África shall grant a first, second and third prize to the candidates whose photograph is ranked, respectively, in first, second and third place in the order of priority set forth in the resolution of concession of each call.



2. The financially endowed prizes will be charged to the budget application 83040116ME of Casa África's estimated budget.
3. The individualized amount of each of the three prizes shall be as follows:
  - First prize: 1,000 euros.
  - Second prize: 500 euros.
  - Third prize: 300 euros.
4. In addition to the financial prizes, Casa África may grant runners-up prizes or special mentions to the authors whose photographs are classified between fourth and sixth place in the Order of priority set forth in the resolution for the awarding of each call for entries.
5. No prizes may be awarded *ex aequo*, and tie situations must be resolved in accordance with the criteria set forth in this Order.

### **Article 3. General principles and concession procedure.**

1. In accordance with the provisions of article 8.3 of Law 38/2003, November 17, 2003, General Law on Subsidies, the management of the awards referred to in these regulatory bases shall be carried out in accordance with the principles of publicity, transparency, concurrence, objectivity, equality and non-discrimination; effectiveness in the fulfillment of the objectives set and efficiency in the allocation and use of public resources.
2. The award procedure will be processed on a competitive basis, in accordance with the provisions of Article 22.1 and the tenth additional provision of Law 38/2003, November 17, 2003, General Law on Subsidies, comparing the applications submitted, in Order to establish a priority among them in accordance with the evaluation criteria set forth in Article 11, awarding the prizes, in the amount established in each call, to those that have obtained the highest evaluation in application of the aforementioned criteria.

### **Article 4. Participants**

1. All natural persons over 18 years of age who are authors of photographs that capture images related to the African continent that the Casa África Consortium establishes in each call for entries may participate and opt for the awards.
2. Notwithstanding the above, those persons who meet any of the following circumstances are not eligible to participate:
  - a) Previous winner of any "Objetivo África" award granted by the Consortium.
  - b) Those who maintain any type of work or professional relationship with the Casa África Consortium or with any of the entities that comprise it (Ministry of Foreign Affairs, European Union and Cooperation; the Spanish Agency of International Cooperation for



Development; the Government of the Autonomous Community of the Canary Islands and the City Council of Las Palmas de Gran Canaria).

- c) Those who are related by consanguinity within the fourth degree or by affinity within the second degree to any person who provides services in the Consortium or to any of the members of the Jury that is constituted in each call for applications.
  - d) Those who fall under any of the circumstances foreseen in article 13.2 of Law 38/2003, November 17.
3. The participants in each call for entries may submit up to a maximum of five photographs per participant.

**Article 5. Competent bodies for the organization, investigation and resolution of the procedure.**

1. The competent body to order and instruct the procedure for granting the "Objetivo África" awards is the General Secretary of the Casa África Consortium. As such, it shall carry out ex officio as many actions as it deems necessary for the determination, knowledge and verification of the data by virtue of which the proposed resolution must be formulated.
2. The competent body to resolve the awarding procedure and, consequently, to grant the "Objetivo África" awards is the General Directorate of the Casa África Consortium.
3. The award proposal will be formulated to the awarding body, through the instructing body, by the Jury constituted for each call-in accordance with the provisions of Article 12 of this Order.

**Article 6. Partner organizations.**

1. The person in charge of Casa África's General Directorate may designate as a partner organization any of the bodies, entities and persons referred to in Articles 12.2 and 12.3 of Law 38/2003, November 17. This designation, as well as the legal instrument in which the relationship between the partner organization and Casa África is to be instrumented, shall comply with the provisions of Article 17 of Law 38/2003, November 17.
2. The status of partner organization cannot be obtained by the person or entity in which any of the circumstances set forth in the second and third paragraphs of Article 13 of Law 38/2003, November 17.  
The evidence of not being subject to the prohibitions to obtain the status of partner organization must be provided by any of the means set forth in section seven of Article 13 of Law 38/2003, November 17.
3. The conditions of economic and technical solvency to be met by the partner organizations of these awards shall be the following:



- a) Economic and financial solvency.  
The partner organizations must accredit the subscription of a civil liability insurance policy for professional risks for an amount equal to or greater than that required in the bidding announcement or in the invitation to participate in the procedure and in the contract specifications or, in the absence thereof, that established statutorily in the contracting regulations.

In the case of processing by the procedure subject to the principles of publicity, concurrence, equality and non-discrimination referred to in Article 16.5 of Law 38/2003, November 17; the amount mentioned will be that required in the regulatory bases for the selection of the entity and in its call for applications.

- b) Technical or professional solvency.  
Bidders shall accredit their technical or professional solvency by means of a statement indicating the machinery, material and technical equipment that will be available for the execution of the works or services.
4. The partner organizations designated in accordance with the first paragraph of this article shall act in the name and on behalf of the Directorate General of Casa África for all purposes related to these awards and shall comply with the obligations referred to in Article 15 of Law 38/2003, November 17.
5. The partner organizations may collaborate in the management of its awarding without the prior delivery and distribution of the funds destined to cover its amount. These funds shall in no case be considered as part of their patrimony.
6. Each call for the awards shall indicate who shall act as a partner organization.

#### **Article 7. Competition call.**

1. The procedure for the granting of awards shall be initiated *ex officio* by means of a resolution issued by the head of the General Directorate of the Consortium.
2. Prior to the announcement, the existence of adequate and sufficient credit for the financial allocation of the prizes must be accredited, as well as the approval of said expenditure.
3. The full text of the call must be published in the National Grants Database and be available on the Consortium's web portal (<http://www.casafrica.es/es>). In addition, an extract of each call must be published in the "Boletín Oficial del Estado" (Official State Gazette).
4. The call for entries shall specify the procedure for the awarding of the prizes and all the details necessary for the organization and development of the competition. It shall include at least the following aspects:



- a) The reference to these regulatory bases with an indication of the Official State Gazette in which they are published.
  - b) Expenditure of the estimated budget of the Consortium to which the economic endowment of the awards is attributed.
  - c) Object, conditions and purpose of the awarding of the prizes.
  - d) The theme related to the African continent on which the call for entries is based.
  - e) The determination that the award is made on a competitive basis, in accordance with article 3.2 of this Order.
  - f) Requirements to apply for the awarding of the prize and how to prove them.
  - g) An indication of the competent bodies for the instruction and resolution of the procedure.
  - h) Deadline for the presentation of applications, to which the provisions contained in article 8 of this Order will be applicable.
  - i) Term of resolution and notification of the award procedure, which may not exceed six months in accordance with Article 25.4 of Law 38/2003, November 17. This period will be calculated from the date of publication of the call for proposals, unless the same postpones its effects to a later date, in which case the calculation will begin on that date.
  - j) Documents that must enclose the application.
  - k) An indication that the resolution does not put an end to administrative proceedings and that, against it, an appeal may be lodged before the Governing Council of the Casa África Consortium within a period of one month from the day following the day of its publication, in accordance with the provisions of Articles 121 and 122 of Law 39/2015, October 1, of the Common Administrative Procedure of Public Administrations and Article 43 of the current Statutes of the Consortium.
  - l) Criteria for assessing competition entries.
  - m) Means of publication, in accordance with the provisions of Article 45 of Law 39/2015, October 1, of the Common Administrative Procedure of Public Administrations.
5. In the event that the person in charge of the General Directorate of Casa África designates a partner organization in accordance with the previous article, the call will also indicate the persons or entities that hold such status.



6. In accordance with the provisions of Article 37 of Law 39/2015, October 1, of the Common Administrative Procedure of Public Administrations, the competition may not violate the content of this Order.

#### **Article 8. Requests for participation.**

1. The applications of the participants will be accompanied by the documents indicated in each call, including those determined in this Order.
2. Notwithstanding, and unless expressly opposed by the applicant, it will not be necessary to provide those documents that are already in Casa África's possession or have been prepared by any other Administration. In this case, the person must indicate at what time and before which administrative body he/she presented the aforementioned documents, and Casa África must obtain them electronically through its corporate networks or by consulting the data intermediation platforms or other electronic systems enabled for this purpose.

Exceptionally, if Casa África is unable to obtain the aforementioned documents, they may request the participant to provide them again.

3. The submission of applications to participate and complementary documentation, including photographs, must be made electronically, or in any of the places established in article 16.4 of Law 39/2015, October 1, of the Common Administrative Procedure of Public Administrations.
4. The submission of the application for participation implies acceptance of the content of these regulatory bases, as well as that of the corresponding call.
5. The deadline for the presentation of the applications established in each call for applications shall not be less than 20 days from the moment in which, in accordance with the provisions of article 23 of Law 38/2003, November 17, 2003, it becomes effective.
6. It will not be possible to reformulate applications after the deadline established for submitting them.

#### **Article 9. Pre-assessment phase and bases for exclusion.**

1. After the submission deadline for each call for proposals, the technical service attached to the awarding body will verify compliance with the requirements necessary for acquiring the status of competition. This phase may only affect those requirements that are of automatic appreciation and whose concurrence does not require any assessment.
2. Competition entries will be rejected in the following circumstances:
  - a) That any of the photographs linked to it is not original or unpublished.



- b) That more than five photographs are linked to it.
  - c) That the data provided with the same do not conform to reality or do not comply with the requirements established in this Order or in the corresponding call.
  - d) That its presentation does not meet the deadline indicated in the call for applications.
  - e) That the applicant maintains any type of work or professional relationship with the Casa África Consortium or any of the entities that comprise it (Ministry of Foreign Affairs, European Union and Cooperation; the Spanish Agency for International Cooperation for Development; the Government of the Autonomous Community of the Canary Islands and the City Council of Las Palmas de Gran Canaria); or is related by consanguinity within the fourth degree or by affinity within the second degree, with any person that provides services in the Consortium, or with any of the members of the Jury that is constituted.
  - f) That the applicant meets any of the circumstances set forth in Article 13.2 of Law 38/2003, November 17.
3. After verification, the examining body shall formulate a proposal for a provisional list of persons admitted and excluded, and shall submit the same to the General Directorate of the Consortium for its approval and publication by the means indicated in the call for applications.
  4. In the resolution that incorporates the provisional list of persons admitted and excluded, the reasons for exclusion of each application shall be indicated and the interested persons shall be required to correct the lack noted or to accompany the required documents within a period of ten days, indicating that if they do not do so, they shall be considered to have withdrawn their request, prior resolution to be issued under the terms provided in Article 21 of Law 39/2015, October 1, of the Common Administrative Procedure of the Public Administrations.
  5. Upon expiration of the period for rectification and verification of the documentation provided in the same, the instructing body shall formulate a proposal for the definitive list of persons admitted and excluded, and shall submit the same to the General Management of the Consortium for its approval and publication by the means indicated in the call for applications.
  6. Once the resolution of approval of the definitive list of persons admitted and excluded has been issued, the instructing body shall transfer the photographs linked to the applications for participation admitted to the Jury constituted for each call for applications for their evaluation.

#### **Article 10. Jury.**

1. The evaluation of the photographs linked to each application and the awarding of the prizes in each call for entries shall correspond to a Jury.
2. The Jury shall be made up of no less than three nor more than seven members who shall be appointed, by means of a resolution, by the head of the General Management of the



Casa África Consortium, at the proposal of the head of the Media Library and Web Area, from among personalities of recognized prestige in the photographic or artistic field. In said resolution, and from among these members, the persons who will occupy its Presidency and Secretariat will be appointed. Likewise, the persons to replace the members in cases of absence, illness and, in general, when there is a justified cause.

3. The composition of the Jury shall respect the principle of balanced gender presence so that the persons of each sex do not exceed sixty percent, nor be less than forty percent, of the total number of members in accordance with the provisions of articles 51, 54 and the first additional provision of Organic Law 3/2007, March 22, for the effective equality of women and men.
4. When the designation resolution is not that of the call for the award, it must be published on the Casa África Consortium's website (<http://www.casafrica.es/es>), before or simultaneously with the resolution of approval of the final list of persons admitted and excluded referred to in section five of the previous article.
5. The members of the Jury shall be subject to the regime of abstention and recusal provided for in Articles 23 and 24 of Law 40/2015, October 1, of the Legal Regime of the Public Sector.
6. Under exceptional circumstances and when the nature of the circumstances so requires, the Presidency of the Jury may decide to hold sessions, adopt resolutions and approve minutes remotely and by electronic means, provided that the identity of the participating members is accredited. Likewise, communication among them must be ensured in real time during the session, and the necessary means must be available to guarantee the secret or reserved nature of their deliberations, in accordance with the provisions of Article 17.1 of Law 40/2015, October 1, on the Legal Regime of the public sector. For these purposes, audio and video conferences shall be considered valid electronic means.
7. The Jury of each call will be attended with the personal, material and technical means available in the Casa África Consortium, without this being able to lead to an increase in the expenses of its personnel for any concept.
8. As not provided for in this Order, the regime applicable to the Jury shall be that established for collegiate bodies in the preliminary title, chapter II, section 3.<sup>a</sup> of Law 40/2015, October 1, of the Legal Regime of the Public Sector.

#### **Article 11. Evaluation criteria.**

1. In the evaluation of the photographs, in Order to establish the Order of priority derived from the same, as well as the ruling of each call, the Jury will take into account the following evaluation criteria, which will be weighted according to the maximum score assigned to each one:



- a) The adequacy of the photographs to the object and purpose of the competition, especially that they contribute to give a positive image of the continent, established in Article 1 of this Ministerial Order. From 0 to 10 points.
  - b) The photographic technique and quality of the photographs and the creativity or novel or original approach. From 0 to 10 points.
  - c) The best adaptation to the specific theme of each edition of the competition. From 0 to 10 points.
2. The Jury will classify the photographs in descending Order, after adding the scores obtained in each of the evaluation criteria.
  3. The Jury may propose that any of the prizes be declared void if it deems, with reasons, that the works submitted do not comply with the object and purpose of the prizes awarded.
  4. If, after the evaluation of the photographs, there is a tie in the final score, the tie will be resolved in favor of the photograph that has obtained the best score in the criterion indicated in paragraph b) of the previous section. If, even so, a tie should still occur, it will be resolved by drawing lots.
  5. The report to be issued by the Jury in accordance with the following article shall contain the score obtained by each photograph in each of the aforementioned criteria, as well as, if applicable, the reasons why it is proposed to declare any of the prizes void.

#### **Article 12. Proposed award resolution.**

1. Once the photographs submitted have been evaluated, the Jury shall issue a report specifying the results of its evaluation.
2. The General Secretariat of the Consortium, in view of the dossier and the report of the collegiate body, shall formulate the final resolution proposal, which shall include a list of the photographs for which prizes are proposed, the names of the authors and applicants, the amount of the prizes, and specification of their evaluation and the evaluation criteria used to carry it out.
3. The award dossier shall contain the report of the instructing body stating that from the information in its possession it is clear that the competitions meet all the necessary requirements to be eligible for the prizes.
4. The final decision proposal shall be notified to the persons whose photographs have been proposed as award winners so that they may communicate their acceptance within 10 days.



5. The proposed resolutions will not create any rights in favor of the persons whose photograph is proposed for an award, before the Casa África Consortium, as long as the award resolution has not been published.

### **Article 13. Award Resolution.**

1. The General Secretariat of the Consortium shall submit its proposal for resolution to the General Directorate of the Consortium, who, in accordance with the provisions of this Order and Article 88 of Law 39/2015, October 1, of the Common Administrative Procedure of the Public Administrations, shall resolve the procedure.
2. The resolution shall be reasoned and must, in any case, be accredited in the procedure the grounds for the resolution to be adopted, as well as the list of the photographs for which it is proposed to grant the awards, the name of the applicant author thereof, amount of each award, and specification of its evaluation and the assessment criteria followed to carry it out.
3. The resolution, in addition to containing the list of prize-winners, shall expressly state, where appropriate, the rejection of the remaining applications.
4. The maximum period for resolving and publishing the resolution of the procedure in each call for applications may not exceed six months. Said period shall be calculated as from the publication of the corresponding call for applications, unless the same postpones its effects to a later date.
5. The expiration of the maximum period without the publication of the resolution shall entitle the interested parties to understand that the application for the awarding of the prizes has been rejected by administrative silence.
6. The resolution of the procedure will be published both in the National Database of Subsidies, as well as on the Casa África Consortium's website (<http://www.casafrica.es/es>), in accordance with the provisions of Article 45 of Law 39/2015, of 1 October, on the Common Administrative Procedure for Public Administration.
7. In accordance with the provision of Articles 121 and 122 of Law 39/2015, October 1, of the Common Administrative Procedure of Public Administrations, and Article 43 of the current Statutes of the Casa África Consortium, an appeal may be filed before the Governing Council of said Consortium against the resolution of the grant procedure, which does not exhaust the administrative channels, within a period of one month from the day after the day of its publication, if the resolution is express; or at any time from the day following the day on which, in accordance with Article 25. 5 of Law 38/2003, November 17, 2003, the effects of the administrative silence are produced.



#### **Article 14. Modification of the award resolution.**

Any alteration of the conditions taken into account for the award of the prizes may lead to the modification of the awarding resolution and, in any case, when:

- a) There are reasonable doubts that the beneficiary is not the author of the awarded photograph that he/she submitted with his/her application for participation.
- b) There are reasonable doubts that the photograph whose authorship is being awarded is not original or unpublished.
- c) It is established that the information contained in the documentation provided with the application for participation of the beneficiary does not correspond to reality or does not comply with the requirements established in this Order or in the corresponding call for entries.
- d) It is established that the beneficiary person maintains any type of work or professional relationship with the Casa África Consortium or any of the entities that comprise it (Ministry of Foreign Affairs, European Union and Cooperation; the Spanish Agency of International Cooperation for Development; the Government of the Autonomous Community of the Canary Islands and the City Council of Las Palmas de Gran Canaria); or is related by blood within the fourth degree or affinity within the second degree, with any person that provides services in the Consortium, or with any of the members of the Jury that is constituted.

#### **Article 15. Eligibility prerequisites for prize winners.**

1. The prize winners may not be involved in any of the clauses detailed in article 13.2 of Law 38/2003, November 17.
2. The prize winner shall guarantee, as the author of the photograph linked to his/her application to participate in the competition, that he/she holds all the intellectual property rights and authorizes their transfer under the terms of article 16 of this Order.

#### **Article 16. Assignment of Intellectual Property Rights.**

1. The person who applies to participate in each call, as the creator of the photographic work or works that accompany his/her application, assigns the exploitation rights, free of charge and non-exclusively, to the Casa África Consortium, as well as to the collaborating entities that, in accordance with legislation on subsidies, act in the name and on behalf of the awarding body for all purposes related to the award, or collaborate in the management of the same, with the exceptions set forth in section 6 of this article.
2. The purpose of this assignment is the incorporation of the images into Casa África's archive for their use for dissemination purposes and includes the right to exercise the



rights of reproduction, distribution, public communication and transformation of the photographic work on a non-profit basis, in the following terms:

- a) Reproduction rights shall mean the direct or indirect, provisional or permanent fixation, by any means and in any form, of the whole or part of the work, allowing it to be communicated or copies to be obtained.
  - b) Distribution rights shall mean the making available to the public of the original or copies of the work, on a tangible medium, by loan or in any other form, under the terms established in Royal Legislative Decree 1/1996, April 12, 1996, approving the revised text of the Law on Intellectual Property, regularizing, clarifying and harmonizing the legal provisions in force on the subject.
  - c) Public communication rights shall be understood to mean any act by which a plurality of persons may have access to the work without prior distribution of copies to each of them.
  - d) Right of transformation shall be understood to mean the translation, adaptation and any modification of the work in its form from which a different work may be derived.
3. The person who participates in each call, creator of the photographs linked to his application, assigns the exploitation rights of his work for a maximum period of 10 years from the date on which the resolution of the award is published in the National Database of Subsidies. This assignment extends to all countries of the world.
  4. The Casa África Consortium, as well as the collaborating entities in the granting of the awards governed by this Order, accept the non-exclusive assignment of the rights of the creators of the works presented in each of the calls regulated by it.
  5. In the event that the Casa África Consortium, or any of the partner organizations in the awarding of the prizes governed by this Order, makes use of the power of public communication of a photograph assigned in accordance with this article, it shall indicate the name of the person who created it.
  6. Participants may request the withdrawal of photographs submitted to the competition that have not been awarded prizes. The photographs withdrawn will not be incorporated into Casa África's archive nor will they be used by the Consortium in informative actions. The maximum period for requesting the withdrawal of the works will be one month from the day after the publication of the award resolution on the Casa África Consortium's website (<http://www.casafrika.es/es>).

#### **Article 17. Payment of the financially endowed prizes.**

1. The resolution of concession referred to in Article 13 of this Order entails the commitment, on the part of the Casa África Consortium, of the expenditure corresponding to the payment of the amount of the financially endowed prizes in each call.



2. The payment of the financially endowed prizes will be made, after the acceptance of the beneficiaries, once the resolution of concession referred to in Article 13 of this Order has been issued.
3. The loss of the right to the collection of the prizes that entail economic endowment will take place in the event of the concurrence of any of the circumstances described in article 9.2 of this Order.

#### **Article 18. Publicity and public information of the award winners.**

The Casa África Consortium, will publicise the achievements of award winners in each competition via its available media channels and may convene a public ceremony to present the awards.

#### **Article 19. Compatibility of the awards.**

The prizes granted in accordance with this Order shall be awarded in conjunction with any other prizes, as well as with any subsidies, aids, income or resources for the same purpose, coming from any Administration or public or private entities, national, of the European Union or international organizations; with the exception of those coming from the Casa África Consortium.

#### **Article 20. Reimbursement.**

1. The awarded person shall proceed to reimburse the awarded prize when:
  - a) He/she has obtained the award by falsifying the conditions required for it or concealing those that would have prevented it.
  - b) He/she has totally or partially failed to comply with the purpose for which the prize was awarded or has not adjusted the photograph linked to his/her application to the requirements imposed in this Order or in the corresponding call for entries.
2. In the cases in which any of the cases foreseen in the previous paragraph occur, the procedure established in articles 41 to 43, both inclusive, of Law 38/2003, November 17, and in articles 94 and 95 of Royal Decree 887/2006, July 21, which approves its regulations, will be followed.

#### **Article 21. Data Protection.**

1. The Casa África Consortium shall process the personal data to which, where appropriate, they have access or are subject to transfer in the framework of the awarding of the prizes governed under this Order in accordance with the provisions of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of



natural persons with regard to the processing of personal data and on the free movement of such data, and in Organic Law 3/2018, December 5, on the Protection of Personal Data and guarantee of digital rights.

2. The purpose for which Casa África will collect such data will be the participation of the applicants in the competition under the terms and conditions contemplated in this Order and in the appropriate call; the management and delivery of the prizes in the case of the winners; and the fulfillment of any fiscal or other obligation that, if applicable, may be applicable in relation to the competition prizes.

#### **First final provision. Applicable regulations.**

In all matters not accounted for in this Order, the provisions of Law 38/2003, of 17 November, General Subsidies and Grants, in Royal Decree 887/2006, of 21 July, which approves its regulations; in Law 39/20015, of 1 October, on the Common Administrative Procedure for Public Administration; in Law 40/2015, of 1 October, on the Legal Regime of the Public Sector and in any other regulatory provision that by its nature may be applicable, shall apply.

#### **Second final provision. Powers of application.**

The person in charge of the General Directorate of the Casa África Consortium shall issue as many instructions as may be necessary for the application of this Order.

#### **Third Final Provision. Entry into force.**

This Ministerial Order will enter into force on the day following its publication in the "Boletín Oficial del Estado" (Official State Gazette).

In Madrid, on September 15, 2021,  
**The Minister of Foreign Affairs, European Union and Cooperation**

**José Manuel Albares Bueno**