EUROPEAN CHEMISTRY
THEMATIC NETWORK

Non-profit association
ECTN, c/o SEFI, 39 rue des Deux Eglises, 1000 Brussels, Belgium
secretariat@ectn-assoc.org; www.ectn-assoc.org

GDPR Compliance Program (Compliance with Privacy Policy):

ECTN (The European Chemistry Thematic Network, Rue des Deux Eglises 39, 1000 Bruxelles, VAT reg. No. BE 0478887515, I.D. No. 23521/2002) issues hereby the memorandum of understanding, providing for enforceable and effective rights for data subjects, based on the DIRECTIVE 95/46/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data and on 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 repealing Directive 95/46/EC (General Data Protection Regulation), namely on the text of the Article 9 Processing of special categories of personal data, 2.Paragraph 1 shall not apply if one of the following applies: (d) processing is carried out in the course of its legitimate activities with appropriate safeguards by a foundation, association or any other not-for-profit body with a political, philosophical, religious or trade union aim and on condition that the processing relates solely to the members or to former members of the body or to persons who have regular contact with it in connection with its purposes and that the personal data are not disclosed outside that body without the consent of the data subjects; where the term “philosophical” is taken in its broader sense as “scientific and/or historical” the personal data of natural persons are stored, however, under the conditions defined hereby.

1) Definitions

General Regulation General Data Protection Regulation (GDPR) EP and ER 2016/679 of 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46 / EC from 25 May 2018.

General personal information is the name, gender, age and date of birth, personal status, email or IP address and photo (photographic record), followed by a telephone number or different identification data issued by the state.

Sensitive personal data of racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health status, sexual orientation and criminal offenses or final conviction, genetic and biometric data are excluded from the collection.

Historical data not subject to GDPR are anonymized data and death data. Some of the data stored by ECTN are stored as data for historical and scientific purposes. It shall be clear that the this GDPR should not apply to deceased persons.

Special information, including and relating to business secrets or intellectual property, and in particular copyright, shall be assessed in accordance with the relevant provisions and may be exempted from the right of access to information in such a way as not to adversely affect the rights or freedoms of others.

2) As a top management commitment, both the MC and GA declare this zero tolerance for violation of GDPR compliance, while:

- it is assumed that by setting and complying with personnel policy requirements where staff need to be sufficiently educated, and
- compliance with the rules is subject to regular renewal of information in the framework of regular MC and GA and MC and GA meetings.
- Within ECTN, there is not generally allowed to collect and store any personal data, which are, by their nature, particularly sensitive in relation to fundamental rights and freedoms merit specific protection as the context of their processing could create significant risks to the fundamental rights and freedoms, as they are personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic, health, and biometric data, data concerning health or data concerning a natural person's sex life or sexual orientation, juridical data or any other data that are being felt as “sensitive” by the natural person who disagrees to provide such data.
- This Memorandum does not regulate the processing of such anonymous information, including for statistical or research purposes. As it is often not possible to fully identify the purpose of personal data processing for scientific research purposes at the time of data collection, the data subjects should be allowed to give their consent to certain areas of scientific research when in keeping with recognised ethical standards for scientific research. Data subjects should have the opportunity to give their consent only to certain areas of research or parts of research projects to the extent allowed by the intended purpose. Such a consent shall be given by marking a specific field I the form e.g. The data collection subject shall be informed if the data collected will be used internationally or transferred across the border.
- Sending of the ECTN Newsletter or any other kind of regular mailing is done, on the basis of the previous positive action. With every message sent a notice that the addressee may ask to be withdrawn from the mailing list shall be

placed. Upon such request the name, surname and e-mail address (and any connected information) shall be irreversibly erased.

3) Compliance Code

- The Constitution and the Code of Ethics, supplemented by specific GDPR-related rules (i.a. here).
- Implementation of deliberate and necessary data protection is ensured by only designated persons.
- Every time the data are collected it must be clearly stated the time span for which the data will be stored.
- Technical protection of information is ensured that the information in written and printed form containing personal data must be kept in closed containers, from which are only removed for the required period of time by the authorized person. Data on electronic media are kept separate from computers and are only connected to it for a required period of time by an authorized person. Using cloud storage is avoided.
- The appointment of a Data Protection Officer (DPO), in the sense of the relevant Association rules, is not necessary. DPO would be named if the nature of the treatment of the data changed.
- Association applies a derogation from the obligation to keep track of processing activities as an organization with fewer than 250 employees unless the processing of personal data becomes its main activity as there is no risk to the rights and freedoms of individuals and the organization does not process sensitive data under this Directive.
- Keeping records of processing activities must include the following information:
  - the name and contact details of the controller and the processor including the name of the responsible person,
  - purposes of processing,
  - description of categories of data subjects and categories of personal data,
  - categories of recipients to whom data have been or will be made available,
  - information on the international transfer of personal data,
  - deadlines for deletion of individual categories of data,
  - description of technical and organizational measures.
- The introduction of so-called pseudonymization of personal data (processing of personal data so that it can no longer be assigned to a particular person without the use of additional information which is kept separately and protected against reassignment to the original data) will be ensured if the state of invalidity of the exemption records of processing activities. Then an impact assessment on personal data protection, DPIA or Data Protection Impact Assessment would be developed and consultation of the supervisory body will be ensured prior to the processing of personal data.
- *Ad hoc* is due to due diligence of third parties (adherence to rules by other entities that collaborate or do business with the association, i.a.).
- Consent should be given by a clear affirmative act establishing a freely given, specific, informed and unambiguous indication of the data subject's agreement to the processing of personal data relating to him or her, such as by a written statement, including by electronic means, or an oral statement. This could include ticking a box when visiting an internet website, choosing technical settings for information society services or another statement or conduct which clearly indicates in this context the data subject's acceptance of the proposed processing of his or her personal data. Silence, pre-ticked boxes or inactivity should not therefore constitute consent. Consent should cover all processing activities carried out for the same purpose or purposes. When the processing has multiple purposes, consent should be given for all of them. If the data subject's consent is to be given following a request by electronic means, the request must be clear, concise and not unnecessarily disruptive to the use of the service for which it is provided. If Association collects any personal data, it must necessarily have free, specific, informed, unambiguous, unconditional and revocable consent from each entity; such consent is confirmed by the member on the membership application, the employment contract, the labour contract and similar documents. Such consent, for example, is:

  I agree with the statutes of Association. I hereby provide informed consent to the collection, storage and processing of the aforementioned personal data of Association (ECTN, c/o SEFI, 39 rue des Deux Eglises, 1000 Brussels, Belgium, VAT Reg. No. BE 0478887515) its employees and authorized persons (hereinafter referred to as "Association ") for the purpose set out below. I grant this consent for all the personal data provided, for the duration of my active collaboration with the Association, or as an outsider, for one year from the grant of this consent. Payment of annual membership fees, active yearly agreement on subscription to Association newsletter is the required extension of this consent. At the same time, I am aware of my rights under GDPR. I declare that all provided personal data are accurate, true and are provided on a voluntary basis. I agree that, in accordance with GDPR, the personal data provided are collected and processed solely for the purpose of facilitating the settlement of rights and obligations arising from the related Association constitution and by-laws, statutory measures and contracts of Association, until I, as a personal data subject, send directly to Association information about that I do not want my personal data to continue to be processed. Association hereby reminds the personal data subject that there is a legitimate interest of Association on the processing of personal data within two months of the date of its consent to the processing of personal data on the protection of personal data, and any requests for the deletion of personal data will be met at the earliest after the expiration of this period, unless the laws provide otherwise. I acknowledge that Association declares that it will collect personal data only in the extent necessary to fulfil the Association constitution and by-laws and the stated purpose and process them only in accordance with the purpose for which they were collected. Association or natural persons who process personal data under a contract with Association and other persons are obliged to maintain confidentiality about their personal data, even after termination of the employment relationship or agreement on performance of work or work. I acknowledge that I am obliged to maintain confidentiality even if I become aware of the personal data of another registered person in any way in my activities in Association. I acknowledge that if I do not agree with the way personal data is processed by Association, I can submit a complaint the Personal Data Protection Authority.

- If the data is handled by a third party, appropriate contractual relationship treatment and commitment to compliance with this program shall be made.
- The fulfilment of information obligations towards the state and its authorities, or to other senior units, is regulated by the relevant laws, decrees and other directives with anticipation of due diligence. Transmission of information outside of the above cases is excluded.
- The data provider also has access to the data that is collected about it, and this approach is purely and ideally direct, and can be done on request at a convenient time. Access rights, repairs, deletions, the right to be forgotten, the right to limit processing, the portability of data and, last but not least, the right to object are guaranteed. If a particular person will not be able to exercise the right of cancellation (for example, for legitimate reasons, such as wages and taxes), then the GDPR allows him to exercise at least the right to object and thus force the company to process the data subject to the objection. The fact that the processing of personal data is limited must be clearly indicated in the system.

4) The internal compliance check is performed by the Auditors, who reports on the implementation and outcome of the MC and GA. The Auditors evaluate the potential risks, the risk map and the risk management processes, and, if necessary, assesses the company's internal regulations that define the organizational arrangements and competencies of employees and outsiders for operational activities and the monitoring of impacts on internal arrangements and procedures. The Auditors may, if appropriate, cooperate with supervisory bodies of supervisory authorities or law enforcement authorities. The Auditors also deal with the information from confidential reporting and internal investigations (W.B.), while the notifier's protection is ensured.
5) Staff and members are informed by member press, such as a newsletter and attending regular meetings on which issues are addressed.
6) Continuous monitoring and improvement of the entire compliance of the system, where the initiative can be initiated by anyone, is ensured at regular meetings on which issues are addressed.
7) Any breach of security of personal data, as required by the Regulation (see Article 34/3), the MC shall, without undue delay and preferably within 72 hours of becoming aware of it, notify the competent supervisory authority pursuant to Article 55, unless it is unlikely that the breach would result in a risk to the rights and freedoms of individuals. If no notification is made to the surveillance authority within 72 hours, the reason for this delay must be stated at the same time.
8) The consequences of breach of the rules are resolved by the Auditors at their instigation MC and GA.
9) Corrective measures such as process adjustments, deeper training, introduction of new processes, or cooperation with external experts are addressed to any proposal in the first line by the president, MC and GA.

Approved in Prague on GA