

Statement on Data Protection

- Processing of personal data in the context of the use of video conference systems -

In the context of the use of video conference systems, the Physikalisch-Technische Bundesanstalt (PTB) processes personal data. In the following we would like to inform you about the processing of your personal data by the PTB when using video conference systems and the rights you are entitled to in this context.

Responsible for the processing of personal data is the Physikalisch-Technische Bundesanstalt (PTB) Braunschweig and Berlin, represented by its president Prof. Dr. Joachim Hermann Ullrich, Bundesallee 100, 38116 Braunschweig, Germany, Phone: +49 (0) 531 592-0, E-Mail: info@ptb.de.

Data Protection Officer of PTB is Mr. Jan Rethmeier, Phone: +49 (0)531 592-9085; Fax: +49 (0)531 592-9108; Mail: datenschutz@ptb.de.

I. Purposes and legal basis of data processing

In the context of conducting events by means of video conference systems, initiated by the PTB, processing of personal data is carried out for the purpose of enabling participation in the respective video-, web- and/or telephone conference conducted by means of a video conference system (hereinafter "video conference") and/or, if applicable, using desk-sharing (displaying screen content to other participants within video conferences).

In this regard, PTB pursues the following purposes of processing personal data, referred to in this statement on data protection, unless otherwise stated in the respective sections:

- set-up, organisation and implementation of online meetings/events by means of video conference systems for the purposes of
 - internal coordination and interaction between various organizational units of PTB and
 - communication with external parties (in particular: suppliers, service providers, consultants, project-, research- and / or cooperation partners and representatives of other authorities)
- supporting administration, performance of duties and research at PTB by suitable communication and information technologies.
- documentation of results (especially in the case of recordings)
- preservation and maintenance of the technical security and the safe operation of systems as well as their improvement

The processing of personal data takes place, depending on the individual case and unless otherwise stated in the respective sections, on one of the following legal bases:

To the extent that consent is obtained in the context of using one of the video conference services, referred to in this statement on data protection, legal basis is Article 6(1) a) GDPR.

If processing of personal data in the context of using one of the video conference services, referred to in this statement on data protection, is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract, legal basis is Article 6(1) b) GDPR.

Provided that processing of personal data in the context of using one of the video conference services, referred to in this statement on data protection, is necessary for compliance with a legal obligation to which the PTB is subject, legal basis is Article 6(1) c) GDPR.

Insofar as the PTB processes personal data in the context of using one of the video conference services, referred to in this statement on data protection, in connection with the performance of vested competences and/or statutory tasks, legal basis is Article 6(1) e), (3) GDPR in conjunction with § 3 of the German Federal Data Protection Act (BDSG).

If processing of personal data in the context of using one of the video conference services, referred to in this statement on data protection, takes place in the employment context, legal basis is Article 6(1) b) and Article 88(1) GDPR in conjunction with § 26 of the German Federal Data Protection Act (BDSG).

Regarding the preservation and assurance of communication structures at PTB, legal basis for processing data in the context of using one of the video conference services, referred to in this statement on data protection, is Article 6(1) f) GDPR due to the legitimate interest of PTB. The PTB uses various video conference services to conduct video conferences, for which further information on data protection can be found under section II.

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II. Data processing

1. Transfer of data

Depending on the individual case, transfer of personal data in the context of participating in a video conference, organized by PTB by means of a video conference service named in this statement on data protection, takes place to the following extent:

- Transfer of video conference data to other participants (video, audio and chat data as well as other information exchanged between the participants during a video conference and/or shared content and files). The participants can deactivate their video and audio transmission or mute or switch off their camera and / or microphone.
- Transfer to organizational units of the PTB entrusted with the organization and implementation of video conferences.

If technical service providers receive access to personal data processed by PTB, this is based on a contract in accordance with Article 28(3) GDPR.

Provided that participants stay at a third country during a video conference and have activated their camera and/or microphone or files and/or other information are exchanged during the video conference, the video and sound recordings and, if applicable, the further personal data exchanged between the participants in the context of the respective video conference, are transmitted to the third country of the respective participant.

Data will not be used for any other than the purposes stated above and will not be disclosed by PTB to third parties, except in cases provided for by law and for the prosecution of criminal offenses or for the purpose of countering threats and dangers.

2. Storage period of recordings

Provided that video and/or audio content is recorded during a video conference, the following applies in principle:

- The recording is only stored for the period necessary to achieve the storage purpose, or if and insofar this has been provided for by the European regulators or any other legislator by laws or regulations to which the PTB is subject to or there are contractual retention periods.
- If the storage purpose no longer applies or if a storage period prescribed by the European regulators or another responsible legislator expires, the personal data will be restricted or deleted in accordance with the statutory provisions.
- The criterion for the duration of the storage is the necessity of knowledge of the data in order to achieve documentation purposes and for securing the results or to achieve other purposes for which the data was collected.

The organizational unit responsible for the implementation of the video conference at PTB will inform you about the specific purpose, the legal basis and the respective storage duration of recordings.

3. Legal regulations for the provision of personal data; Obligation of the data subject to provide the personal data; possible consequences of non-provision

The provision of personal data in the context of implementing events by means of video conference systems, initiated by the PTB, is necessary in order to participate in the respective event. Without providing such data, participation in the conference will not be possible.

4. Use of video conference service DFNconf

The video conference service is provided by:

Verein zur Förderung eines Deutschen Forschungsnetzes e.V.

Alexanderplatz 1, 10178 Berlin, Germany

E-Mail: info@dfn.de | Telephone: +49 (0) 30 884299 0 | Internet: www.conf.dfn.de

The web conference service used in this context is Pexip Infinity. The cloud-based video communication software Pexip Infinity enables video and audio conferences to be carried out via web browsers and mobile devices. The video conference service DFNconf operates its own Pexip servers in Germany.

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You can participate in a video conference organized by PTB using DFNconf as an invited meeting participant without registering for the video conference service with the login data sent to you by email or as a calendar invitation.

Detailed data protection information of the video conference service provider, such as information on data categories (including data logged in the context of a video conference), storage duration etc., can be found at: <https://www.conf.dfn.de/datenschutz/>

5. Use of video conference service TixeoCloud Premium

The video conference service is provided by:

Tixeo SARL

Parc 2000,244 rue Claude François, 340980 Montpellier, FRANCE

E-Mail: contact@tixeo.com | Telephone: +33 (0) 467 750 431 | Internet: <https://www.tixeo.com/>

Tixeo Deutschland

Dr.-Kersten-Weg 2, 86919 Utting a. Ammersee, Germany

E-Mail: deutschland@tixeo.com | Telephone: +49 (0)8806 9571 00 | Internet: <https://www.tixeo.com/sichere-videokonferenzen/>

In the case of a video conference organized by PTB using TixeoCloud Premium, registration takes place using an email address, name and password (creation of an account). The invitation to the respective video conference is then sent by e-mail calendar invitation. As a meeting participant, you can then take part in the event using the method specified in the invitation and using the registration data sent to you.

Further information on data protection of the video conferencing service provider can be found at: https://www.tixeo.com/wp-content/uploads/2020/05/TX_CONT_privacy-policy_DE.pdf.

6. Use of video conference service CMS-Bund

The video conference system in the form of Cisco Meeting Server (CMS)-Bund via the BDBOS meeting platform is a conference system, which allows audio and video conferences as well as mixed conferences with video and audio participants.

The conference service is provided by:

The Federal Agency for Public Safety Digital Radio (BDBOS)

Fehrbelliner Platz 3, 10707 Berlin

E-Mail: poststelle@bdbos.bund.de | Telephone: +49 (0)30 18681-45350 | Internet: <https://www.bdbos.bund.de/>

You can participate in a video conference organized by PTB using CMS-Bund as an invited meeting participant without registering for the video conference service with the login data sent to you by email or as a calendar invitation. Further information on data protection of the BDBOS is currently available only in German language and can be found in the Annex of the German version of this statement on data protection.

III. Rights as a data subject

Data subjects may exercise certain statutory rights wherever their personal data are processed. These are in particular:

RIGHT OF ACCESS: According to Article 15 GDPR, you have the right to obtain, free of charge, confirmation as to whether PTB processes personal data concerning you, access to this data by means of a copy of such personal data undergoing processing and in particular information concerning the purposes of processing, the categories of personal data concerned, the recipients or categories of recipient to whom the personal data have been or will be disclosed, the envisaged period for which the personal data will be stored, or the criteria used to determine that period and where the personal data are not collected from you, any available information as to their source. When responding to a request for information, PTB will also provide you with any other information stipulated by Article 15(1) and (3) not expressly mentioned in this statement on data protection.

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RIGHT TO RECTIFICATION: According to Article 16 GDPR, you have the right to obtain from PTB with undue delay the rectification of personal data concerning you or, if applicable, the right to have incomplete personal data completed.

RIGHT TO ERASURE: According to Article 17 GDPR, you have the right to obtain erasure of your personal data processed by PTB if the conditions of Article 17(1) are met. This right will - according to Article 17(3) - not apply to processing necessary e.g. for exercising right of freedom of expression and information, for compliance with a legal obligation, for reasons of public interest, or for the establishment, exercise or defence of legal claims.

RIGHT TO RESTRICTION OF PROCESSING: According to Article 18 GDPR, you have the right to obtain from PTB restriction of processing for a period enabling PTB to verify the accuracy of your personal data contested by you, and/or in case the processing is unlawful and you oppose the erasure of the personal data and request the restriction of their use instead, and/or when you require the personal data for the establishment, exercise or defence of legal claims, but PTB no longer needs them for the purposes of the processing and hence would need to delete them, and/or when you objected to processing pursuant to Article 21(1) pending the verification whether the legitimate grounds of PTB override yours.

Personal data whose processing has been restricted will, with the exception of storage, only be processed with your consent or for the establishment, exercise or defence of legal claims or for the rights of another natural or legal person or for reasons of important public interest of the European Union or of a Member State. PTB will inform you before any restriction of processing in the above sense is lifted.

RIGHT TO WITHDRAWAL OF CONSENT: According to Article 7(3) GDPR, you have the right to withdraw your consent to processing your personal data at any time when and insofar processing is based thereon pursuant to Article 6(1) a) or Article 9(2) a) GDPR with effect for the future. Withdrawal will not affect the lawfulness of processing based on consent before its withdrawal.

RIGHT TO DATA PORTABILITY: According to Article 20 GDPR, you have the right to receive the personal data concerning you, which you have provided to PTB, in a structured, commonly used and machine-readable format when and insofar the processing is based on consent pursuant to Article 6(1) a) or Article 9(2) a) GDPR or on a contract pursuant to Article 6(1) b) GDPR and the processing is carried out by automated means. In the cases mentioned above, you also have the right to have your personal data transmitted directly from the PTB to another controller, where technically feasible and provided that this does not impair the rights and freedoms of other persons. The right referred to in paragraph 1 does not apply to processing necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the PTB.

RIGHT TO OBJECT

WHEN AND INsofar PTB PROCESSES YOUR PERSONAL DATA DUE TO OVERRIDING LEGITIMATE INTERESTS PURSUANT TO ARTICLE 6(1) F) GDPR YOU HAVE THE RIGHT TO OBJECT TO THIS PROCESSING FOR REASONS ARISING FROM YOUR PARTICULAR SITUATION, AS LONG AS THERE IS NO COMPELLING PUBLIC INTEREST IN THE PROCESSING BY PTB WHICH OUTWEIGHS YOUR INTERESTS OR A LEGAL REGULATION OBLIGES THE PTB TO PROCESS YOUR PERSONAL DATA. IN THE CASE OF OBJECTION, PTB WILL CEASE TO PROCESS YOUR PERSONAL DATA, UNLESS COMPELLING LEGITIMATE REASONS FOR THE PROCESSING CAN BE PROVEN THAT OUTWEIGH YOUR INTERESTS, RIGHTS AND FREEDOMS OR THE PROCESSING SERVES FOR THE ASSERTION, EXERCISE OR DEFENSE OF LEGAL CLAIMS. IN CONNECTION WITH THE USE OF INFORMATION SOCIETY SERVICES, IRRESPECTIVE OF DIRECTIVE 2002/58/EC, YOU ARE FREE TO EXERCISE YOUR RIGHT TO OBJECT BY MEANS OF AUTOMATED PROCEDURES IN WHICH TECHNICAL SPECIFICATIONS ARE USED.

IN ADDITION, YOU HAVE THE RIGHT TO OBJECT TO THE PROCESSING OF YOUR PERSONAL DATA THAT IS CARRIED OUT AT PTB FOR SCIENTIFIC OR HISTORICAL RESEARCH PURPOSES OR STATISTICAL PURPOSES IN ACCORDANCE WITH ARTICLE 89(1) GDPR FOR REASONS ARISING FROM YOUR PARTICULAR SITUATION, UNLESS SUCH PROCESSING IS NECESSARY FOR THE PERFORMANCE OF A TASK CARRIED OUT IN THE PUBLIC INTEREST.

RIGHT TO LODGE A COMPLAINT WITH A SUPERVISORY AUTHORITY: According to Article 77 GDPR, you - without prejudice to any other remedy - have the right to appeal to a data protection supervisory authority. The Federal Commissioner for Data Protection and Freedom of Information (BfDI), Graurheindorfer Straße 153, 53117 Bonn, is the supervisory authority for the PTB.