

# Statement on Data Protection

- Handling of Personal Data in the Context of Press and Public Relations -

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The Physikalisch-Technische Bundesanstalt (PTB) processes personal data by producing, storing and publishing photographs and film recordings ("images") in the context of Press and Public Relations.

The 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](mailto:info@ptb.de), is responsible for the processing of such personal data.

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## **I. Purposes and Legal Bases**

PTB organizes - and/or takes part in - a variety of events in relation to its statutory tasks and research projects. These are aimed at the general public, specific sections of the public or individuals and are accompanied and documented by PTB's Press and Information Office. In doing so, images will be produced and made available for publishing in PTB's own publications, regional and supra-regional media and/or for internal use.

In particular, PTB aims to pursue these purposes:

- Informing the public about tasks, actions and structures of the public authority
- Advancement and documentation of scientific discourse
- Presentation of PTB as an employer as well as the acquisition and training of junior staff

### **1. Production and Storage of Images**

For the production and storage of images PTB relies, i. a., on the following legal bases:

- Serving the public's interest in government action, Article 6(1) e) of the General Data Protection Regulation (GDPR) in connection with § 3 of the Federal Data Protection Act of Germany (BDSG) in connection with Article 20 of the Basic Law for the Federal Republic of Germany (GG).
- The legitimate interest in education in the field of media design and photography, Article 6(1) f) GDPR.
- Consent in the sense of Article 6 (1) a) GDPR.
- Performance of contracts and employment, Article 6(1) b) and 88 GDPR, § 26 BDSG.

Stored images will be deleted when they are no longer required to fulfil any of the above purposes, the legitimate interests of PTB no longer override the interests of the persons concerned, consent is withdrawn or there is no longer any contractual basis for processing.

Images will generally not be linked to any other of your personal data. PTB will point out intended linking and obtain your consent should the specific purpose of processing make this necessary.

### **2. Distribution / Publishing of Images**

Images will only be distributed and published when there is either consent according to § 22 of the German Act on the Protection of the Copyright in Works of Art and Photographs (KUG) or an applicable case of § 23(1) KUG present and legitimate interests of the depicted person do not oppose such usage.

In the context of Press and Public Relations the following cases may be applicable:

- § 23(1) 1: Images of contemporary history,
- § 23(1) 2: Images in which people appear only as an accessory next to a landscape or other location,
- § 23(1) 3: Images of assemblies, processions and similar events in which the persons depicted participated.

## **II. Your Rights as a Data Subject**

Data Subjects may exercise certain statutory rights whenever their personal data are processed:

**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 such data by means of a copy of those data undergoing processing and in particular, information concerning the purposes of processing, the categories of personal data concerned, the recipients or categories of recipients 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.

**Right to Rectification:** According to Article 16 GDPR, you have the right to obtain from PTB without 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 when and insofar processing is based thereon with effect for the future. Withdrawal will not affect the lawfulness of processing based on consent before its withdrawal. You may direct your withdrawal towards the e-mail-address mentioned in this website's imprint or use any other means of communication.

When and insofar distribution and/or display of images is based on your consent according to § 22 KUG, withdrawal of such consent regularly requires an important reason.

**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 processing of this data is based on your consent or on a contract and when this processing is carried out by automated means.

### **Right to Object**

You have the right to object, on grounds relating to your particular situation, to PTB's processing of your personal data if and to the extent that this data is processed by PTB on the basis of legitimate interests.

**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 lodge a complaint with a supervisory authority if you consider that PTB's processing of your personal data infringes data protection law. This complaint may be lodged with a single supervisory authority within the territorial scope of the GDPR.

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