

# DATA PROTECTION NOTICE

## Processing of personal data in the scope of LIH-IBBL's Proficiency Testing Program

Luxembourg Institute of Health (LIH), 1A-B rue Thomas Edison L-1445 Strassen, Luxembourg is committed to compliance with the General Data Protection Regulation EU 2016/679 (GDPR) and any other applicable EU or local legislation or regulation implementing GDPR (notably the Luxembourg law of 1 August 2018 on the organisation of the National Commission for Data Protection and the implementation of the GDPR), as well as their successor texts (together "data protection legislation").

This Data Protection Notice describes how LIH, through its Integrated BioBank of Luxembourg (IBBL), collects or otherwise processes personal data as a data controller in relation to your participation in LIH's Proficiency Testing Program ("PT Program"), for how long such data is kept, what rights you have and how you can exercise them.

The PT Program targets biobanks and laboratories working with biospecimens worldwide and consists on the following:

- LIH-IBBL provides PT Items such as DNA, Cells, whole blood, or stool (hereafter, "Materials") to the PT Program's participants ("Participant" or "You");
- The Participants measure a pre-defined parameter (e.g. DNA concentration, RNA integrity,...) or extract nucleic acids from the provided PT Items/Materials (e.g. whole blood, stool,...);
- The Participants then submit their results on an online platform provided by LIH-IBBL ("Platform");
- LIH-IBBL issues a statistical report showing how the Participant performed with his/her method compared to the other Participants.

### What personal data do we process?

We collect and use your personal data to the extent necessary to manage your registration and participation to the PT Program.

The categories of personal data that we process are:

- identification data (first name, surname);
- contact details (email address and phone number);
- professional data, such as your organisation/company, job title, industry;
- payment data such as credit card or IBAN numbers

The Materials to be tested are provided without data that identifies the Materials' donors.

### What are the purposes of and the legal bases for our processing?

We collect and use your personal data for the purposes of managing your registration and participation in the PT Program, namely:

- to inform you and communicate with you about the PT Program;
- creation of your account and onwards use of the Platform;

- to manage the payment for your participation;
- shipping of the reference materials to be tested.

In the event you do not wish to be informed of the launching of new PT Programs, please inform us accordingly and we will no longer process your identification and contacts' data for these purposes.

Data protection legislation requires from us to have a valid legal reason (legal basis) to process and use personal data about you. In the context of the PT Program, we collect your personal data on the following legal basis:

- for the performance of a contract with you or to take steps at your request before entering into a contract (art. 6.1 b) GDPR),
- to comply with our legal and regulatory obligations related to the PT Program (article 6.1c) GDPR),
- for our legitimate interests (article 6.1 f) GDPR) to carry out the PT Program (notably to inform you about the Program, for the proof of transactions, Program's management, communication, launch of satisfaction surveys, statistics, understanding your needs and concerns, improving the quality of our PT Program, etc).

## Who do we share your personal data with?

Your personal data will be collected and processed primarily by our members of staff who have a legitimate need to process it for purposes set out above (our communication department and/or our scientific team(s) in charge of a specific Program).

We may also communicate your personal data to certain:

- third-party service providers/vendors to whom we outsource certain support services (e.g. software providers or courier service providers);
- certain regulated professionals such as lawyers or auditors.

Where necessary, your personal data may also be shared with law enforcement or other government and regulatory bodies or agencies, upon request and to the extent permitted by law.

## Where do we transfer your personal data?

Your personal data are processed by us within the European Union and no transfer of your personal data occurs outside of the European Union/European Economic Area (EU/EEA).

## Security of your personal data.

The processing of your personal data is carried out through IT, electronic and manual tools, with logics strictly related to the aforementioned purposes and, in any event, in compliance with the appropriate technical and organisational measures required by law to ensure a level of security that is adequate to the risk, in order to avoid unauthorised loss or access to your data.

## How long do we keep your personal data?

We retain your personal data as long as necessary to manage the PT Program, to keep a record of your participation in the PT Program, and to comply with our legal obligations.

Your identification and contacts data will be deleted if we do not detect any activity from you within the Platform for a period of 5 (five) years.

## What are your rights regarding your personal data?

In accordance with data protection legislation, you may exercise at any time individual rights in relation to your personal data:

- right to of access, which enables you (according to art. 15 of the GDPR) to obtain from us confirmation of whether personal data are being processed or not and, if so, obtain access to such data. We process a large quantity of information, and can thus request, in accordance with GDPR, that before the information is provided, you specify the information or processing activities to which your request relates;
- right to rectification, which enables you (according to art. 16 of the GDPR) to obtain from us the correction and/or integration of any of your personal data that are incorrect and/or incomplete;

In certain limited cases (in which case we will analyse whether the conditions for the exercise of such rights are fulfilled):

- right to erasure, which enables you, in specific cases provided for by art. 17 GDPR, to obtain from us the erasure of your personal data;
- right to restriction of processing, which enables you, in the specific cases provided for by art. 18 of the GDPR, to restrict the processing of your personal data by us;
- right to object, which enables you to object to the processing of your personal data when the conditions provided for in art. 21 of the GDPR are met;
- right to data portability, which enables you, in certain cases provided for in art. 20 of the GDPR and with regard only to the data you have provided to us, to request receipt of your personal data in a structured and commonly machine-readable format.

Please note that the extent to which these rights apply will vary and that in some circumstances rights may be restricted.

To exercise any of these rights, you may contact us by email (at [dpo@lih.lu](mailto:dpo@lih.lu) or [ISBERPT@ibbl.lu](mailto:ISBERPT@ibbl.lu)) or by postal mail:

Luxembourg Institute of Health (LIH)  
Data Protection Officer  
1A-B rue Thomas Edison  
L-1445 Strassen

You have the right to lodge a formal complaint with the Commission nationale pour la protection des données (CNPD). Full details may be accessed on the complaints section of CNPD's website (<https://cnpd.public.lu>).

## Changes to this data protection notice

Changes may occur in the way we process your personal data. In case these changes oblige us to update this Data Protection Notice in relation to events management, we will clearly communicate it to you, either via our website or via other appropriate means.