

DATA PROTECTION AND PRIVACY POLICY

AIBILI - Association for Innovation and Biomedical Research on Light and Image (hereinafter "AIBILI") values the relationship it maintains with its Beneficiaries and uses its best efforts to implement technical and organizational measures designed to guarantee data protection, privacy and respect for rights and freedoms in the processing of personal data.

This Privacy and Data Protection Policy provides information on how AIBILI processes Personal Data and guarantees its privacy, security and integrity in the development and execution of its activities.

1. Responsibility for the processing of Personal Data

AIBILI acts as the Data Controller when it determines:

- The categories of Personal Data to be processed in connection with the provision of services and/or product supply;
- The purposes for which Personal Data is processed;
- The means by which Personal Data is to be processed.

2. Principles applicable to the processing of Personal Data

AIBILI ensures that the processing of Personal Data is carried out in accordance with the general principles set forth in Regulation (EU) 2016/679 of the European Parliament and of the Council, of 27 April 2016 (hereinafter the "GDPR") and Portuguese Law No. 58/2019 of 8 August, namely:

- Lawfulness, Fairness and Transparency Principle: Personal Data shall be processed lawfully, fairly and transparently in relation to the data subject;
- Purpose Limitation Principle: Personal Data shall be collected for specified, explicit and legitimate purposes and shall not be further processed in a manner that is incompatible with those purposes;
- Data Minimisation Principle: only Personal Data that are adequate, relevant and limited to what is strictly necessary for the purposes justifying its processing shall be processed;
- Accuracy Principle: every reasonable step shall be taken to ensure that Personal Data qualified as inaccurate, considering the purposes for which they are processed, are erased or rectified without undue delay;

- **Storage Limitation Principle:** Personal Data shall be retained in a way that permits identification of data subjects for no longer than is necessary considering purposes for which it is processed;
- **Integrity and Confidentiality Principle:** Personal Data shall be processed in a way that ensures its appropriate security, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, through the implementation of appropriate technical and organizational measures.

3. Personal Data, Treatment of Personal Data and Data subject

‘Personal Data’ means any information relating to an identified or identifiable natural person (the ‘Data Subject’); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier, or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

‘Processing’ means any operation or set of operations which is performed on Personal Data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

In the context of AIBILI’s activities, "Data Subject" may include, without limitation: current, former and prospective clients, partners, clinical research volunteers, job applicants, employees and former employees, collaborators of subcontractors, suppliers and service providers and their collaborators, applicants and complainants, visitors and any other individuals who have a relationship with AIBILI and to whom the Personal Data relates.

AIBILI may process Personal Data relating to minors and individuals who lack the legal capacity to provide valid consent, provided that such processing complies with applicable legislation and, where required, is based on the consent of their legal representative or another person legally authorised for that purpose, without prejudice to the specific rules applicable to clinical research.

4. Categories of Personal Data processed by AIBILI

In the course of its activities, AIBILI processes Personal Data relating to different categories of Data Subjects.

The Personal Data collected by AIBILI depends on the nature of the interaction and may include the following categories:

- Identification data;
- Contact details;
- Bank account details;
- Payment data;
- Website access data;
- Security credentials data;
- Preference data;
- Information technology usage data;
- Health data;
- Genetic data;
- Biometric Data;
- Commercial data relating to the provision of services and/or product supply.
- Geographic location data (approximate) of employees whenever Office 365 services are used on personal devices.

5. Lawful Basis

By reference to the “Lawfulness Principle” laid down in the applicable legislation, AIBILI shall only process Personal Data in the course of its activities where a lawful basis for such processing exists.

The lawful bases for processing are as follows:

- **Consent:** When the Data Subject has given consent to the processing of personal data, through a freely given, specific, informed and unambiguous indication of their wishes, by means of a statement (in writing or orally) or an unequivocal positive act (by completing an option). Where the processing concerns special categories of Personal Data, consent must also be explicit and must cover one or more specified purposes.
- **Pre-contractual formalities or performance of a contract:** Where processing 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.

- **Compliance with a legal obligation:** Where the processing of Personal Data is necessary for compliance with a legal obligation to which the Controller is subject under the laws of a Member State and/or the European Union.
- **Defence of vital interests of the Data Subject:** Where the processing is necessary in order to protect the vital interests of the Data Subject or of another natural person.
- **Legitimate Interests:** Where processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject.

Where processing involves special categories of Personal Data, AIBILI shall also comply with the provisions of Article 9 of the GDPR.

6. Storage of Personal Data

AIBILI retains Personal Data for no longer than necessary for the purposes for which the personal data are collected. However, AIBILI may be obliged to retain some Personal Data for longer periods, taking into account factors such as:

- Legal obligations, under applicable laws, to keep personal data for a certain period;
- Limitation periods, under the laws in force;
- Judicial or administrative proceedings and Procedures; and,
- Guidelines issued by the data protection supervisory authorities.

During the processing period, AIBILI guarantees that Personal Data is processed in accordance with this Data Protection and Privacy Policy. Once the personal data is no longer necessary, AIBILI will securely erase it.

In certain cases, namely in the context of scientific research, the retention periods for Personal Data may be extended or otherwise adjusted in accordance with the applicable legislation.

7. Sharing of Personal Data

In the scope of its activities, AIBILI may share Personal Data with third parties, in accordance with the provisions set out in this Data Protection and Privacy Policy.

- **Processors (Subcontractors):** Personal Data may be shared with service providers engaged by AIBILI under a written agreement. These entities may only process Personal Data for the specifically established purposes and are not authorised to process such data, directly or indirectly, for any other purpose, whether for their own benefit or that of third parties.

- **Other Controllers and/or Third Parties:** Personal Data may be shared with other entities affiliated with AIBILI, which shall comply with the applicable data protection rules, taking into account the purposes of the processing.
- **Upon request and/or with the consent of the Data Subject,** Personal Data may be shared with other entities.
- **In compliance with legal and/or contractual obligations,** Personal Data may be disclosed to judicial, administrative, supervisory or regulatory authorities, as well as entities that lawfully perform data collection actions, fraud prevention and anti-fraud measures, or market research or statistical studies.

8. Rights and Exercise of Rights

Data Subjects whose Personal Data is processed by AIBILI have the right to access, rectification, limitation, portability, erasure and the right to object to personal data processing, without prejudice to the restrictions and exceptions provided for under applicable laws and regulations, particularly in the context of scientific research:

- **Right to information:** The Data Subject has the right to receive clear, transparent and easily understandable information about how AIBILI uses their Personal Data and what are its rights. This Privacy Policy is provided for that purpose.
- **Right of access:** The Data Subject has the right to obtain confirmation as to whether or not their Personal Data is being processed by AIBILI and, where this is the case, to access such data and certain information regarding how it is processed. This right allows the Data Subject to verify whether their Personal Data is being processed in accordance with applicable law. However, AIBILI may restrict or refuse access where granting such access could adversely affect the rights and freedoms of others, particularly where it would entail the disclosure of their Personal Data.
- **Right to rectification:** The Data Subject has the right to request AIBILI to take reasonable steps to the rectification or update of inaccurate or incomplete Personal Data.
- **Right to erasure:** Also known as the “right to be forgotten”, this right allows the Data Subject to request the erasure of their Personal Data in circumstances permitted by law, particularly where there are no valid legal grounds for AIBILI to continue to use it or where the processing is unlawful.

- **Right to restriction of processing:** The Data Subject has the right to restrict or prevent the further use of their Personal Data while AIBILI evaluates a request for rectification or as an alternative to erasure. In such cases, only the processing is restricted, and AIBILI may continue to store the Personal Data concerned. To ensure compliance with this right, AIBILI maintains an up-to-date list of Data Subjects who have requested the restriction of the further processing of their Personal Data.
- **Right to Data Portability:** The Data Subject has the right to receive and reuse certain Personal Data for their own purposes where the processing is based on consent or carried out by automated means, subject to the conditions laid down in applicable law.
- **Right to object:** Under the terms expressly provided for in applicable legislation, the Data Subject has the right to object, at any time during the processing, to certain types of processing for reasons related to their particular situation. AIBILI may nevertheless continue processing the Personal Data if it demonstrates compelling legitimate grounds for the processing that override the interests, rights and freedoms of the Data Subject, or where the data are necessary for the establishment, exercise or defence of legal claims.
- **Right to submit a complaint:** The Data Subject has the right to complain to the competent supervisory authority, the Portuguese National Data Protection Commission (*Comissão Nacional de Proteção de Dados - CDPC*), if they consider that the processing carried out on Personal Data violates his rights and/or applicable laws and regulations.

The Data Subject may exercise their rights under applicable legislation at any time by submitting a request using the form available on AIBILI's website and sending it by email to privacy@aibili.pt, submitting it in person at AIBILI's premises, or by sending it by registered post. Where necessary to verify the identity of the requester, AIBILI may request additional information or appropriate supporting documentation for this purpose.

9. Security and Integrity

Personal Data will be processed by AIBILI in accordance with the purposes set out in this Policy, its internal policies and applicable laws and regulations. To this end, AIBILI implements appropriate technical and organisational measures tailored to the risks associated with the specific processing of Personal Data, with a view to ensuring, to

the greatest extent possible, the security and integrity of such data, in particular against unauthorised or unlawful processing, accidental loss, destruction or damage.

Whenever Personal Data is lawfully shared through the Internet, AIBILI will ensure, when technically feasible, that such data is transmitted securely using appropriate protocols. However, AIBILI cannot guarantee the security of any subsequent disclosure or processing carried out by third parties to whom this information has been lawfully disclosed, insofar as such operations fall outside its control.

10. Confidentiality

AIBILI acknowledges that the information provided to it may be confidential in nature and undertakes to preserve its confidentiality and integrity in accordance with this Policy and applicable laws and regulations. In the scope of its activities, AIBILI does not sell, rent, distribute or otherwise make Personal Data commercially available to any third party, except to duly authorised service providers where necessary.

11. Cookies

AIBILI uses cookies to collect information regarding each visit to and use of its *websites*, in accordance with its Cookies Policy, as amended and updates from time to time.

12. Changes to this Data Protection and Privacy Policy

AIBILI shall conduct a periodic review of this Data Protection and Privacy Policy, at least once a year. Should such review indicate the need for amendments, a new version shall be published on the website and shall take effect immediately. Users are therefore advised to consult it regularly.