

To the Steering Committee of the Berlin Aging Study II (BASE-II)  
BASE-II  
c/o Max Planck Institute for Human Development  
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## **Data Protection Obligations / Privacy Policy When Using Data from the Berlin Aging Study II (BASE-II)**

We would like to ask you to adhere to the following regulations when using data from the Berlin Aging Study II (BASE-II).

### **1. Confidentiality**

Personal data are subject to the rules of the European General Data Protection Regulation (GDPR), the German Federal Data Protection Act (BDSG) and the Berlin Data Protection Act (BlnDSG). Such data must be stored confidentially.

In accordance with Art. 5 of the GDPR, § 53 of the BDSG, § 38 BlnDSG, any persons involved with data processing are prohibited from processing or using data without the proper authorization, i.e. each data user may only store, change, pass on, deactivate, delete or make any other use of the data in connection with the particular tasks for which they are responsible. Unauthorized use or processing for any other purposes is forbidden.

### **2. Obligation to protect data and follow data security regulations**

All persons working with BASE-II data based on special agreements or otherwise are obliged to follow the regulations contained within the data protection acts mentioned above regardless of their legal status in relation to the Berlin Aging Study II.

Any such persons working with BASE-II data are thus only allowed to use the data for the specific purposes previously agreed upon and approved. It is strictly prohibited to transfer personal or scientific data to any other persons or to use these data for any other purposes.

### **3. Administrative and criminal offences**

Authorized users are expected to ensure that the necessary data security measures are in place. Data security violations as defined by Art. 83 of the GDPR are punishable with administrative fines up to 20 000 000 EUR, or in the case of an undertaking, up to 4 % of the total worldwide annual turnover of the preceding financial year. Additionally any person who has suffered material or non-material damage as a result of an infringement of this Regulation has the right to receive compensation from the controller or processor for the damage suffered (Art. 82).

### **4. Extent of data protected**

Data protection also extends to any data collections or records created from the original data, such as card indexes, forms, questionnaires, magnetic tapes, CDs, micro films, etc. The protection equally applies to the respective procedures used to process and store said data. Scientific and personal data must be kept separate.

### **5. General confidentiality**

The above requirements are valid regardless of any other obligations imposed by other legal instances.

I, \_\_\_\_\_  
Title. full name

hereby confirm that I have been informed of my obligations with respect to the data protection regulations. I confirm that I have been notified of the potential criminal liabilities arising from irregularities in using the data other than for agreed purposes and have been informed of the content of the General Data Protection Regulation, the German Federal Data Protection Act, and the Berlin Data Protection Act. I thus pledge to observe all data protection requirements to this end.

I agree not to use, copy, publish or make available the data from the Berlin Aging Study II for any other purposes other than those agreed on. I also agree not to pass the data on to third parties or make use of them myself for other purposes. I am aware that my obligations and responsibilities to this end also remain in place once my work with the data has been completed.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

Links to laws:

General Data Protection Regulation (GDPR): 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) Official Journal of the European Union, European Parliament and European Council 04.05.2016  
<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679&from=DE>

German Federal Data Protection Act (BDSG): [https://www.gesetze-im-internet.de/englisch\\_bdsch/](https://www.gesetze-im-internet.de/englisch_bdsch/) (English translation)

Information on the Berlin Data Protection Act (BInDSG, 24.06.2018) (only available in German):  
<https://www.parlament-berlin.de/ados/18/IIIPlen/vorgang/d18-1033.pdf>