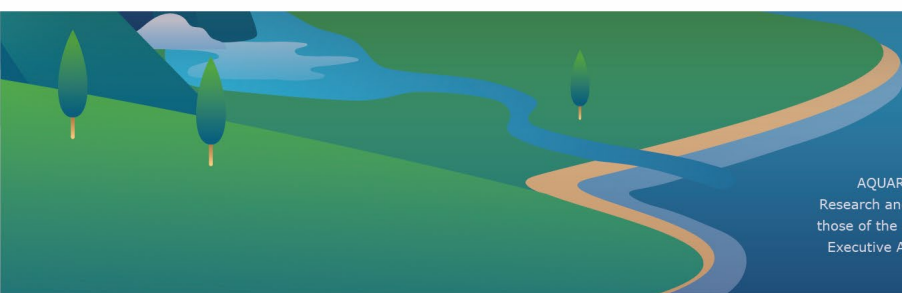




AQUARIUS Privacy Policy

30th May 2024



AQUARIUS has received funding from the European Union's Horizon Europe Framework Programme for Research and Innovation under grant agreement No 101130915. Views and opinions expressed are however those of the author(s) only and do not necessarily reflect those of the European Union or European Research Executive Agency. Neither the European Union nor the granting authority can be held responsible for them.

About this document

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AQUARIUS: Aqua Research Infrastructure Services for the health and protection of our unique, oceans, seas and freshwater ecosystems is a Research and Innovation action (RIA) funded by the Horizon Europe Work programme topics addressed: HORIZON-INFRA-2023-SERV-01-01 - Research infrastructure services to enable R&I addressing main challenges and EU priorities. Start date: 01 March 2024. End date: 29 February 2028.



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AQUARIUS – Privacy & Cookies Policy (last revised on [25th October 2024])

1. Who we are

We are **AQUARIUS** (hereinafter referred to as "**AQUARIUS**", "**we**", "**us**" or "**our**"). AQUARIUS is an EU project funded under the Horizon Europe Framework Programme for Research and Innovation under Grant Agreement No 101130915 and is bound to the general EC terms for project funding. AQUARIUS is made up of a consortium of 45 partners located across Europe. The consortium partners are listed at <https://aquarius-ri.eu/partners/>. AQUARIUS is Aqua Research Infrastructure Services for the health and protection of our unique oceans, seas and fresh water ecosystems (the "**Business**"). The Marine Institute is the co-ordinator of the AQUARIUS project.

Your privacy is of paramount importance to us. This privacy and cookies policy ("**Policy**") applies to the Business and the AQUARIUS website, Transnational Access Platform (TAP), applications and services related thereto (the "**Service**"). In this Policy, the term "**Personal Data**" means data relating to a living individual who is or can be identified either from the data or from the data in conjunction with other information that is in, or is likely to come into, our possession, and includes personal data as described in Data Protection Legislation (as defined below).

Please read the following carefully. Registering for an account ("**Your Account**") on our website/Transnational Access Platform or any mobile application, use of Your Account or our website or otherwise accepting the terms of this Policy indicates that you have reviewed this Policy and have agreed to be bound by it. If you do not agree to these terms you must leave our website immediately.

We will handle your Personal Data in accordance with Data Protection Legislation. "**Data Protection Legislation**" means the Data Protection Acts 1988 to 2018, the General Data Protection Regulation (EU) 2016/679 ("**GDPR**"), and any other applicable law or regulation relating to the processing of Personal Data and to privacy, including the E-Privacy Directive 2002/58/EC and the European Communities (Electronic Communications Networks and Services) (Privacy and Electronic Communications) Regulations 2011 ("**E-Privacy Regulations**"), as such legislation shall be supplemented, amended, revised or replaced from time to time.

In most circumstances the partners are independent controllers (as defined in Data Protection Legislation) in relation to any Personal Data which we collect from you through your or any other user's use of the Service and the set-up of Your Account. However, there may be circumstances where we act as joint controllers or where one partner acts as a data processor. In all of these circumstances, we will fully comply with our respective obligations under Data Protection Legislation in respect of the Personal Data. This Policy sets out the basis on which any such Personal Data will be processed by us.

You may be a data subject (as defined in Data Protection Legislation) or you may be a controller. When you are a controller in respect of the Personal Data of other data subjects, then you must comply with all of your controller obligations under Data Protection Legislation. When you are a controller, we and you act as independent controllers, unless agreed otherwise.

2. Information we gather from you

We fully respect your right to privacy in relation to your interactions with the Service and endeavour to be transparent in our dealings with you as to what information we will collect

and how we will use your information. Also, we only collect and use Personal Data where we are legally entitled to do so.

We may collect Personal Data from you in the course of your use of the Service. The information that we process includes:

- (i) **basic information**, such as your first and last name (including name prefix or title);
- (ii) **contact information**, such as your billing, home and/or business postal address, email address and phone number(s);
- (iii) **profile information**, including your username and password;
- (iv) **professional details** such as institution you are a member of and your CV when submitting a funding application form or training course application or when you are participating in a webinar or registering for an event;
- (v) **financial information**, including your bank account details, PPS number and information relevant to travel, subsistence and other reimbursable expenses.
- (vi) **technical information**, such as information from your visits to our website or applications or in relation to materials and communications we send to you electronically;
- (vii) **any other information** which you may choose to include in a complaint or query submitted to us.

Any Personal Data that we collect from you for these purposes is hereinafter referred to together as "**Your Personal Data**". Your Personal Data is separate from and should be distinguished from User Uploaded Data (defined below).

We endeavour to keep Your Personal Data accurate and up-to-date. As such, you must tell us about any changes to such information that you are aware of as soon as possible.

If you are aged under 18, please get your parent/guardian's permission before you provide Your Personal Data to us/use the Service.

3. Why we collect/have access to your information

We may collect information from you as necessary in the course of providing our Service. We may collect your personal information while monitoring our technology tools and services, including our website and email communications sent to and from us. We gather information about you when you provide it to us, or interact with us directly.

We may use Your Personal Data on any one or more of the following legal bases: (i) to perform a contract with you; (ii) to comply with our legal obligations, (iii) for our legitimate business purposes (in which case, our legitimate interests will not override your fundamental privacy rights); and/or (iv) in limited circumstances, where you have given us your express consent.

We have set out below, in a table format, a description of all the ways we plan to use Your Personal Data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are, where appropriate.

Note that we may process Your Personal Data for more than one legal basis depending on the specific purpose for which we are using Your Personal Data. Please contact us if you need details about the specific legal basis we are relying on to process Your Personal Data where more than one ground has been set out in the table below.

Purpose	Categories of data	Legal basis for processing
To respond to an enquiry from you.	basic information contact information.	To comply with our legal obligations Necessary for our legitimate interests
To register you as a user of our platform.	basic information contact information profile information	Necessary for the performance of a contract with you. Necessary for our legitimate interests
To send you our newsletter	basic information, contact information, profile information,	You have provided your consent
To administer your funding or training application (e.g. to inform you of the status of your application, or to reimburse travel costs)	basic information, contact information, financial information, professional information.	Necessary for the performance of a contract with you.

4. Newsletter

You will receive a newsletter from us if you have subscribed. You may unsubscribe at any time using the link in our newsletter.

5. Cookies

Our website uses cookies to distinguish you from other users of our website. This helps us to provide you with a better experience when you browse our website and also allows us to improve our site. They also help us to improve our Service and to deliver many of the functions that make your browser experience more user-friendly. A cookie is a small text file that is placed on your device by a web server that we store on your browser or the hard drive of your computer if you agree. Cookies contain information that is transferred to your computer's hard drive.

For our full Cookies policy for please see: [Cookie Policy \(EU\) - AQUARIUS \(aquarius-ri.eu\)](https://aquarius-ri.eu/cookie-policy)

6. Are there cases where we may use your Personal Data to contact you

We may contact you:

- for administration reasons related to the Service (e.g. to provide notifications, reminders and information about the application process or to notify you that a particular service, activity or online content has been suspended for maintenance, or in response to a question that you ask us;
- to provide you with information about our funding and training opportunities, activities or online content, including sending our newsletter or similar correspondence and updates or responding to any contact you have made with us, e.g. on our website, by email or via the 'How To Contact Us' facility referred to below;
- to invite you to participate in surveys about our activities (participation is always voluntary).

7. What rights do you have?

As a data subject, you have the following rights under Data Protection Legislation and we, as controller in respect of Your Personal Data, will comply with such rights in respect of Your Personal Data:

- the right of access to Your Personal Data relating to you;
- the right to correct any mistakes in Your Personal Data;
- the right to restrict or prevent Your Personal Data being processed;
- the right to have Your Personal Data ported to another data controller;
- the right to erasure; and
- the right to complain to any data protection Supervisory Authority if you believe we have not handled Your Personal Data in accordance with Data Protection Legislation.

These rights are explained in more detail below, but if you have any comments, concerns or complaints about our use of Your Personal Data, please contact us (see 'How To Contact Us' below). We will respond to any rights that you exercise within a month of receiving your request, unless the request is particularly complex, in which case we will respond within three months (we will inform you within the first month if it will take longer than one month for us to respond).

7.1. Right of access to Personal Data relating to you

You may ask to see what Personal Data we hold about you and be provided with:

- a summary of such Personal Data and the categories of Personal Data held;
- details of the purpose for which it is being or is to be processed (see Section 3 above);
- details of the recipients or classes of recipients to whom it is or may be disclosed, including if they are outside the EEA and what protections are used for those transfers outside the EEA (see Section 9 below);
- details of the period for which it is held or the criteria we use to determine how long it is held (see Section 14 below); details of your rights, including the rights to rectification, erasure, restriction or objection to the processing (set out in this Section 7);
- any information available about the source of that data (see Section 2 above);
- whether or not we carry out automated decision-making, or profiling, and where we do, information about the logic involved and the envisaged outcome or consequences of that decision making or profiling; and

Details in respect of the above points are all set out in this Policy; however, if you need further clarification, please contact us (see 'How to Contact Us' below).

Requests for Your Personal Data must be made to us (see 'How to Contact Us' below) specifying what Personal Data you need access to, and a copy of such request may be kept by us for our legitimate purposes in managing the Service. To help us find the information easily, please give us as much information as possible about the type of information you would like to see. If, to comply with your request, we would have to disclose information relating to or identifying another person, we may need to obtain the consent of that person, if possible. If we cannot obtain consent, we may need to withhold that information or edit the data to remove the identity of that person, if possible.

We are entitled to refuse a data access request from you where (i) such request is manifestly unfounded or excessive, in particular because of its repetitive character (in this case, if we decide to provide you with the Personal Data requested, we may charge you a reasonable fee to account for administrative costs of doing so), or (ii) we are otherwise entitled to do so pursuant to Data Protection Legislation.

7.2. Right to update your Personal Data or correct any mistakes in Your Personal Data

You can require us to correct any mistakes in Your Personal Data which we hold. If you would like to do this, please:

- email or write to us (see 'How can you contact us' at Section 16 below);
- let us have enough information to identify you (e.g. name, registration details); and
- let us know the information that is incorrect and what it should be replaced with.

If we are required to update Your Personal Data, we will inform recipients to whom that Personal Data have been disclosed (if any), where possible.

It is your responsibility to ensure that all of the Personal Data provided to us is accurate and complete. If any information you have given us changes, please let us know as soon as possible.

7.3. Right to restrict or prevent processing of Your Personal Data

In accordance with Data Processing Legislation, you may request that we stop processing your Personal Data temporarily if:

- you do not think that Your Personal Data is accurate (but we may start processing again once we have checked and confirmed that it is accurate);
- the processing is unlawful but you do not want us to erase Your Personal Data;
- we no longer need the Personal Data for our processing; or

There may be certain circumstances where we can refuse to comply with your request in accordance with Data Protection Legislation.

7.4. Right to data portability

In accordance with Data Protection Legislation, you may ask for an electronic copy of Your Personal Data that you have provided to us and which we hold electronically, or for us to provide this directly to another party. This right only applies to Personal Data that you have provided to us – it does not extend to data generated by us. In addition, the right to data portability also only applies where:

- the processing is based on your consent or for the performance of a contract; and

- the processing is carried out by automated means.

7.5. Right to erasure

In accordance with Data Protection Legislation, you can ask us (please see 'How to Contact Us' below) to erase Your Personal Data where:

- We do not we need Your Personal Data in order to process it for the purposes set out in this Policy;
- if you had given us consent to process Your Personal Data, you withdraw that consent and we cannot otherwise legally process Your Personal Data;
- you object to our processing and we do not have any legal basis for continuing to process Your Personal Data;
- Your Personal Data has been processed unlawfully or have not been erased when it should have been; or
- the Personal Data have to be erased to comply with law.

There may be certain circumstances where we can refuse to comply with your request in accordance with Data Protection Legislation. Where you have requested the erasure of Your Personal Data, we will inform recipients to whom that Personal Data have been disclosed, where possible. We will also inform you about those recipients if you request it.

7.6. Right to complain to a Supervisory Authority

If you do not think that we have processed Your Personal Data in accordance with this Policy, please contact us in the first instance. If you are not satisfied, you can complain to the Data Protection Commission in Ireland ("**DPC**") or to any data protection Supervisory Authority or exercise any of your other rights pursuant to Data Protection Legislation. Information about how to do this is available on the DPC website at <https://www.dataprotection.ie> Or to the Belgian Data Protection Authority: <https://gdprhub.eu/APD/GBA> (Belgium)

8. Withdrawal of consent

If you no longer consent to our processing of Your Personal Data (in respect of any matter referred to in this Policy as requiring your consent), you may request that we cease such processing by contacting us via the 'How to Contact Us' facility referred to below. Please note that if you withdraw your consent to such processing, it may not be possible for us to provide all/part of the Service to you due to our obligations under Grant Agreement No 101130915 with the European Commission.

9. Who we share your information with

We will not share Your Personal Data without your consent or unless required by law (except as set out in this Policy). If any of the partners become involved in a merger, acquisition, or any form of sale of some of all of its assets, Your Personal Data will not be transferred to any third party unless there are adequate safeguards in place with the recipient in respect of the security of Your Personal Data.

We restrict access to Your Personal Data to employees, contractors, and agents who need such access in order to operate, develop, or improve our Service. These individuals are bound by confidentiality obligations and may be subject to discipline, including termination, civil litigation and/or criminal prosecution, if they fail to meet these

obligations. We may also share Your Personal Data with our third party suppliers who assist us in the provision of the Service.

In some circumstances Your Data may be shared with the European Commission in which case Your Data will be processed in accordance with the European Commission Privacy Policy available at: https://ec.europa.eu/info/privacy-policy_en.

We may also share Your Data with certain personnel and organisations external to the AQUARIUS project when necessary in the performance of all or some of the duties outlined above and specifically for the reasons outlined below:

- Scientific evaluations of funding applications by experts in the relevant marine scientific field
- Review of applicants' training course application forms

In this context, AQUARIUS asks its evaluators and reviewers and all other service providers to implement strict confidentiality and data protection measures.

Your Personal Data may be transferred to, stored at, or accessed from a destination outside the European Economic Area ("**EEA**") for the purposes of us providing the Service. Some of our partners and third party service providers such as Eventbrite or Mailchimp store data outside the EEA. Your Personal Data may also be processed by staff operating outside the EEA who work for us, another corporate entity within our group, or any of our suppliers. We will take all steps reasonably necessary to ensure that Your Personal Data is treated securely and in accordance with this Policy. The safeguards in place with regard to the transfer of Your Personal Data outside of the EEA to third parties shall include (but shall not be limited to) the entry by us into appropriate contracts with all transferees of such data.

All information you provide to us is stored on our (or contracted third party) secure servers. Where we have given you (or where you have chosen) a password which enables you to access any part of our Service, you are responsible for keeping this password confidential. We ask you not to share a password with any person not authorised to use the Service.

10. Third Party Websites

This Policy applies to websites and services that are owned and operated by AQUARIUS and any information collected by the partners which is relevant to the Service. We do not exercise control over the sites/applications that may be linked from the Service. These other sites/applications may place their own cookies or other files on your computer, collect data or solicit personal information from you. You acknowledge that the Service that we provide may enable or assist you to access the website content of, correspond with, and purchase goods and services from, third parties via third-party websites and that you do so solely at your own risk. We make no representation or commitment and shall have no liability or obligation whatsoever in relation to the content or use of, or correspondence with, any such third-party website, or any transactions completed, and any contract entered into by you, with any such third party and the use by any such third-party of your Personal Data. We do not endorse or approve any third-party website nor the content of any of the third-party websites made available via the Service. We encourage you to carefully familiarise yourself with the terms of use and privacy policies applicable to any websites and/or services operated by third parties. Please be aware that we are not responsible for the privacy practices of any third parties. The partners are each responsible for their individual websites and applications and for maintaining and implementing all terms and conditions, privacy and cookies policies and/or other

agreements or policies required in relation to such websites and/or applications whether under Data Protection Legislation or otherwise.

11. Offensive Content

If Your Personal Data contains any material which may reasonably be deemed to be offensive, inappropriate or objectionable or otherwise engage in any disruptive behaviour in relation to the Service, we may remove such content and/or suspend the use of Your Account. We may also remove any such material from any of our social media pages.

Where we reasonably believe that you are or may be in breach of any applicable laws, for example on hate speech, we may disclose your personal information to relevant third parties, including to law enforcement agencies or your internet provider. We would only do so in circumstances where such disclosure is permitted under applicable laws, including Data Protection Legislation.

12. How do we protect your personal DATA

We do our utmost to protect user privacy through the appropriate use of security technology. We restrict access to Your Personal Data to employees, contractors and agents who need access to Your Personal Data in order to operate, develop or improve the services that we provide. We ensure that we have appropriate physical and technological security measures to protect your information; and we ensure that when we outsource any processes that the service provider has appropriate security measures in place. However, our Service may contain hyperlinks to websites owned and operated by third parties. These third party websites have their own privacy policies, including cookies. We do not accept any responsibility or liability for the privacy practices of such third party websites and your use of such websites is at your own risk.

We will implement appropriate technical and organisational measures to ensure a level of security appropriate to the risks that are presented by the processing of Your Personal Data. In particular, we will consider the risks presented by accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to your Personal Data transmitted, stored or otherwise processed.

Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your Personal Data, we cannot guarantee the security of any data transmitted to us and any such transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access. To the extent permitted by law, we are not responsible for any delays, delivery failures, or any other loss or damage resulting from (i) the transfer of data over communications networks and facilities, including the internet, or (ii) any delay or delivery failure on the part of any other service provider not contracted by us, and you acknowledge that our Service may be subject to limitations, delays and other problems inherent in the use of such communications facilities. You will appreciate that we cannot guarantee the absolute prevention of cyber-attacks such as hacking, spyware and viruses. Accordingly, you will not hold us liable for any unauthorized disclosure, loss or destruction of your Personal Data arising from such risks.

13. Breach Reporting

We will notify serious data breaches in respect of Your Personal Data to the relevant Supervisory Authority without undue delay, and where feasible, not later than 72 hours after having become aware of same. It is not necessary to notify the Supervisory Authority where the Personal Data breach is unlikely to result in a risk to the rights and freedoms of natural persons. A Personal Data breach in this context means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, Personal Data transmitted, stored or otherwise processed.

We will keep a record of any Personal Data breaches, including their effects and the remedial action taken, and will notify you of any data breach affecting Your Personal Data (which poses a high risk to you) when we are required to do so under Data Protection Legislation. We will not be required to notify you of a data breach where:

- we have implemented appropriate technical and organisational measures that render the Personal Data unintelligible to anyone not authorised to access it, such as encryption; or
- we have taken subsequent measures which ensure that the high risk to data subjects is not likely to materialise; or
- it would involve disproportionate effort, in which case we may make a public communication instead.

14. Retention of Personal Data

Your Personal Data will be kept and stored for such period of time as we deem necessary taking into account the purpose for which it was collected in the first instance. This may include retaining Your Personal Data as necessary to administer Your Account, comply with our legal obligations, to resolve disputes, to enforce our agreements, to support business operations, and to continue to develop and improve our Service.

The maximum period Your Personal Data will be stored for is five years after the project end date which is 29th February 2028 unless we are otherwise required or permitted under Data Protection Legislation.

Where we retain information for Service improvement and development, we take steps to eliminate information that directly identifies you, and we only use the information to uncover collective insights about the use of our Service, not to specifically analyse personal characteristics about you.

15. Amendments to Privacy Policy

We may change this Policy from time to time and at our sole discretion. The date of the most recent revisions will appear on the top of this Policy. If you do not agree to these changes, please do not continue to use the Service to submit Your Personal Data. If material changes are made to the Policy, we will notify you by placing a prominent notice on our website or by sending you a notification in relation to this.

16. How to contact Us

If you need to contact us with regard to any of your rights as set out in this Policy, please contact the project coordination team on aquarius@marine.ie.

Alternatively, forward your requests in writing to the following address (we reserve the right to request you to provide additional information to enable us to identify Your Personal Data and/or to verify your identity):

AQUARIUS Coordination Office
The Marine Institute,
Rinville,
Oranmore,
H91 R673
Co. Galway

Telephone: +353 (0)91 387 200