**Annex A**: **Legal Bases for Personal Data Processing of Data Subjects**

Bases for lawful processing of personal data are:

1. Consent of the Data Subject for one or more specific purposes.
2. Processing is necessary for the performance of a contract with the Data Subject or in order to take steps at the request of the Data Subject to enter into a contract.
3. Processing is necessary for compliance with a legal obligation that the controller is subject to.
4. Processing is necessary to protect the vital interests of the Data Subject or another person.
5. Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller.
6. Processing is necessary for the purposes of legitimate interests pursued by the controller or a third party, except where such interests are overridden by the interests or fundamental rights or freedoms of the Data Subject which require protection of personal data, in particular where the Data Subject is a child.

Bases for lawful processing of **sensitive** personal data[[1]](#footnote-1) are:

1. Explicit consent of the Data Subject for one or more specified purposes (unless reliance on consent is prohibited by EU or Member State law).
2. Processing is necessary for carrying out our obligations under employment, social security, or social protection law, or a collective agreement, providing for appropriate safeguards for the fundamental rights and interests of the Data Subject.
3. Processing is necessary to protect the vital interests of the Data Subject.
4. In the course of its legitimate activities, processing is carried out with appropriate safeguards by a foundation, association or any other not-for-profit body, with a political, philosophical, religious or trade union aim and on condition that the processing relates only to members or former members (or those who have regular contact with it in connection with those purposes) and provided there is no disclosure to a third party without the consent of the Data Subject.
5. Processing relates to personal data which are manifestly made public by the Data Subject.
6. Processing is necessary for the establishment, exercise or defense of legal claims, or whenever courts are acting in their judicial capacity.
7. Processing is necessary for reasons of substantial public interest on the basis of EU or Member State law which shall be proportionate to the aim pursued, respects the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and interests of the Data Subject.
8. Processing is necessary for the purposes of preventative or occupational medicine, for assessing the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of EU or Member State law or a contract with a health professional and subject to the necessary conditions and safeguards.
9. Processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of healthcare and of medicinal products or medical devices, on the basis of EU or Member State law which provides for suitable and specific measures to safeguard the rights and freedoms of the Data Subject, in particular professional secrecy.
10. Processing is necessary for archiving purposes in the public interest, scientific, or historical research purposes or statistical purposes, which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard fundamental rights and interests of the Data Subject.
1. **Sensitive personal data** means personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, bio-metric data, data concerning health, a Data Subject’s sex life or sexual orientation, and a Data Subject’s criminal convictions. [↑](#footnote-ref-1)