

JOINT CONTROLLERSHIP AGREEMENT BETWEEN CROWDCHANGE AND THE CANDIDATES USING THE PROGRESSIVE ACTS PLATFORM

As personal data concerning volunteers and donors who make use of the platform need to be shared with Candidates concerned, Progressive Acts and the Candidates are considered as joint controllers under the terms of the General Data Protection Regulation.

For this reason in addition to the Terms and Conditions and the general terms contained in the Privacy Policy of Progressive Acts, all Candidates making use of the platform accept at the time of registration the following terms laying down their mutual rights and obligations in this joint controllership agreement with regard to the processing of Personal Data.

1. Definitions

In this Joint Controllership agreement, the following terms will have the meanings set out below:

- **Data Subject:** the identified or identifiable natural person to whom the Personal Data relates;
- **GDPR:** the regulation (EU) 2016/679 of the European Parliament and of the Council of the 27th of 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);
- **Personal Data:** any information relating to an identified or identifiable natural person that Processor processes or has to process based on the Agreement, as defined in the GDPR;
- **Processing Operation:** a processing operation or a set of processing 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, adaption or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.
- **Data Breach:** means each breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to, personal data transmitted, stored or otherwise processed as further described in Article 32 GDPR, and that is likely to have a negative impact on the rights and freedoms of natural persons or a negative impact on the protection of Personal Data that is processed by Processor, as described in Article 33 GDPR;

2. Scope

This Joint Controllership Agreement concerns solely the personal data that are received by the Candidates making use of the platform concerning users (data subjects) who have donated or volunteered for the Candidate concerned. This includes in particular the personal data contained in the 'Volunteering Form', the 'Pledging Form' and the 'Donation Form' that are available to users on the platform.

Such personal data are transferred by Progressive Acts to the Candidate concerned through individual emails for each form that is completed by the data subjects.

Any personal data outside the scope hereby defined, including in particular any personal data provided directly to the Candidates is not covered by the Joint Controllership agreement and remains the exclusive responsibility of the party concerned.

3. Main purpose of data processing

Data processing is exclusively undertaken in order to provide Candidates using the platform with the relevant information concerning the identity of their respective donors or volunteers. Therefore, such personal data should only be used within the remit of the legitimate purpose for which it was initially provided. For instance the data provided in the volunteering form can be used to contact back the data subject for the purpose of organising his or her volunteering activity, the data in the donation form can be used to provide the concerned data subject with a receipt or a thank you note etc...

Given the specific nature of Progressive Acts it would be considered compliant with the principles above the use of the data to inform data subjects about the political activities of the candidate also after the end of the electoral campaign for the purpose of transparency and political accountability. Anonymised data at aggregate level can also be used for analytical purposes by the Candidate.

In line with Progressive Acts Privacy Policy we rely on explicit consent as the legal basis to transmit the data to the candidates. This implies that if the user rescinds that consent we undertake to inform the candidate and the candidate is obliged to erase that data from all of his or her records.

4. Data transfers

Candidates undertake not to transfer the data received from Progressive Acts to any third party unless this is done in compliance with one of the lawful basis for processing under the General Data Protection Regulation. For instance, Candidates are allowed to share the personal data of donors with the electoral authorities for complying with campaign financing rules. As another example, data of volunteers can be shared with other persons working in the Candidate campaign for organising volunteering activities as long as those persons work under confidentiality agreements.

In particular, blanket transfers of personal data to the political parties outside the scope of the legitimate purpose for which the data was initially provided is not allowed unless express consent is asked by the candidates to the respective data subjects.

5. Data subject rights

Data subjects can exercise their rights under the General Data Protection Regulation addressing independently or jointly either of the data controllers. Their rights are equivalent to those stated in the general Privacy Policy of Progressive Acts.

6. Data retention

Candidates shall not retain or process shared Personal Data longer than is necessary to fulfil the legitimate purpose for which the data was originally provided or for any other period determined by statutory obligations applicable in their respective countries. In principle, unless otherwise necessary to fulfil such statutory obligations, data should not be retained by Candidates after a reasonable and proportionate time following the election for which the candidate was running unless you ask explicitly if you can do so to the data subjects concerned. Examples of reasonable and proportionate time would be the time needed to thank donors and volunteers and inform them of the outcome of the election.

7. No processing outside of the EEA

Candidates will not process shared Personal Data outside of the European Economic Area, unless such processing is compliant with applicable laws and regulations.

8. Data breaches and security

Both controllers undertake to put in place measures to minimise the risk of data breaches or unintended access to the personal data of the persons concerned.

Both Joint Controllers are responsible to inform the competent data protection authority of breaches to the personal data in their possession. They also undertake to inform each other in case of data breaches taking place at least at the same time as informing the relevant Data Protection Authority and the data subject concerned.