

CODE OF ETHICS FOR ENTITIES APPLYING FOR ACCREDITATION AS CERTIFYING ENTITIES FOR DATA PROTECTION OFFICERS IN ACCORDANCE WITH THE SCHEME OF THE SPANISH DATA PROTECTION AGENCY AND ENTITIES PROVIDING TRAINING

PREAMBLE

This Code constitutes an express declaration of the values and principles which, based on the applicable regulations and the requirements of the Spanish Data Protection Agency's Data Protection Officer Certification Scheme (AEPD-DPD), must govern and guide the behavior of those entities and companies (hereinafter, interested entities) that request from the National Accreditation Company (ENAC) the accreditation to be certifying entities (hereinafter, EC) of Data Protection Delegates, in accordance with the AEPD-DPD Scheme, in the exercise and performance of their professional activity.

The code of ethics includes a set of principles and values (legality, integrity, honorability, loyal competence, professionalism, responsibility, impartiality, transparency and confidentiality) that stem from the obligations established in the different regulations applicable to the activity of the entities that apply for accreditation as CBs from ENAC, as well as those included in the AEPD-DPD Scheme.

Its observance is based on the due diligence for its compliance with the purpose of providing confidence and guarantee of an absolutely responsible behavior with the legality in force in its relations with employees, suppliers, clients and any third parties with whom they are related, both in the public and private sphere, including the society in general.

The purpose of this code is to ensure professional behavior on the part of the entities concerned: their managers, employees, representatives, agents, representatives and collaborators, which avoids conduct and actions contrary to the principles and values it contains.

The code of ethics, which the interested entities are obliged to sign prior to submitting the application for accreditation, implies a commitment to act in accordance with its principles and values during the procedure for accreditation as a CB by ENAC and during the exercise of their activity as a CB once they have been recognized as such.

In order for the code to be effective and to provide confidence and assurance of ethical behaviour to those who relate or will relate to the entities concerned, they must to disseminate it among managers, employees, attorneys-in-fact, representatives and collaborators; to establish procedures and structures for the communication and

**DATA PROTECTION OFFICER
CERTIFICATION SCHEME (AEPD-DPD SCHEME)**

management of claims; and for the supervision and control of its observance, functions which, where appropriate, may also be carried out by the AEPD in order to guarantee the proper functioning of the AEPD-DPD Scheme.

The code of ethics also applies to training entities, whose behavior within the framework of the AEPD-DPD Scheme must observe the principles and values contained therein.

ARTICLE I. SCOPE OF APPLICATION

The principles and values contained in this code of ethics must be observed and complied with by the entities that apply to the National Accreditation Company (ENAC) to be accredited to certify DPD in accordance with the AEPD-DPD Scheme, as well as by their managers, employees, agents, representatives and collaborators, from the moment the application is submitted and during the exercise of their activity as CE within the framework of the AEPD-DPD Scheme.


It will be applicable to all the companies that are part of the entities concerned, including their managers, employees, proxies, representatives and collaborators.

The code of ethics shall apply to the training entities, their managers, employees, proxies, representatives and collaborators.

ARTICLE II. PRINCIPLES OF ACTION

The entities concerned and their companies, their managers, employees, agents, representatives and proxies in the exercise of their activities shall behave in accordance with the following principles:

- **Legality**, the entities concerned shall strictly comply with the legislation and regulations in force at any given time, and especially with the provisions of the AEPD-DPD Scheme, in order to prevent any unlawful activity from being carried out and, in particular, practices or statements that in any way involve damage to the ENAC, AEPD, the AEPD-DPD Scheme, or to any of its stakeholders.



The entities concerned undertake to adopt the necessary measures to ensure that their managers, employees, proxies, representatives and collaborators are aware of the applicable regulations, including the principles and values of the code of ethics, and that they are able to observe them.

- **Integrity**, the entities involved shall conduct their activities at all times with professional ethics, in an honest, professional and good faith manner, avoiding conflicts of interest.
- **Honorability**, the interested entities shall not have been subject to any sanction in any of the areas of their activity and professional practice during the three (3) years prior to the submission of the application for accreditation.
(3) years prior to the presentation of the application for accreditation, nor have they been sanctioned during their performance as CB.
- **Fair competition**, the entities concerned shall carry out their professional activity in a fair manner, without allowing misleading, fraudulent or malicious behavior.

In data protection, they shall avoid aggressive practices such as:

Acting with the intention of impersonating the identity of the Spanish Data Protection Agency or an autonomous data protection authority when making any communication to data controllers and data processors or data subjects.

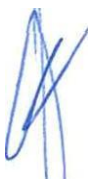
Generate the appearance of acting in the name of, on behalf of or in collaboration with the Spanish Data Protection Agency or an autonomous data protection authority when making any communication to data controllers and data processors in which the sender offers its products or services.

To carry out commercial practices in which the decision-making power of the recipients is restricted by reference to the possible imposition of penalties for non-compliance with personal data protection regulations.

Offering any type of document by which it is intended to create an appearance of compliance with the provisions of data protection in addition to the implementation of training activities without having carried out the necessary actions to verify that such compliance actually occurs.

Assuming, without express designation by the data controller or data processor, the function of data protection officer and communicating in this capacity with the Spanish Data Protection Agency or the regional data protection authorities.

- **Responsibility**, in the development of their professional activities, the entities concerned will assume the collaboration activities required by the AEPD and other public authorities, as well as the rest of the entities of the AEPD- DPD Scheme for its



correct development and maintenance, avoiding any conduct that may damage their reputation.

- **Impartiality**, the entities concerned shall act objectively in their relations with third parties, without accepting pressure or influence from third parties that could call into question their professional integrity, or that of their managers, employees, agents, representatives and collaborators, in particular with the training entities of the AEPD-DPD Scheme.
- **Transparency**, the entities concerned shall act with transparency in the exercise of their professional activity(, in particular in the field of the AEPD-DPD Scheme which requires:
 - To inform all interested parties in a clear, precise and sufficient manner of all the aspects that converge in the professional exercise as a CE, provided that they are not subject to the confidentiality regime, in which case they shall be of a reserved nature and may not be disclosed.
 - Provide to all interested parties with clarity, accuracy and sufficiency all relevant information on the certification process and on the status of accreditation.
- **Confidentiality**, the entities concerned shall respect and keep the necessary protection and reserve of the information to which it may have access due to its activity as CB, safeguarding the legitimate rights of all interested parties. Such information shall not be used for its own benefit or that of its personnel, nor shall it be disclosed to inappropriate parties.

ARTICLE III. RELATIONS WITH THE ORGANIZATION'S PERSONNEL

In their relations with their employees, managers and collaborators, the entities concerned:

- Shall put in place the necessary means to communicate and disseminate the code of ethics among all their employees.
- Avoid situations that may give rise to conflicts of interest with the activities of the organization.
- Establish procedures that allow the notification of conduct contrary to the code of ethics and the AEPD-DPD scheme.
- Ensure that their personnel do not carry out illegal activities or conduct contrary to the code of ethics and the AEPD-DPD Scheme.
- They shall assume responsibility for the performance of their directors, employees, representatives and collaborators.



ARTICLE IV. RELATIONS WITH EXTERNAL COLLABORATORS, SUPPLIERS AND CUSTOMERS

The entities concerned:

- Shall establish relationships based on respect for current legislation, the AEPD-DPD Scheme, ethical behavior, loyalty, good faith, trust, respect and transparency.
- They shall act with impartiality and objectivity in the selection processes of collaborators, applying duly documented criteria of competence and quality, avoiding at all times the collision of interests, in particular with the training entities.
- Documentary guarantee absolute independence with the entities that provide training to candidates for certification.
- They shall make known the contents of this code of ethics.

ARTICLE V. RELATIONS WITH CLIENTS

In their relations with clients, the entities concerned shall:

- Shall make known the contents of this code of ethics.
- Act ethically, with integrity, in good faith and professionally, aiming to achieve a high level of quality in the provision of their services, seeking to develop relationships based on trust, security and mutual respect.
- They shall always safeguard their independence, preventing their professional performance from being influenced by economic, family or friendship ties with clients, or by their professional relationships outside the activity of the CIs, and shall not accept gifts or favors of any nature from them or their representatives.
- They shall not make or accept, directly or indirectly, any payment or service of greater value or different from that established for the service provided.
- Shall inform the client of any situation that may give rise to a conflict of interest in the provision of their services before taking on a professional assignment.
- Shall not carry out any promotional activity (advertising, informative material, or other) that may lead clients to an incorrect interpretation of the meaning of the Accreditation under the AEPD-DPD Scheme, or to expectations that do not correspond to the real situation.
- Will not offer the required training in the AEPD-DPD Scheme or advertise, on its website, or in other media, courses related to the AEPD-DPD Scheme.
- Shall not make offers, discounts or other benefits to candidates to obtain the DPD certification for coming from specific training programs.

ARTICLE VI. RELATIONSHIP WITH PUBLIC AUTHORITIES AND BODIES

Relations with institutions, bodies and public administrations (state, regional and local), especially with the AEPD, shall be developed under the principle of maximum collaboration and scrupulous compliance with its resolutions. The communications, requirements and

requests for information that the interested entities receive from public authorities and bodies shall be dealt with diligently, within the deadlines established for this purpose.

ARTICLE VII. CONTROL OF APPLICATION OF THE CODE

The Certification and Training Bodies shall allow ENAC and the AEPD access to the register of complaints related to the code of ethics and shall fully collaborate with any action or investigation into compliance with the code carried out by ENAC or the AEPD.

ARTICLE VIII. ACCEPTANCE AND INTERPRETATION OF THE CODE OF ETHICS

The AEPD-DPD Scheme requires a high level of commitment from the entities concerned in complying with the code of ethics.

The entities concerned undertake to subscribe to and apply this code of ethics, which forms part of the AEPD-DPD Scheme.

Any doubts that may arise regarding the interpretation or application of the code of ethics should be consulted with the AEPD, which has the obligation to promote knowledge of and compliance with the code and to interpret it in case of doubt.

ARTICLE IX. NON-COMPLIANCE WITH THE CODE OF ETHICS

Failure to adhere to the code of ethics, or failure to comply with any of the commitments it implies, will result in the termination of the contract for use of the Trademark.

ARTICLE X. TRANSITIONAL REGIME

The interested entities and those already accredited as Certification Entities by ENAC, and the Training Entities shall subscribe to the code of ethics within the terms established in the Transitional Provision of the Scheme (section 10 of the Scheme).

**DATA PROTECTION OFFICER
CERTIFICATION SCHEME (AEPD-DPD SCHEME)**

