

ANNEX III**CODE OF ETHICS FOR ENTITIES REQUESTING ACCREDITATION AS
CERTIFICATION ENTITIES OF DATA PROTECTION DELEGATES ACCORDING
TO THE SCHEME OF THE SPANISH PROTECTION AGENCY AND THE
ENTITIES THAT OFFER TRAINING****PREAMBLE**

This Code constitutes an express declaration of the values and principles that, based on the applicable regulations and the requirements of the Certification Scheme for Data Protection Delegates of the Spanish Data Protection Agency (AEPD-DPD), must preside over 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- Scheme. DPD, in the exercise and performance of their professional activity.

The ethical code includes a set of principles and values (legality, integrity, good repute, fair competition, professionalism, responsibility, impartiality, transparency and confidentiality) that come from the obligations established by the different regulations that are applicable to the activity of the entities. that request the accreditation of EC to ENAC, as well as those included in the AEPD-DPD Scheme.

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

The objective of this code is to ensure a professional behavior on the part of the interested entities: of their managers, employees, attorneys, representatives and collaborators, that moves away from conducts and acts contrary to the principles and values that it includes.

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

In order for the code to be effective and to provide confidence and security to those who relate or have to interact with the entities interested in ethical behavior, they must

proceed to its diffusion. Come in directors, employees, attorneys, representatives and collaborators; establish procedures and structures for the communication and management of complaints; and for the supervision and control of its observance, functions that, where appropriate, may also be carried out by the AEPD 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 it contains.

ARTICLE I. SCOPE OF APPLICATION

The principles and values contained in this ethical code are of mandatory observance and compliance for the entities that request from the National Accreditation Company (ENAC) to be accredited to certify DPD according to the AEPD-DPD Scheme, as well as by their managers, employees, attorneys-in-fact, representatives and collaborators, from the moment the application is submitted and during the exercise of their activity as CB within the framework of the AEPD-DPD Scheme.

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

The code of ethics will apply to training entities, their managers, employees, attorneys, representatives and collaborators.

ARTICLE II. PRINCIPLES OF ACTION

The interested entities and their companies, their managers, employees, proxies, representatives and proxies in the exercise of their activities will behave subject to the following principles:

Legality, The interested entities will strictly comply with the legislation and regulations in force at all times, and especially with the provisions of the AEPD-DPD Scheme, in order to prevent any illegal activity from being carried out and, in particular, practices or statements that in any way harm the ENAC, AEPD, the AEPD-DPD Scheme, or any of its actors.

Interested entities undertake to adopt the necessary measures so that their managers, employees, attorneys, representatives and collaborators are aware of the applicable regulations, including the principles and values of the ethical code and can observe them.

Integrity, The interested entities will carry out their activities at all times with professional ethics, honestly, professionally and in good faith, avoiding conflicts of interest.

Honorability, The interested entities must not have been subject to sanction in any of the areas of their activity and professional practice during the three (3) years prior to the presentation of the accreditation application, nor be sanctioned during their performance as CB.

Fair competition, The interested entities will carry out their professional activity in a fair manner, without allowing deceptive, fraudulent, or malicious behavior.

In data protection they will avoid aggressive practices such as:

Act with the intention of supplanting the identity of the Spanish Data Protection Agency or an autonomous data protection authority in making any communication to those responsible and in charge of the treatments or to the interested parties.

Generate the appearance that it is acting on behalf, on behalf of or in collaboration with the Spanish Agency for Data Protection or an autonomous data protection authority in the realization of any communication to those responsible and in charge of the treatments in which the sender offer your products or services.

Carry out commercial practices in which the decision-making power of the recipients is restricted by referring to the possible imposition of sanctions for breach of the personal data protection regulations.

Offer any type of document by which it is intended to create an appearance of compliance with the data protection provisions in a complementary way to the performance of training actions without having carried out the necessary actions to verify that said compliance is effectively produced.

Assume, without express designation of the person in charge or the person in charge of the treatment, the function of data protection delegate and communicate in such condition with the Spanish Agency for Data Protection or the regional data protection authorities.

Responsibility, In the development of their professional activities, the interested entities will assume the collaboration activities required by the AEPD and other public authorities, as well as the rest of the entities of the AEPDDPD Scheme for their proper development and maintenance, avoiding any conduct that damages their reputation. .

Impartiality, Interested entities will act objectively in their relationships with third parties, without accepting pressure or influences from third parties that could question their professional integrity, or that of their managers, employees, attorneys, representatives and collaborators, in particular with the training entities of the AEPD Scheme -DPD.

Transparency, The interested entities will act with transparency in the exercise of their professional activity, specifically within the scope of the AEPD-DPD Scheme that requires:

Inform all interested parties in a clear, precise and sufficient manner of all the aspects that come together in the professional practice as a CI, as long as they are not subject to the confidentiality regime, in which case they will be reserved and cannot be disclosed. .

Provide all interested parties with clarity, precision and sufficiency all relevant information on the certification process and on the status of accreditation

Confidentiality, The interested entities will respect and keep the necessary protection and reservation of the information to which they may have access due to their activity as CB, safeguarding the legitimate rights of all interested parties. Such information will not be used for your benefit or that of your staff, nor will it be disclosed to inappropriate parties.

ARTICLE III. RELATIONS WITH THE ORGANIZATION STAFF

In their relationships with their employees, managers and collaborators, the interested entities:

They will provide the necessary means to communicate and disseminate the ethical code among all their employees.

They will avoid situations that may give rise to conflicts of interest with the activities of the organization.

They will establish procedures that allow the notification of conduct contrary to the ethical code and the AEPD-DPD scheme.

They will ensure that the personnel in their charge do not carry out illegal activities or conduct contrary to the ethical code and the AEPD-DPD Scheme.

They will take responsibility of the performance of its managers, employees attorneys, representatives and collaborators.

ARTICLE IV. RELATIONSHIPS WITH EXTERNAL COLLABORATORS, SUPPLIERS AND CUSTOMERS

Interested entities:

They will establish relationships based on respect for current legislation, the AEPD-DPD Scheme, ethical behavior, loyalty, good faith, trust, respect and transparency.

They will act impartially and objectively in the collaborator selection processes, applying duly documented criteria of competence and quality, avoiding at all times the collision of interests, in particular with training entities.

They will guarantee absolute independence with the entities that provide training to the candidates to obtain the certification.

They will make known the content of this code of ethics.

ARTICLE V. RELATIONS WITH CLIENTS

In their relationships with clients, interested entities:

They will make known the content of this code of ethics.

They will act ethically, with integrity, in good faith and professionally, aiming to achieve a high level of quality in the provision of their services, seeking the development of relationships based on trust, security and mutual respect.

They will always safeguard independence, avoiding that their professional performance is influenced by economic, family and friendship ties with clients, or their professional relationships outside of the activity of the CIs, and should not accept gifts or favors of any nature from the party. of these or their representatives.

They will not make or accept, directly or indirectly, any payment or service of greater value or different from that established for the service provided.

They will inform the client of any situation that may give rise to a conflict of interest in the provision of their services before assuming a professional assignment.

They will not carry out any promotional activity (advertising, informative material, or other) that may lead customers to an incorrect interpretation of the meaning of the Accreditation under the AEPD-DPD Scheme, or to expectations that do not respond to the real situation.

They will not offer the training required in the AEPD-DPD Scheme or advertise, on their website, or in other media, courses related to the AEPD-DPD Scheme.

They will not offer offers, discounts or other benefits to candidates to obtain the DPD certification because they come from certain training programs.

ARTICLE VI. RELATIONSHIP WITH PUBLIC AUTHORITIES AND BODIES

Relations with institutions, agencies and public administrations (state, regional and local), especially with the AEPD, will 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 authorities and public bodies must be attended to with diligence, within the established deadlines for this.

ARTICLE VII. CODE APPLICATION CONTROL

The Certification and Training Entities will allow ENAC and the AEPD access to the registry of claims related to the ethical code and will fully collaborate with any action or investigation on compliance carried out by ENAC or the AEPD.

ARTICLE VIII. ACCEPTANCE AND INTERPRETATION OF THE CODE OF ETHICS

The AEPD-DPD Scheme requires interested entities a high level of commitment to comply with the code of ethics.

Interested entities undertake to sign and apply this code of ethics that is part of the AEPD-DPD Scheme.

Any questions that may arise about the interpretation or application of the code of ethics must Consult with the AEPD, who has the obligation to promote knowledge and compliance with the code and interpret it in case of doubt.

ARTICLE IX. BREACH OF THE CODE OF ETHICS

Failure to adhere to the code of ethics, or failure to comply with any of the commitments that it implies, will lead to the termination of the contract for the use of the Brand.

ARTICLE X. TRANSITORY REGIME

Interested entities and those that are already accredited as Certification Entities by ENAC, and Training Entities must sign the code of ethics within the terms established in the Transitory Provision of the Scheme (section 10 of the Scheme).