

What is GDPR?

The General Data Protection Regulation (GDPR) (EU) 2016/679 is a regulation in EU law on data protection and privacy for all individuals within the European Union.

Who is involved with GDPR?

There are three main parties to the GDPR when collecting information on PlanetReg.

- First would be the individual providing their personal identifying information. Hereafter referred to as 'Data Subject'.
- Second is PlanetReg, aka the Data Processor.
- Third is you, the event organizer, aka the Data Controller.

As the event organizer using PlanetReg to manage registration for your event, you are determining what data is collected, how it is used, how long it is retained, and what access to the data the registrant is allowed.

These all are important aspects of complying with GDPR. PlanetReg works with you to ensure you can properly comply if necessary.

Does GDPR really affect me?

PlanetReg does not provide legal advice as to whether or not the data you control on PlanetReg falls under the purview of GDPR (ie, "in-scope").

PlanetReg does provide the following information to assist you in determining for yourself if your data collection/retention is in-scope of GDPR and if so, how you meet what is required of you by GDPR.

First, GDPR does not use wording concerning 'citizen' or 'resident' when referencing a Data Subject.

Depending on the situation, GDPR can apply to **any** person as a Data Subject.

Three significant points to consider if GDPR applies for a given Data Subject are the following:

- (a) establishment of the Data Controller inside the EU
- (b) establishment of the Data Processor inside the EU
- (c) establishment of the Data Subject inside the EU, and as marketed too, was known as being in the EU by the Data Controller

If 'yes' to **any one of these three, then the data collected is GDPR in-scope.**

(a) If you, the Data Controller, are EU based, all personal data you collect on PlanetReg is GDPR in-scope, regardless of where the Data Subject is. If you, the Data Controller, are not EU based, (a) alone does not result in GDPR in-scope data.

(b) PlanetReg is entirely US based. Thus (b) alone does not result in GDPR in-scope data.

(c) If you, the Data Controller, do not target market your event to Data Subjects in the EU, (c) alone does not result in GDPR in-scope data, even if a Data Subject resides in the EU.

Thus, a US based Data Controller, using PlanetReg to collect and process data, while marketing their event to individuals in the US (**or anywhere outside the EU**), would find their data to **not be** GDPR in-scope.

Note, even for those that determine their data to not be GDPR in-scope, PlanetReg provides all the tools necessary to provide a GDPR compliant data environment.

To better understand what you are responsible for as a Data Collector that is GDPR in-scope, here is a list and review of the 'rights' concerning personal data afforded to the Data Subject by GDPR.

The right to be informed.

The Data Subject must have readily transparent access to information describing how their personal data is used, stored and retained.

PlanetReg provides a written Privacy Policy that covers this aspect of the GDPR. You may determine that you need additional policy coverage.

You can readily do so by including such in the Registration Information and/or Details section on

Setup/2.Layout.

The right of access

The Data Subject has the right to receive all personal data held by you concerning the Data Subject within 30 days of request.

PlanetReg makes this easy to achieve with the login function for each registration.

Registrants can view all of their personal data by viewing the online confirmation that is loaded after login.

If a request for data is made to you on an older Closed or Archived status event, you can readily provide the registrant their data by resending them their confirmation via email.(Registrant Review/Send Confirmation)

The right to rectification

The Data Subject has the right to have their personal data updated.

PlanetReg provides the tools to allow for update of Data Subject data.

Either the Data Subject updates their own data via the 'edit' button on online confirmation headers.

Or you, the Data Collector, can update the Data Subject data via Registrant Review/Update Registration Information.

The right to be forgotten

The Data Subject has the right to have their personal data deleted.

Both registrant and event level 'data delete' functions are currently being developed to make this process simpler.

In the meantime, PlanetReg allows for full update of all Standard and Custom Questions where personally identifying information might be stored.

These fields can be updated to reflect no data, thus affecting a 'delete' of Data Subject data.

The right to restrict processing

The Data Subject has the right to have their personal data no longer be processed.

As the only Data Subject personal data processing occurring on PlanetReg post registration is for email purposes, this primarily would involve no emails being sent via the automated PlanetReg systems and also your own contact of them via email/mail/phone.

PlanetReg is developing an '**opt-out of processing**' option.

Currently, updating the Data Subject email address to prevent contact via email would suffice.

The right to data portability

The Data Subject has the right to access their data in a format readily usable for other purposes.

Currently, you can download all data, including the Data Subject personal data, on a registrant via CSV file and provide that to them.

Contact us at support@PlanetReg.com if you would like assistance with this.

To simplify this for you, PlanetReg is developing a 'download' button that will allow the registrant to do so themselves from the confirmation page.

The right to object

The Data Subject has the right to have you stop processing on their data for the purpose of direct marketing.

PlanetReg is developing an '**opt-out of contact**' option.

Checking this will result in **no emails being sent** from the PlanetReg system to the Data Subject.

Also, this condition is reflected on the CSV download so that you can allow for this if using the data after download.

This would be in addition to your own Custom Question (see Consent for marketing below) if you direct market to registrants for non-event-required marketing.

Other Considerations

Aside from these defined 'rights' there are some additional aspects to GDPR that affect the data you collect on PlanetReg.

Concerning the consent to process data by the Data Subject, GDPR Article 6 (1) provides the following six legal grounds for processing:

- (a) the data subject has given consent to the processing of their personal data for one or more specific purposes;
- (b) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- (c) processing is necessary for compliance with a legal obligation to which the controller is subject;
- (d) processing is necessary in order to protect the vital interests of the data subject;

(e) 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 controller;

(f) processing is necessary for the purposes of the legitimate interests pursued by a controller, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child. This shall not apply to processing carried out by public authorities in the performance of their tasks.

The vast majority of Data Subject personal information input on PlanetReg would be covered by (a), as the Data Subject registers for an event, providing their personal data as part of the registration process for the purpose of event registration. This consent does not cover other marketing related contact, more on that below.

In the PlanetReg privacy policy a statement is included to which the Data Subject agrees that the data offered is processed for the specific purpose of the registration process.

As the needs and uses of data varies widely between events, you may determine it necessary to add some specific language in the Registration Information/Details sections of Setup/2.Layout concerning the data you are collecting.

(f) brings forth the instance when the Data Subject is a child (**Child Data Subject**).

Specific requirements across districts can vary when dealing with Child Data Subject data, of which the GDPR is only a part.

We suggest you collect personally identifying information of a child only when absolutely necessary.

If it is necessary to do so, at minimum, couple the collection of this data with a parental/guardian consent via a required Custom Question (Setup/3.Questions) or utilize the Waiver feature in this manner (Setup/3.Questions).

Consent for marketing

Processing Data Subject data for the purpose of marketing requires explicit consent if GDPR in-scope.

GDPR requires consent to receive marketing to be 'freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.'

Thus an 'opt-in' checkbox that is not required to be checked and not pre-checked must be offered if you plan on using the Data Subject personal data in non-event-required marketing.

A Custom Question (Setup/3.Questions) can readily meet this requirement if worded correctly.

Note, the emails sent to registrants per the built-in PlanetReg registrant contact system (confirmation, reminder, follow-up survey) fall under Article 6(1)(a), as a specific purpose for the registration process for an event.

PlanetReg operates a secure data collection and storage system. All data is collected on TLS secured pages on a secure dedicated server physically residing in the USA and is stored on a secure dedicated server physically residing in the USA.