

COUNTRY: LITHUANIA

Theme/ question:	Under the Directive + National Law	Under the GDPR + National law
Legislation	The <u>Law</u> of the Republic of Lithuania on Legal Protection of Personal Data The <u>Law</u> of the Republic of Lithuania on Ethics of Biomedical Research	The Law of the Republic of Lithuania on Legal Protection of Personal Data (will be amended to comply with the GDPR) The Law of the Republic of Lithuania on Ethics of Biomedical Research
Legal grounds applicable to scientific research purposes	Health data could be processed on the basis of consent or scientific research purposes.	Health data may be processed on the basis of consent or scientific research purposes.
Safeguards required - Conditions framing the processing of health data for scientific research purposes	<ul style="list-style-type: none"> - In the case of processing without consent, a notice must then be given to the Data Protection Authority, that carried out a prior checking - obligation to alter the data to make it impossible to identify data subjects (after the processing for scientific research anonymisation or pseudonymisation) - prohibition to use the data for any other purpose than scientific research - in the case of biomedical research, 10 conditions applied 	GDPR required safeguards must be implemented The former regime applicable to health data remains in place (ethical authorisation)
Conditions for further processing of health data	Compatibility of processing purposes and adequate protection measures	Compatibility of processing purposes and adequate protection measures must be implemented.
What are the rights of the data subject?	Data subject had the right to be informed (some exceptions) (e.g. purpose, methods, rights...), the right to withdraw consent and guarantees of confidentiality of health information	The GDPR provides the following rights: right to access by the data subject (Article 15); right to rectification (Article 16); right to erasure (Article 17); right to restriction of processing (Article 18); right to data portability (Article 20); as well as a right to object (Article 21).
Possible derogation from the rights of the data subject	There could be derogations the obligation to inform data subjects (if impossible or required a disproportionate effort) and from the obligation to receive consent (where authorities permit it)	No derogations are admitted