

COUNTRY: POLAND

Theme/ question:	Under the Directive + National Law	Under the GDPR + National law
Legislation	<u>Act</u> of 29 August 1997 on the Protection of Personal Data	New Data Protection Act
Legal grounds applicable to scientific research purposes	Health data could be processed on the basis of consent for scientific research purposes (Art. 27.2.9 PDPA 1997).	Health data may be processed on the basis of consent.
Safeguards required - Conditions framing the processing of health data for scientific research purposes	The processing without the consent cannot allow for the identification of the data subjects.	GDPR requires the implementation of certain safeguards.
Conditions for further processing of health data	Processing had to be performed with due care to ensure there was no incompatible further processing;	Processing with due care ensures there is no incompatible further processing
What are the rights of the data subject?	Data subject had a right to be informed and access the personal data processed.	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	No derogations were admitted.	No derogations are admitted.