Annex to the MUB’s Rector’s Order No. 43/2023, dated 10 May 2023.

**Regulations for the use of the infrastructure**
**of the Centre for Bioinformatics and Data Analysis (CBiAD)**

# § 1 Definitions

The following phrases and terms used in these Regulations mean:

1. CBiAD Infrastructure - is a collection of ICT equipment provided as part of the Centre for Bioinformatics and Data Analysis (CBiAD).
2. User - any researcher with access to CBiAD infrastructure.
3. Administrators - persons responsible for the correct operation of the infrastructure.
4. The Owner of the CBiAD Infrastructure (IO) - the Medical University of Bialystok.
5. Personal Data Administrator - Medical University of Bialystok, who determines the purposes and means of data processing.

# § 2 General provisions

1. These Regulations set out the terms and conditions for the use of CBiAD infrastructure.
2. The use of CBiAD infrastructure is possible only after reading the Regulations and accepting all the provisions.
3. CBiAD's infrastructure may be used by persons conducting scientific research. CBiAD's infrastructure can only be used to support non-commercial scientific activities.
4. The use of CBiAD infrastructure is free of charge.
5. Users are given remote access to the infrastructure.

# § 3 Users and access accounts

1. The condition for obtaining an access account authorizing the use of services
and infrastructure of the Centre for Bioinformatics and Data Analysis (CBiAD) is sending a registration form, located at hpc.umb.edu.pl (menu "Register"), and reading the information about the processing of personal data in accordance with Article 13 GDPR, available on the aforementioned website.
2. The condition for correct registration is providing the following information in the form: username, first name, last name, academic title, name of the scientific unit and Department in which the applicant works, and a contact e-mail address. It is also necessary to accept the provisions of these Regulations, and to check the boxes stating that one is familiar with the information on personal data processing and that one acknowledges that the cluster is for non-commercial activities.
3. The submitted application for access is being evaluated, and the applicant at that time may be asked for additional clarification. Once the application is approved, access accounts to CBiAD infrastructure are created.
4. A User can be granted access associated with only one username.
5. The information you provide when requesting access is stored and used for purposes related to the use of CBiAD infrastructure.
6. The procedure for granting authorization to process personal data in the infrastructure of the Centre for Bioinformatics and Data Analysis (CBiAD) at the Medical University of Bialystok constitutes Appendix 1 to the Regulations.

#  § 4 Obligations and rights of Users

1. The User is obliged to use CBiAD infrastructure in accordance with the Regulations, data protection regulations, documentation, and software license terms, and in particular is obliged to:
	1. properly secure the account and other data used for authorization against unauthorized access,
	2. set a password of significant complexity that will make it difficult for others to take over the account, and in case of learning, that the account is being used by others, the user must immediately notify the Administrators,
	3. not to take any action that interferes with the work of other users,
	as well as those aimed at gaining unauthorized access, taking over control, or destroying resources,
	4. use and access the data only to the extent necessary and resulting from tasks in the projects/research performed,
	5. not to attempt to access data to which the User is not authorized - any action to access data outside the above scope will be considered a violation,
	6. not to transfer account rights to others,
	7. not to share the account with others,
	8. not to download data in the CBiAD infrastructure, that may cause irregularities in its operation
	9. promptly update the data provided when applying for access if they change,
	10. stop using the CBiAD infrastructure in case of loss of User status,
	11. ensure that the data stored in its disk space does not violate the Law on Copyright and Related Rights, the Law on Industrial Property, the Law on Protection of Databases, as well as the rights of third parties,
	in particular, it is forbidden to store data containing offensive content, violating the personal rights of third parties (including defamatory or insulting content), data obtained illegally, as well as containing other content, the possession or distribution of which may expose to criminal sanctions,
	12. process personal data only for the purpose provided for in this Regulations, maintain the secrecy of personal data to which the user will have access, protect personal data from accidental or unlawful processing,
	including destruction, loss, modification, unauthorized access to data or disclosure,
	13. use the CBiAD Infrastructure only for non-commercial activities.
2. The User is responsible for any damage caused by failure to comply with the rules of use of CBiAD infrastructure.
3. Users are responsible for the data they download or generate themselves in the CBiAD infrastructure.
4. In case of permanent end of use of resources by the User, he/she is obliged to inform the Administrators in order for them to block access and terminate the account. In case of loss of contact with the user, the Administrator himself/herself may take the above actions.
5. Users have the right to use CBiAD infrastructure within the limits set by the Administrators. Exceeding the granted limits may be grounds for blocking the account.
6. Users are obliged to use CBiAD's computer resources economically within the granted limits. This applies in particular to disk space occupied, operating memory and CPU time used. Large, unused collections, temporary files, result files, etc. should be deleted or archived by the User. If the User fails to do so, the Administrator will request the User to take appropriate action under pain of blocking access to the account, and in cases of persistent violations, terminating the account.
7. Group project members should avoid storing multiple copies of the same data.
8. Running computations on nodes other than computing nodes, except by prior agreement with the Administrators, is considered abuse and may be grounds for temporary or permanent blocking of access to computing servers.
9. The User has the right to:
	1. request a change in authority to CBiAD infrastructure;
	2. request that their Account be removed from the CBiAD infrastructure;
	3. report a failure if the service is found to be malfunctioning.

# § 5 Obligations and rights of IO

1. IO ensures that it follows good infrastructure operation practices and undertakes to inform Users of possible restrictions on access to CBiAD infrastructure for the duration of planned maintenance work with a minimum of 2 days' notice.
2. IO has the right to:
	1. verify the correctness of the data provided by the User. If irregularities are detected, IO reserves the right to: block the process of creating an Account, request that the User removes the irregularities immediately, block the Account until the matter is clarified, or delete the Account,
	2. block temporary or permanently the access to the Account, in case of obtaining a reasonable suspicion of violation of the rules of use of CBiAD infrastructure
	3. delete the User's account if the User has lost the right to use the service,
	4. inform the scientific unit in which the applicant works, and which authorized him/her, of violations done by this User,
	5. make updates to the infrastructure management software,
	6. make changes in assigned authorisations,
	7. send to the e-mail address provided by the User information regarding the operation of the infrastructure,
	8. shut the infrastructure down in the event of emergencies or technological interruptions,
	9. make changes to the Regulations at any time.

# § 6 Exclusion of IO liability

1. Access to CBiAD Infrastructure is available on an "as it is" basis. IO makes every effort to ensure the proper level of service provision, but shall not be liable for any damages (including lost profits) resulting from:
	1. interruptions in access to CBiAD infrastructure,
	2. loss of data because of user mistake, failure to comply̨ with the rules set forth in the documentation or with the recommendations of the administrator, equipment failure,
	3. programming errors,
	4. force majeure or actions of third parties.
2. IO shall not be liable for the use of CBiAD Infrastructure in a manner being against the law and these Regulations, including in particular:
	1. users committing unlawful acts or acts contrary to the principles of social coexistence - the User, or users who have caused damage on this account shall be obliged to repair it without the participation of the Infrastructure Owner and to release the Infrastructure Owner from liability,
	2. Users using the infrastructure contrary to its intended purpose,
	3. unauthorized sharing the information protected or owned by others by Users,
	4. unauthorized use of information protected or owned by others, shared by the User with other Users of CBiAD infrastructure
3. It is not the task of IO and Administrators to archive users' disk space; hence the staff does not bear any responsibility for the loss of data placed in their home directories.
4. IO shall make every effort to ensure that the systems operate efficiently and without failure, however the IO shall not be liable for any loss of calculations or data due to hardware failure or other unforeseeable random events, force majeure or actions of third parties.”

# § 7 Personal data protection

1. IO shall provide each User with protection̨ of personal data collected for the use of CBiAD infrastructure in accordance with the General Data Protection Regulation hereinafter referred to as GDPR and these Regulations.
2. During registration in the CBiAD infrastructure, the User is required to provide personal data, such as:
	1. username,
	2. first and last name,
	3. academic title, academic degree, professional title,
	4. he name of the scientific unit, the user's workplace,
	5. e-mail address.
3. IO has the right to collect and process additional data such as
	1. statistical information on the use of resources,
	2. information on the authorization process and user activity within the CBiAD infrastructure.
4. IO reserves the right to verify the data provided by the User, but is not responsible for any consequences of false personal information provided by the User.
5. In no case does IO ask users for their account password.

# § 8 Final provisions

1. Any information collected about the User is used for the sole purpose of:
	1. ensuring the proper functioning of the infrastructure,
	2. the necessary reporting on the operation of CBiAD,
	3. statistical.
2. In matters not covered by these Regulations, the relevant provisions of Polish law and the internal regulations in force at the University regarding the protection of personal data, in particular the Personal Data Protection Policy, and the IT System Management Manual shall apply.
3. The Parties shall try to resolve amicably any disputes regarding the use of CBiAD infrastructure that cannot be resolved. In the absence of unanimity to resolve the dispute, the dispute shall be submitted to the court having jurisdiction over the type of dispute and the seat of the IO.