

## Privacy Policy Website

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GDPR

## INDEX

<b>1. GENERAL</b>	<b>3</b>
1.1. INTRODUCTION	3
1.2. IDENTITY AND CONTACT DETAILS	3
1.3. LINK TO RELEVANT DATA PROTECTION LEGISLATION	3
1.4. DEFINITIONS AND PRINCIPLES	4
1.4.1. <i>Personal data is defined as</i>	4
1.5. STATEMENT	5
<b>2. INFORMATION TO BE PROVIDED</b>	<b>5</b>
2.1. THE PURPOSES AND LEGAL BASIS OF THE PROCESSING	5
2.2. REGARDING THE RECIPIENTS, OR CATEGORIES OF RECIPIENTS, OF THE DATA, IF ANY	5
2.3. SECURITY AND CONFIDENTIALITY	6
2.4. HOW LONG DOES FABRY INTERNATIONAL NETWORK KEEP YOUR PERSONAL DATA?	6
<b>3. DATA SUBJECT RIGHTS</b>	<b>6</b>
3.1. DESCRIBE THE DATA SUBJECT'S RIGHTS TO ACCESS, RECTIFICATION, ERASURE AND PORTABILITY OF THE PERSONAL DATA	7
3.2. DESCRIBE THE DATA SUBJECT'S RIGHTS TO RESTRICTION OF, OR OBJECTION TO, PROCESSING OF THEIR PERSONAL DATA	7
3.3. DESCRIBE THE DATA SUBJECT'S RIGHTS TO WITHDRAW CONSENT AT ANY TIME (IF APPLICABLE)	7
3.4. WILL THE PERSONAL DATA BE SUBJECT TO AUTOMATED PROCESSING, INCLUDING PROFILING? IF SO DESCRIBE THE LOGIC AND POTENTIAL CONSEQUENCES INVOLVED	8
<b>4. COMPLAINTS/CHANGE OF POLICY/ADDRESSING COMPLIANCE</b>	<b>8</b>
4.1. THE DATA SUBJECT'S RIGHT TO LODGE A COMPLAINT WITH A SUPERVISORY AUTHORITY	8
4.2. ADDRESSING COMPLIANCE	8
4.3. UPDATES TO THIS PRIVACY POLICY	9

## **1. GENERAL**

### **1.1. Introduction**

This privacy policy tells you what to expect us to do with your personal data when you make contact with us or use one of our services. In the following we'll tell you why we are able to process your information, what purpose we are processing it for, whether you have to provide it to us, how long we store it for. We also mention whether there are other recipients of your personal information, whether we intend to transfer it to another country and whether we do automated decision-making or make use of profiling.

In collecting and using this data, the organisation is subject to a variety of legislation controlling how such activities may be carried out and the safeguards that must be put in place to protect it.

The purpose of this policy is to set out the relevant legislation and to describe the steps Fabry International Network is taking to ensure that it complies with it.

This control applies to all systems, people and processes that constitute the organisation's information systems, including board members, directors, employees, suppliers and other third parties who have access to Fabry International Network systems.

### **1.2. Identity and contact details**

Fabry International Network, with its registered office in the Netherlands, registered at the Chamber of Commerce Drenthe, the Netherlands, Charity Registration Number 04080030, with head office in Belgium, hereby duly represented by Lut de Baere, FIN President.

### **1.3. Link to relevant data protection legislation**

The General Data Protection Regulation 2016 (GDPR) is one of the most significant pieces of legislation affecting the way that Fabry International Network carries out its information processing activities.

The GDPR has been integrated in Belgium through the 'Data Protection Act' of July 30, 2018.

Significant fines are applicable if a breach is deemed to have occurred under the GDPR, which is designed to protect the personal data of citizens of the European Union. It is Fabry International Network's policy to ensure that our compliance with the GDPR and other relevant legislation is clear and demonstrable at all times.

## 1.4. Definitions and principles

### 1.4.1. *Personal data is defined as*

Any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;

'processing' means:

any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;

'controller' means:

the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law;

There are a number of fundamental principles upon which the GDPR is based.

These are as follows:

1. Personal data shall be:

(a) processed lawfully, fairly and in a transparent manner in relation to the data subject ('lawfulness, fairness and transparency');

(b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall, in accordance with Article 89(1), not be considered to be incompatible with the initial purposes ('purpose limitation');

(c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed ('data minimization');

(d) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay ('accuracy');

(e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) subject to implementation of the appropriate technical and

organisational measures required by this Regulation in order to safeguard the rights and freedoms of the data subject ('storage limitation');

(f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures ('integrity and confidentiality').

2. The controller shall be responsible for, and be able to demonstrate compliance with, paragraph 1 ('accountability').

### **1.5. Statement**

Fabry International Network will ensure that it complies with all of these principles both in the processing it currently carries out and as part of the introduction of new methods of processing such as new IT systems.

## **2. INFORMATION TO BE PROVIDED**

### **2.1. The purposes and legal basis of the processing**

There are six alternative ways in which the lawfulness of a specific case of processing of personal data may be established under the GDPR. It is Fabry International Network policy to identify the appropriate basis for processing and to document it, in accordance with the Regulation.

- WHAT KIND OF PERSONAL DATA IS PROCESSED PER PROCESSING ACTIVITY
- WHY ARE THE PERSONAL DATA PROCESSED?
- WHAT IS THE LEGAL BASIS FOR THIS PROCESSING?
- WHERE IS THE PERSONAL DATA STORED?
- WHAT IS THE RETENTION PERIOD?

### **2.2. Regarding the recipients, or categories of recipients, of the data, if any**

We will not share your information with any third parties for the purposes of direct marketing.

We share your information in order to meet the above mentioned purposes. All staff involved in handling personal data understand their responsibilities for following good data protection practice

We use processors who are third parties who provide elements of services for us. We have contracts in place with our processors. This means that they cannot do anything with your personal information unless we have instructed them to do it. They will not share your personal information with any organisation apart from us. They will hold it securely and retain it for the period we instruct.

In some circumstances we are legally obliged to share information. For example under a court order or where we cooperate with other European supervisory authorities in handling complaints or investigations. We might also share information with other regulatory bodies in order to further their, or our, objectives. In any scenario, we'll satisfy ourselves that we have a lawful basis on which to share the information and document our decision making and satisfy ourselves we have a legal basis on which to share the information.

### 2.3. Security and confidentiality

Fabry International Network guarantees that the processing of your personal data takes place in an adequate, correct and safe manner. Appropriate technical and organizational measures have been taken to prevent any loss, falsification or unauthorized modification of, as well as unauthorized access to, the personal data.

### 2.4. How long does Fabry International Network keep your personal data?

The collected personal data are stored exclusively for their purpose. This varies depending on the respective activity. Questions via the contact form are actively tracked until this has been satisfactorily dealt with, after which it is stored passively within the framework of statistics and the measurement of customer satisfaction. A differentiated storage period applies to the cookies, depending on the type of cookie and the provider.

## 3. DATA SUBJECT RIGHTS

The data subject also has rights under the GDPR. These consist of the right to be informed, the right of access, the right to rectification, the right to erasure, the right to restrict processing, the right to data portability, the right to object and rights in relation to automated decision making and profiling. Each of these rights are supported by appropriate procedures within the company of client that allow the required action to be taken within the timescales stated in the GDPR. These timescales are shown below

Data Subject Request	Timescale
The right to be informed	When data is collected (if supplied by data subject) or within one month (if not supplied by data subject)
The right of access	One month
The right to rectification	One month
The right to erasure	Without undue delay
The right to restrict processing	Without undue delay
The right to data portability	One month
The right to object	On receipt of objection

Rights in relation to automated decision making and profiling.	Not specified
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### 3.1. Describe the data subject's rights to access, rectification, erasure and portability of the personal data

By law, you can ask us what information we hold about you, and you can ask us to correct it if it is inaccurate. If we have asked for your consent to process your personal data, you may withdraw that consent at any time.

If we are processing your personal data for reasons of consent or to fulfil a contract, you can ask us to give you a copy of the information in a machine-readable format so that you can transfer it to another provider.

If we are processing your personal data for reasons of consent or legitimate interest, you can request that your data be erased.

To submit a request regarding your personal data by email, please use the following mail: [privacy@fabrynetwork.org](mailto:privacy@fabrynetwork.org)

### 3.2. Describe the data subject's rights to restriction of, or objection to, processing of their personal data

The data subject has the right to object to processing that is based on the following legal justifications:

- For the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller
- For the purposes of the legitimate interests of the controller

Once an objection has been made, Fabry International Network must justify the grounds on which the processing is based and suspend processing until this is done. Where the personal data is used for direct marketing we have no choice but to no longer process the data.

### 3.3. Describe the data subject's rights to withdraw consent at any time (if applicable)

The data subject has the right to withdraw consent where the basis for processing of their personal data is that of consent (i.e. the processing is not based on a different justification allowed by the GDPR such as contractual or legal obligation).

Before excluding the data subject's personal data from processing, it must be confirmed that consent is indeed the basis of the processing. If not, then the request may be rejected on the grounds that the processing does not require the data subject's consent. Otherwise, the request should be allowed.

In many cases, the giving and withdrawal of consent will be available electronically i.e. online, and this procedure will not be required.

Where consent involves a child (defined in Belgium by the age of – 13 years old)) the giving or withdrawal must be authorised by the holder of parental responsibility over the child.

### **3.4. Will the personal data be subject to automated processing, including profiling? If so describe the logic and potential consequences involved**

The data subject has the right to not be the subject of automated decision-making where the decision has a significant effect on them, and can insist on human intervention where appropriate. The data subject also has the right to express their point of view and contest decisions.

There are exceptions to this right, which are if the decision:

- Is necessary for a contract
- Is authorised by law
- Is based on the data subject's explicit consent

In assessing these types of request, a judgement needs to be made about whether the above exceptions apply in the particular case in question.

## **4. COMPLAINTS/CHANGE OF POLICY/ADRESSING COMPLIANCE**

### **4.1. The data subject's right to lodge a complaint with a supervisory authority**

If you have a complaint about our use of your information you have a right to complain at the Belgian Authority, Gegevensbeschermingsautoriteit.

You can contact them at:  
Drukpersstraat 35, 1000 Brussel  
+32 (0)2 274 48 00  
contact@apd-gba.be

### **4.2. Addressing compliance**

The following actions are undertaken to ensure that Fabry International Network complies at all times with the accountability principle of the GDPR:

- The legal basis for processing personal data is clear and unambiguous
- A Data Protection Officer is appointed with specific responsibility for data protection in the organisation – [privacy@fabrynetwork.org](mailto:privacy@fabrynetwork.org)
- All staff involved in handling personal data understand their responsibilities for following good data protection practice
- Training in data protection has been provided to all staff
- Rules regarding consent are followed
- Routes are available to data subjects wishing to exercise their rights regarding personal data and such enquiries are handled effectively
- Regular reviews of procedures involving personal data are carried out
- Privacy by design is adopted for all new or changed systems and processes
- The following documentation of processing activities is recorded:

- Organisation name and relevant details
- Purposes of the personal data processing
- Categories of individuals and personal data processed
- Categories of personal data recipients
- Agreements and mechanisms for transfers of personal data to non-EU countries including details of controls in place
- Personal data retention schedules
- Relevant technical and organisational controls in place

These actions are reviewed on a regular basis as part of the management process concerned with data protection.

#### **4.3. Updates to this privacy policy**

We regularly review and, if appropriate, update this privacy policy from time to time, and as our services and use of personal data evolves. If we want to make use of your personal data in a way that we haven't previously identified, we will contact you to provide information about this and, if necessary, to ask for your consent.