

PRIVACY STATEMENT

1. Who are we?

1.1. Phoenix23 as data controller

With this statement (hereafter referred to as the '**Statement**') We wish to inform you why and how your personal data are collected and processed by Phoenix23 bvba, and its different division with registered office at Koning Leopold II laan 179, 9000 Gent (Belgium) and company number 0694.860.983(hereafter collectively referred to as "**We**" or "**PHOENIX23**").

Our contact details can be found in point 10 of this Statement.

We are responsible for processing the personal data that We request and use. As data controller, We undertake measures to ensure that you :

- continue to be informed about our processing of your personal data and your rights ;
- retain control of the personal data that We process ;
- are able to exercise your rights relating to your personal data. More information on your rights can be found in point 9 of this Statement.

If you contact us via a social media platform (such as Facebook, etc.), your personal data are able also to be processed by social media themselves and under their responsibility. We invite you to read their own privacy notice and their own terms and conditions of use on their websites.

2. What information do We collect about you?

2.1. Personal data

Personal data means all information relating to a given living natural person.

The type of personal data We collect depends on the services you request and may be sensitive personal data.

If you have a business relationship with us, personal data may contain data about you and/or your representatives, personnel, self-employed staff and/or directors (hereafter jointly also referred to as "**you**" or "**your**").

The personal data that you may provide to us, might be :

- identifying data ;
- information relating to personal characteristics and psychological development such as your character traits ;
- photos and/or videos and/or sounds records (such as the sound of your voice) ;
- information relating to your habits ;
- information relating to your consumption habits ;
- localization data (such as IP address).

If We receive your personal data from your representatives, personnel, self-employed staff and/or directors, you must inform them of the existence and content of this Statement, including our duties, their rights and the way in which they can exercise these rights.

Moreover, We collect personal data from all persons who express an interest in our services or in order to function properly as a company. This include all persons interested in our services proposed on our websites (newsletters, contact forms, feedback, etc.); but also all persons interested in our services proposed on mobile applications and social network.

2.2. Minors

We are susceptible to collect and process personal data of minors only if they are more than 13 years old or, when appropriate, with the consent of the legal representative.

3. Why do We need your data?

3.1. Provision of services and customer relationships

- What does this purpose entail?

We may use your personal data to be able to carry out our professional tasks, to serve you better, and to provide you with our products.

- Which personal data do We process to this end?

We collect and process the following personal data :

- identification data, such as your name, your e-mail address, your phone number, your birth date, your gender and your postal address ;
- information relating to your personal characteristics and your psychological development such as your characters traits ;
- photos and/or videos and/or sounds records (such as the sound of your voice) ;
- information relating to your consumption habits ;
- information relating to your leisure and interests ;
- localization data such as your IP address.

3.2. Information and communication

- What does this purpose entail?

We wish to be able to inform you of our services, events or relevant news items.

This can be done at your explicit request, or if We suspect that you would be interested in or benefit from a service.

You will receive our direct marketing communication if you have given your express consent. In particular, We will request your explicit consent if you are not a customer of ours.

However, even if you do not consent you may still receive offers or advertising from us, especially if you already have an existing customer relationship with us. This would be the case for all persons who have subscribed to our newsletters and/or provided contact details during the commercial relationship. In this connection, We base ourselves on our legitimate interest.

- Which personal data do We process to this end?

We collect and process your name, your job, your email address, your birth date, your gender, and your telephone number.

3.3. Because it is necessary to be able to function properly as a company

- What does this purpose entail?

This objective amounts to what is called a 'legitimate interest'. We do indeed still have a number of legitimate interests on which the processing of personal data is based. This happens only after We have made the assessment that in any case the balance between our legitimate interests and the potential impact on your privacy will not be disturbed.

If you nevertheless have objections to this processing, you can exercise your right to object as mentioned in point 9.3 of this Statement.

For example, personal data are processed in various situations (non-exhaustive list) :

- personal data can serve as proof (archives) ;
- personal data may be used to establish, exercise, defend and indemnify our rights or those of the persons who may represent us, for example, in the event of disputes ;
- personal data can be used for the administration, (risk) management and monitoring of our organisation, including for matters relating to compliance (e.g. money laundering, fraud prevention and investigations and privacy), risk management, risk functions and inspection, complaint management and internal and external audit ;
- personal data can be used to support and simplify customers' purchasing, use and termination of services, including preventing you from having to fill in information that you previously provided ;
- personal data of journalists can be used to contact them in order to promote our activities.

3.4. Legal requirement

- What does this purpose entail?

PHOENIX23 is under an obligation to process, in certain circumstances, your personal data due to legal requirements related to data protection regulation.

3.5. Profiling

As part of our activities, We may collect your personal data in order to create categories of clients. It allows us to get to know each other better and to have a more precise idea of your preferences in order to provide you products you are likely to appreciate. This is called “profiling”.

3.6. Cookies

We use also “cookies” (and similar technologies) on our website and applications. Due to these small computer files which store information on your computer’s browser, We can retain some of your personal data (for instance language choice, your favourite number, etc.).

We store the cookies in order to customize our site and applications as best as We can and to save your preferences for your next visit. Consequently, We may increase your operating comfort and propose you relevant offers.

For more information about cookies, our cookie policy may be consulted on PHOENIX23’s websites.

4. Do We request your consent for processing?

4.1. General

Your personal data may only be lawfully used and processed by us if one of the following conditions is met :

- The use of your personal data is **necessary for the implementation of an agreement** that you have concluded with us or at your request, in order to take the necessary steps to conclude an agreement with us.

This forms the basis of the processing purposes stated in **point 3.1** of this Statement.

- We have your **express and free consent** to use your personal data for a particular purpose.

For example, We will request your permission to contact you for direct marketing purposes, as mentioned under **point 3.2** of this Statement, if you do not have a customer relationship with us yet.

- The use of your personal data is necessary for the **purposes of our legitimate interests**, to the extent that this is balanced against your interests and rights.

We consider the processing necessary to operate as a company to be based on our legitimate interest, as mentioned under **point 3.3** of this Statement, and to be able to contact our existing customers for direct marketing purposes, as mentioned under **point 3.2** of this Statement.

- We may be **required by law** to process certain data and, in particular, to pass them on to the relevant authorities.

5. With which other persons do We share your personal data?

- Only PHOENIX23's employees who effectively need access to perform their duties have access to your data. These persons act under our supervision and responsibility.
- Through your participation to our collective activities (both digital and in person), participants are likely to use your personal data (by (re)publishing your posts on social media for instance).
- We also rely on external suppliers that carry out certain processing operations for us so that We can offer you our products and activities, such as IT services, logistic, financial, accounting and similar other services. Since such third parties have access to personal data within the scope of the services We have requested, We have taken technical, organisational and contractual measures to ensure that your personal data are only processed and used for the purposes stated in point 3 of this Statement.
- Only if We are legally obliged to do so, your personal data can be provided to supervisory institutions, tax authorities and investigation services.

Your personal data are not sold to third parties.

6. Where are the data stored and processed?

In principle, your data will not be transported outside the EU and, in any case, We will ensure that the minimum legal requirements and security standards are respected at all times. If We suspect that your data will be stored and processed outside the EU, We will explicitly inform you of this matter and ensure that the same level of protection is applied as within the EU.

If We use a processor, your personal data will be transported to countries where data centres used by the processors are located. Therefore, it is possible that certain personal data will be transported outside the EU.

7. How long do We retain your personal data?

We only store your data for as long as it is necessary for the purposes for which the data are used for as stated in point 3 of this Statement. Any deviations or clarifications of this principle are explicitly stated under the various purposes mentioned in item 3 of this Statement.

Since the need for retention of data may vary by the type of data and by the purpose of the processing, the actual retention periods may vary considerably.

We can hereby inform you that We take the following criteria, among others, into account when determining the retention periods:

- How long are the personal data needed for the requested service to be provided?

- Have We established and announced a specific retention period?
- Have We been given permission for a longer retention period?
- Do We have a legal, contractual or similar obligation to retain the data?

As soon as your data are no longer required and We do not have the legal obligation to retain them, We will permanently erase them or, if this is not possible, anonymise them in our systems.

Your personal data will be retained and used for as long as necessary to comply with our legal obligations, in order to settle disputes or to enforce our agreements.

8. How do We protect your personal information?

Your personal data are considered to be strictly confidential. We take the appropriate technical and organisational measures to protect the provided and collected personal data from destruction, loss, unintended alteration, damage, accidental or unlawful access or any other unauthorised processing.

9. What are your rights?

9.1. The rights of access, rectification, erasure and transferability of data and of objection

9.1.1. The right to access your personal data

You have the right at any time to access and inspect your personal data processed by us. We will provide you with a copy of your personal data free of charge if you request so.

To exercise your rights, please refer to point 9.3 of this Statement.

9.1.2. The right to rectify your personal data

You have the right at any time to have incorrect, incomplete, inappropriate or outdated personal data erased or rectified.

To exercise your rights, please refer to point 9.3 of this Statement.

9.1.3. The right to withdraw your consent

If the processing is based on your consent as set out in point 4.1., then you have the right to withdraw this consent at any time.

To exercise your rights, please refer to point 9.3 of this Statement.

9.1.4. The right to object to certain processing

If your personal data are processed for statistical purposes, then you have the right to object to the processing of your personal data for reasons related to your specific situation.

To exercise your rights, please refer to point 9.3 of this Statement.

9.1.5. *The right to have your personal data erased*

You are entitled to have your personal data deleted. Based on this right, if you no longer wish to have a relationship with us, you can ask us to stop using your personal data. However, We may keep personal data that are required for purposes of proof.

Under this right of erasure, you also have the right to ask us at any time to stop using your personal data that are processed based on your consent or on our legitimate interest. Due to legitimate interests, We may still continue to process your personal data after balancing your interests and your fundamental rights against ours, unless you decide to terminate your relationship with us.

To exercise your rights, please refer to point 9.3 of this Statement.

9.1.6. *The right to data portability*

You are entitled to receive a digital copy of your personal data which we have received from you so that you can keep your data for personal (re)use, or to forward your data directly to another data controller, to the extent that this is technically feasible for us.

To exercise your rights, please refer to point 9.3 of this Statement.

9.2. The right of objection to direct marketing

As indicated above in point 4.1, We request your consent to address commercial information, advertising or personal proposals to you (via direct marketing campaigns or electronic newsletters). You have the right to object to the processing of your personal data for direct marketing purposes if you do not wish to receive such communications from us (any longer). In this case, We will no longer process your personal data for direct marketing purposes. Your request will be carried out as soon as possible.

To exercise your rights, please refer to point 9.3 of this Statement.

If you have exercised your right to object, you may, if you wish, allow direct marketing activities again via the same channels.

We draw your attention to the fact that your exercise of the right to object does not prevent us from contacting you, where appropriate, for any other purpose, including the execution of the contract, in accordance with this Statement.

9.3. How can you exercise your rights

To exercise the rights mentioned above, you may send us a written request, accompanied by a photocopy of a proof of identity :

- by email : privacy@phoenix23.net ;

- at the following postal address :Koning Leopold II-laan 179, 9000 Gent (Belgium), to the attention of the Privacy Team.

When exercising your right, We request that you clearly state the right to which you wish to appeal and any processing operation(s) you oppose or which consent you wish to withdraw.

9.4. Issues to consider when exercising rights

We wish to inform you that the objection to certain processing operation(s) or the withdrawal of your consent for certain processing operations involving your personal data may result in you no longer being informed of, or no longer being able to use activities or services that We offer.

10. How can you submit questions or complaints?

If you have a question or complaint about our processing of personal data please contact us through the following channels :

- by email : privacy@phoenix23.net;
- at the following postal address: Koning Leopold II-laan 179, 9000 Gent (Belgium), to the attention of the Privacy Team.

If you are not satisfied with our response, if you have any comments regarding the exercise of your rights or if you believe that our processing of your personal data does not comply with the legislation, then you are entitled to file a complaint with the Data Protection Authority. All information on this matter can be found at <https://www.dataprotectionauthority.be/> .

11. Amendments to this Statement

We may amend or supplement this Statement as We deem necessary.

If significant changes are made to this Statement, the date of amendment of the Statement will be provided and We will also notify you accordingly and provide you with a copy of the amended Statement.

We also encourage you to review this Statement periodically to find out how We process and protect your personal data.