

# PERSONAL DATA PROTECTION POLICY

*Last reviewed on 22 May 2019*

We believe that the confidentiality and security of your personal data (the Data) is extremely important.

This personal data protection policy (the Policy) informs you of the ways in which we process your Data and of your rights.

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## 1. CONTROLLER

The controller of your Data is the limited company with a social purpose **Agence Bruxelloise pour l'Accompagnement de l'Entreprise** (Brussels Business Support Agency), the "Agency", with registered offices at 1060 Saint-Gilles, chaussée de Charleroi 110, registered with Banque-Carrefour des Entreprises (the Belgian Commercial Register) under number 0678.485.603, **which hosts the "1819" service. The Agency is a public agency operating in the Brussels-Capital Region.**

For all questions about the processing of your Data, please contact our personal data protection officer using the following email address : [compliance@hub.brussels](mailto:compliance@hub.brussels).

## 2. SCOPE OF APPLICATION

This Policy aims to explain how we collect, process, use and transfer your Data. It also details where and how we collect your Data, as well as your rights regarding all Data we hold concerning you.

The Policy was updated on the date stated above. It may be amended, so we invite you to check its content regularly. Any substantial changes to the Policy will be explicitly mentioned on the homepage of our site.

This Policy may be supplemented by specific contracts or clauses designed to cover a particular aspect of our relationship with you, where it is necessary to provide you with further information on the manner in which we collect and process your Data.

Concepts such as "processing", "controller", "processor", "data subject", "personal data", *etc.* are used according to the definitions in the General Data Protection Regulation (**GDPR**) (Regulation n° 2016/679 of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data).

You can view the GDPR at the following address: <https://eur-lex.europa.eu/legal-content/FR/TXT/?uri=CELEX:32016R0679>.

## 3. PURPOSES OF PROCESSING

Your Data are processed for specific purposes, which vary depending on the nature of your relationship with the Agency.

Primarily, the Agency processes your Data in order to **fulfil its public interest missions under the Order of 18 May 2017 founding the Brussels Business Support Agency**, and to offer you services on this basis.

These public interest missions are as follows:

- All individual and collective public service advisory and support activities, both those aimed at Brussels-based companies and businesses with a view to aiding their development, and those aimed at foreign companies and businesses with a view to promoting investment in the Region. The Agency may also undertake operations contributing directly or indirectly to the fulfilment of this purpose.
- The Agency is responsible for the following public sector missions:

- To guide and support economic projects in Brussels and their leaders, providing the tools to ensure their success in the Brussels-Capital region and overseas;
  - To identify, generate, instigate and attract new economic, technological and investment opportunities, both in the Region and overseas;
  - To assist the public authorities in creating and implementing a proactive economic policy and to foster a stimulating entrepreneurial ecosystem, in particular through marketing initiatives in the Region and overseas.
- In addition to these missions, the Agency:
    - Provides an appropriate operational framework, within which the “one-stop” information and guidance service (known as "1819") is able to fulfil its purpose of educating, informing and guiding entrepreneurs in the Region;
    - Coordinates the Region’s network of Economic and Commercial Attachés;
    - Provides the secretariat for the Economic Coordination Council and coordinates its working groups, as described by the Brussels-Capital Region Government decree of 28 November 2002 on the creation of the Economic Coordination Council.
  - On a reasoned proposal by the Minister, the following public service missions are also entrusted exclusively to the Agency:
    1. completion of exploratory studies aimed at identifying new programmes and projects, within an economic and business policy context.
    2. provision of expertise and assessment of programmes and projects, within an economic and business policy context.
  - In addition to the public service missions assigned, the Agency may take any actions, or engage in any activity entrusted to it by any international institution or legal entity under Belgian or overseas law that contributes directly or indirectly to its corporate purpose, provided that these are compatible with its assigned missions and comply with competition regulation.
  - The Agency may undertake missions on behalf of third parties, provided that they fulfil the following three conditions:
    1. these missions must be compatible with the public service missions of the Agency, as set forth above;
    2. these missions must not compromise the high quality standards required of the Agency missions;
    3. these missions must be part of a Government-approved regional or sector-specific strategy.

In order to enable us to complete these public interest missions, we will process your Data for the following purposes:

- In order to respond to any inquiries that you make by email, post, telephone or during a conversation with one of our agents;
- To send you emails with information regarding the public services we offer, which may be of interest to you;

- To send you emails inviting you to events promoting both the development of Brussels-based businesses and companies, and the development of overseas business and companies with a view to encouraging them to invest in the Region;
- To send you marketing emails as part of our public interest mission;
- To manage your participation in competitions organised by the Agency and contact you if you win. It is also in our legitimate interest to process these Data in order to combat fraudulent competition entries. For competitions held on Facebook, you are free to choose which data you wish to share via the Agency's or the 1819's Facebook page;
- To conduct satisfaction surveys;
- To use cookies on our websites;
- To use social networks (Facebook, Twitter, etc.) to provide you with information. The general terms and conditions of social network operators apply. By using these services, you accept these conditions.

The Agency also processes your Data in order to **fulfil any contracts** that they may have entered into with you, or for **legitimate purposes** such as producing statistics or combatting fraud.

## 4. LEGAL BASIS OF PROCESSING

The processing of your Data by the Agency is founded on the following legal bases:

### a. The fulfilment of our public interest missions

In the majority of cases, we process your Data in order to communicate with you or provide you with information on our activities as part of our public interest missions, as set forth by the Order of 18 May 2017, concerning the creation of the Agence Bruxelloise pour l'Accompagnement de l'Entreprise (Brussels Business Support Agency). This also includes "non-commercial direct marketing", that is to say the use of your email address or telephone number to send you information about our activities. You always have the possibility to opt out of receiving this type of information.

### b. Fulfilment of a contract with you

We may also process your Data when necessary in order to fulfil a contract between you and the Agency, or to undertake pre-contractual measures at your request. This essentially applies when you receive support from the Agency. We only collect the data needed in order to fulfil the contract, that is to say the data that enable us to communicate with you and provide you with the requested service.

### c. Our legitimate interest

Under certain circumstances, it is necessary to process Data in pursuit of the legitimate interests of the Agency. In such cases, we will check that your fundamental interests, rights and freedoms do not have precedence over the interests of the Agency.

### d. Your consent

The Agency will ask for your consent to use your Data in specific cases, such as the use of sensitive Data. Once you have given your consent, you may withdraw it at any time.

## 5. TYPES OF DATA PROCESSED

The Agency will ensure that your Data are processed in accordance with the relevant legislation, in an appropriate manner, and only as necessary for the intended purpose.

The personal Data that the Agency may collect, are as follows:

- Identity details: such as your surname, forename, date of birth, place of birth, sex, age, etc.
- Contact details: postal address, email address, telephone number, etc.
- Data concerning your online behaviour: such as the links you click and the pages you visit;
- Data concerning complains, questions and comments.

We do not collect and process special categories of data, unless we receive your explicit consent for this purpose, or are obliged to do so.

In general, you provide the Data concerning yourself (for example when you contact us by email or telephone, or when you create an account on the Agency's websites).

We may also use data concerning you that are available on public databases or provided by partners who have obtained your permission to share these data with us.

## 6. TRANSMISSION OF DATA AND GUARANTEES

For the purposes described in Article 3, we may transmit your Data to external service providers, in particular providers of IT and hosting services and/or our partners in public sector, public-private, private sector and voluntary structures that support businesses in Brussels or to Belgian companies applying for export.

We guarantee that these suppliers, partners and companies only have access to the Data that are required in order to perform their tasks. We also guarantee that they are bound by a confidentiality obligation and may only process the Data in accordance with our instructions.

We are sometimes required to transmit Data concerning you. This is the case when a law, regulation or legal proceedings (such as a court ruling) requires us to do so: at the request of the authorities and the police forces within the context of law enforcement actions. We may also consider it necessary or desirable to transfer your data in order to prevent physical or financial harm, or in the case of investigations into suspected or proven fraud or illicit activity.

We also reserve the right to transmit all Data we hold concerning you in the case of full or partial transfer of our activity or assets. Under these circumstances, we undertake to do everything within our power to ensure that the assignee uses your Data in accordance with this Policy. If such a transfer occurs, you may contact the assignee with any questions regarding the processing of your Data.

## 7. DATA RETENTION PERIOD

We store your Personal Data for no longer than is necessary in order to fulfil the purposes for which they were collected, as defined in point 3.

In addition to fulfilling these purposes, the Agency may store certain Data for a maximum of 10 years, in order to be in a position to defend our interests in a court of law and comply with its obligations, particularly in terms of taxation.

## 8. SECURITY MEASURES REGULATING DATA PROCESSING

The Agency has taken appropriate measures to ensure that, insofar as is possible, the servers hosting the Data processed prevent:

- Unauthorised processing or modification of, or access to, said Data;
- Inappropriate use or disclosure of said Data;
- Illegal destruction or accidental loss of said Data.

To this end, the Agency employees who have access to said Data are bound by strict confidentiality obligations. However, the Agency cannot be held liable for the misappropriation of these Data by third parties, in spite of the security measures taken.

## 9. YOUR RIGHTS CONCERNING YOUR DATA

You have the following rights with regards to Data concerning you which we process. In order to exercise the rights in points a) to d), please email: [compliance@hub.brussels](mailto:compliance@hub.brussels).

### a. Right to access

You have the right to know whether or not the Agency is processing Data concerning you and, if they are, to access and obtain information on how they are processed.

### b. Right to rectification

You have the right to rectify Data concerning you if they are inaccurate, or to complete them if they are incomplete.

### c. Right to erasure

You have the right to request the erasure of Data concerning you if there is no longer any reason to process them.

### d. Right to restriction of processing

You have the right to request that the processing of Data concerning you be limited, in which case we may only store said Data, without processing them in any other way.

### e. Right to object

At any time, you have the right to object, on grounds relating to your particular situation, to processing of personal data concerning you which is based on the completion of the public interest missions of the Agency or our legitimate interests, including profiling founded on this lawful basis. We will no longer process your Data, unless we prove that there are legitimate and overriding reasons to do so, which take precedence over your interests, rights and freedoms, or for the establishment, exercise or defence of legal claims.

f. Right to make a complaint to the Data Protection Authority

You have the right to make a complaint to the Data Protection Authority, under the conditions and within the time limits established by the GDPR and any other legislation applicable to the processing of personal Data. They can be contacted using the following details:

Data Protection Authority:  
Rue de la Presse, 35, 1000 Brussels  
Tel: +32 (0)2 274 48 00  
Fax: +32 (0)2 274 48 35  
Email: [contact@apd-gba.be](mailto:contact@apd-gba.be).

## 10. DISPUTE RESOLUTION

This Policy is governed exclusively by the GDPR and the laws by which it is implemented in Belgium, in particular the law of 30 July 2018 on the protection of natural persons with regard to the processing of their personal data, in addition to other Belgian regulations, to the exclusion of its rules on conflict of laws.

All litigation concerning the validity, application, interpretation or implementation of this Policy that cannot be settled amicably, shall fall under the sole jurisdiction of the Brussels courts.