

# PRIVACY POLICY ELINI

## Our Privacy Promise

Protecting your privacy is a priority for us. This privacy notice explains how and what type of personal data will be collected, why it is collected and to whom it is shared or disclosed.

Personal data means 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.

The Privacy Policy of ELINI is based on the terms used by the European legislator for the adoption of the General Data Protection Regulation (GDPR). However, we will apply the same data protection procedures in our local entities respectively our Branch(es).

We care about your data and therefore we promise:

- To keep your data safe and private.
- To keep your data accurate.
- Not to sell your data.
- To give you ways to manage, review and restrict the use of your data.

## Consent

ELINI asks you to give your explicit consent as we may need to collect personal information by law, or to enter into or fulfill an obligation we have with you. If you choose not to give us this personal information, it may delay or prevent us from fulfilling our contract with you or doing what we must do by law.

## 1. What is the role of ELINI in GDPR?

ELINI is the data controller as defined by relevant data protection laws and regulation. A data controller is the individual or legal person who controls and is responsible to keep and use personal data in paper or electronic files.

### ONLY ELINI:

As ELINI might deal with highly sensitive personal data such as medical information, a Data Privacy Officer is appointed. Mr. Treillard will supervise and coordinate all processing of personal information. You may contact him for any questions concerning your privacy.

## 2. Why we collect your personal data?

The personal information we collect and hold about you, as data subject, will differ depending on our relationship and services we provide. Personal information is only collected on a need-to-know basis. As we are in the business of providing insurance, claims handling, assistance and related services, the personal information most likely includes:

Personal information	Our interest
Financial	Your financial position, status and history
Contact	Your name, where you live and how to contact you
Socio-Demographic	This includes details about your work or profession, nationality, education and where you fit into general social or income groupings
Transactional	Details about payments to and from your accounts with us
Contractual	Details about the policies or services we provide to you
Technical	Details on the devices and technology you use
Communications	What we learn about you from letters and emails you write to us and conversations between us
Social Relationships	Your family, friends and other relationships (e.g. invitation to events)
Open Data and Public Records	Details about you that are in public records and information about you that is openly available on the internet
Documentary Data	Details about you that are stored in documents in different formats, or copies of them. This could include items like your passport or CV
Special types of data	The law and other regulations treat some types of personal information as special. We will only receive exceptionally and for a specific purpose: <ul style="list-style-type: none"><li>• Racial or ethnic origin</li><li>• Religious, political or philosophical beliefs</li><li>• Criminal records of convictions and offences</li><li>• Allegations of criminal offences</li></ul>
Consents	Any permissions, consents or preferences that you give us
National Identifier	A number or code given to you by a government to identify who you are, such as a National Number or Social Security Number, or Tax Identification Number (TIN)

<b>Photographs and video recordings</b>	Images, including photographs and pictures or video recordings (mostly taken on events)
<b>Managing security, risk and crime prevention</b>	Information to detect, investigate or prevent crime, including fraud and money laundering

**3. Who will have access to your personal data?**

ELINI will ensure that your personal data is processed in a manner that is compatible with its purpose and therefore will restrict access. In order to do so, ELINI has mapped all personal information in a personal data register and has granted access to a limited number of persons. Details are described in our minimum access policy. Setting up the personal data register has enabled ELINI also to transferring personal information to secured locations.

**4. How do we keep personal information secure?**

ELINI has put in place technical and physical security measures to keep personal information safe and secure. New security measures as well as improvements are in place in the IT-infrastructure to prevent unauthorized access to personal data.

Pseudonymization is used for personal information that is frequently processed (e.g.. name). Pseudonymization is the processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of additional information.

Sensitive personal information and personal data that needs to be transferred outside ELINI will be encrypted. Also, a maximum timeframe will be granted to access personal information.

A password policy is developed to prevent unauthorized access. The policy includes also guidelines on two factor authorization.

ELINI has established a procedure for data breaches and has set up a so-called data protection impact assessment (DPIA) to investigate, inform and prevent infringements.

**5. Where will your personal data be processed?**

As ELINI has Branches, your personal data may be processed both inside and outside of the European Economic Area (EEA) but only in line with applicable data protection laws and regulations. We will not disclose your personal data to parties who are not authorized to process them.

All data processed in ELINI is stored within the EEA. Whenever we transfer your personal data for processing outside of the EEA we will take steps to ensure that the transfer of your personal data outside of the EEA receives the same adequate level of protection as it does in the EEA.

## **6. What are your rights in respect of your personal data?**

### **a) Right of confirmation**

Each data subject shall have the right granted by the European legislator to obtain from the controller the confirmation as to whether personal data concerning him or her are being processed. If a data subject wishes to avail himself of this right of confirmation, he or she may, at any time, contact ELINI.

### **b) Right of access**

Each data subject shall have the right granted by the European legislator to obtain from the controller free information about his or her personal data stored at any time and a copy of this information. Furthermore, the European directives and regulations grant the data subject access to the following information:

- a. the purposes of the processing;
- b. the categories of personal data concerned;
- c. the recipients or categories of recipients to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organizations;
- d. where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
- e. the existence of the right to request from the controller rectification or erasure of personal data, or restriction of processing of personal data concerning the data subject, or to object to such processing;
- f. the existence of the right to lodge a complaint with a supervisory authority;
- g. where the personal data are not collected from the data subject, any available information as to their source;
- h. the existence of automated decision-making, including profiling, referred to in Article 22(1) and (4) of the GDPR and, at least in those cases, meaningful information about the logic involved, as well as the significance and envisaged consequences of such processing for the data subject.

Furthermore, the data subject shall have a right to obtain information as to whether personal data are transferred to a third country or to an international organisation. Where this is the case, the data subject shall have the right to be informed of the appropriate safeguards relating to the transfer.

If a data subject wishes to avail himself of this right of access, he or she may at any time contact ELINI.

### **c) Right to rectification**

Each data subject shall have the right granted by the European legislator to obtain from the controller without undue delay the rectification of inaccurate personal data concerning him or her. Considering the purposes of the processing, the data subject shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

If a data subject wishes to avail himself of this right of access, he or she may at any time contact ELINI.

#### **d) Right to erasure (Right to be forgotten)**

Each data subject shall have the right granted by the European legislator to obtain from the controller the erasure of personal data concerning him or her without undue delay, and the controller shall have the obligation to erase personal data without undue delay where one of the following grounds applies, as long as the processing is not necessary:

- i. The personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed.
- j. The data subject withdraws consent to which the processing is based according to point (a) of Article 6(1) of the GDPR, or point (a) of Article 9(2) of the GDPR, and where there is no other legal ground for the processing.
- k. The data subject objects to the processing pursuant to Article 21(1) of the GDPR and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing pursuant to Article 21(2) of the GDPR.
- l. The personal data have been unlawfully processed.
- m. The personal data must be erased for compliance with a legal obligation in Union or Member State law to which the controller is subject.
- n. The personal data have been collected in relation to the offer of information society services referred to in Article 8(1) of the GDPR.

If one of the mentioned reasons applies, and a data subject wishes to request the erasure of personal data stored by ELINI, he or she may at any time contact us.

Where the controller has made personal data public and is obliged pursuant to Article 17(1) to erase the personal data, the controller, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform other controllers processing the personal data that the data subject has requested erasure by such controllers of any links to, or copy or replication of, those personal data, as far as processing is not required.

#### **e) Right of restriction of processing**

Each data subject shall have the right granted by the European legislator to obtain from the controller restriction of processing where one of the following applies:

- o. The accuracy of the personal data is contested by the data subject, for a period enabling the controller to verify the accuracy of the personal data.
- p. The processing is unlawful, and the data subject opposes the erasure of the personal data and requests instead the restriction of their use instead.
- q. The controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defence of legal claims.
- r. The data subject has objected to processing pursuant to Article 21(1) of the GDPR pending the verification whether the legitimate grounds of the controller override those of the data subject.

If one of the mentioned conditions is met, and a data subject wishes to request the restriction of the processing of personal data stored by us, he or she may at any time contact ELINI.

#### **f) Right to data portability**

Each data subject shall have the right granted by the European legislator, to receive the personal data concerning him or her, which was provided to a controller, in a structured, commonly used and machine-readable format. He or she shall have the right to transmit those data to another controller without hindrance from the controller to which the personal data have been provided, as long as the processing is based on consent pursuant to point (a) of Article 6(1) of the GDPR or point (a) of Article 9(2) of the GDPR, or on a contract pursuant to point (b) of Article 6(1) of the GDPR, and the processing is carried out by automated means, as long as the processing is not necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

Furthermore, in exercising his or her right to data portability pursuant to Article 20(1) of the GDPR, the data subject shall have the right to have personal data transmitted directly from one controller to another, where technically feasible and when doing so does not adversely affect the rights and freedoms of others. In order to assert the right to data portability, the data subject may at any time contact ELINI.

#### **g) Right to object**

Each data subject shall have the right granted by the European legislator to object, on grounds relating to his or her particular situation, at any time, to processing of personal data concerning him or her, which is based on point (e) or (f) of Article 6(1) of the GDPR. This also applies to profiling based on these provisions.

ELINI shall no longer process the personal data in the event of the objection, unless we can demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject, or for the establishment, exercise or defence of legal claims.

If ELINI processes personal data for direct marketing purposes, the data subject shall have the right to object at any time to processing of personal data concerning him or her for such marketing. This applies to profiling to the extent that it is related to such direct marketing. If the data subject objects to ELINI to the processing for direct marketing purposes, ELINI will no longer process the personal data for these purposes.

In addition, the data subject has the right, on grounds relating to his or her particular situation, to object to processing of personal data concerning him or her by ELINI for scientific or historical research purposes, or for statistical purposes pursuant to Article 89(1) of the GDPR, unless the processing is necessary for the performance of a task carried out for reasons of public interest.

In order to exercise the right to object, the data subject may directly contact ELINI. In addition, the data subject is free in the context of the use of information society services, and notwithstanding Directive 2002/58/EC, to use his or her right to object by automated means using technical specifications.

## **h) Automated individual decision making, including profiling**

Each data subject shall have the right granted by the European legislator not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her, or similarly significantly affects him or her, as long as the decision (1) is not necessary for entering into, or the performance of, a contract between the data subject and a data controller, or (2) is not authorised by Union or Member State law to which the controller is subject and which also lays down suitable measures to safeguard the data subject's rights and freedoms and legitimate interests, or (3) is not based on the data subject's explicit consent.

If the decision (1) is necessary for entering into, or the performance of, a contract between the data subject and a data controller, or (2) it is based on the data subject's explicit consent, ELINI shall implement suitable measures to safeguard the data subject's rights and freedoms and legitimate interests, at least the right to obtain human intervention on the part of the controller, to express his or her point of view and contest the decision.

If the data subject wishes to exercise the rights concerning automated individual decision making, he or she may at any time directly contact ELINI.

## **i) Right to withdraw data protection consent**

Each data subject shall have the right granted by the European legislator to withdraw his or her consent to processing of his or her personal data at any time.

If the data subject wishes to exercise the right to withdraw the consent, he or she may at any time directly contact ELINI.

## **7. How long do we keep your personal data?**

The criteria used to determine the period of storage of personal data is the respective statutory retention period. After expiration of that period, the corresponding data is routinely deleted, as long as it is no longer necessary for the fulfilment of the contract or the initiation of a contract.

We will retain your personal data no longer than required or as permitted by law.

Personal information that is not accurate such as an expired passport for example will be immediately deleted.

## **8. How to complain or withdraw consent?**

At any time, you may contact us to make a complaint about your privacy. Please let us know if you are unhappy with how we have used your personal information.

If you withdraw your consent, we may not be able to provide certain services to you. If this would be case, we will inform you.

## **9. How can you contact us?**

If you have any queries about how we use your personal information, you can contact us as follows:

ELINI (DPO)  
Avenue Jules Bordet 166  
1140 Evere - Brussels  
Belgium  
Tel: 00 32 2 709 90 10  
Mail: dpo@elini.net

## **10. How often do we update this data protection notice?**

We regularly review this privacy policy. We will ensure the most recent version is available on our website and we will tell you directly when important changes occur that may impact you.

This privacy was last updated on 30 April 2020.