

## Privacy statement for persons registering on the Do Not Call Me list and holders of a DNCM licence

The processing of personal data (hereinafter "data") is carried out by DNCM asbl. The processing is subject to Belgian law, specifically the Act of 8 December 1992 on the protection of privacy in relation to the processing of personal data and its implementing decrees and, as of 25 May 2018, the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation) (hereinafter referred to as "the privacy legislation").

### Controller

Do Not Call Me asbl (abbreviated to DNCM asbl) - Raketstraat 50, 1130 Brussels

Company number : 0631.775.252

Email: [info@dncm.be](mailto:info@dncm.be)

Data Protection Officer: [dpo@dncm.be](mailto:dpo@dncm.be)

### To whom is this privacy declaration addressed

This privacy declaration is addressed to

- o the persons who have registered on the DNCM list
- o the natural or legal persons who hold a DNCM licence

### Categories of processed data

Depending on what you have told us, we may process the following categories of data:

If you are a subscriber (i.e. you have a telephone number registered on the DNCMlist) :

- o fixed and/or mobile telephone number
- o the date of your registration

If you are the holder of a DNCM licence

- o contact person details: name, first name, E-mail
- o licensee's details: name and legal form of the legal entity or name and first name of the natural person, address, VAT number/company number, telephone number fixed and/or mobile, number of employees
- o type of licensee (service provider or advertiser)
- o type of licence (large-small-year-month)
- o date (year/month/day) of purchase of the licence
- o payment history
- o usage statistics, use of logs, login



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TVA / BTW: BE 0631. 775. 252

## Use of your data and legal basis

With your consent (legal basis: art. 6.1;a. of the Privacy Law), your data will be stored and processed by us for the following purposes:

To answer your questions via our website or any other channel

You may withdraw your consent at any time by contacting us using the procedure set out in the section "Exercising your rights".

In order to comply with the execution of the agreement we have with you or the execution of the pre-contractual measures taken at your request (legal basis: article 6.1.b of the privacy legislation), your data will be stored and processed by us for the following purposes

- o for the conclusion and execution of a "Call-Me-Not-More" licence agreement if you wish to carry out a telemarketing action;
- o for the general management of the licensees, including accounting, the handling of disputes and legal proceedings, the collection or transfer of debts and the protection of our rights in general.

In order to comply with the legal obligations to which we are subject (legal basis: article 6.1.c. of the Privacy Act), we store and process your data for the following purposes:

*Legal basis: articles VI.111 to 115 of the Economic Law Code (or articles XIV.78 to 82 if you practice a liberal profession) and Royal Decree of 12 May 2015 decree establishing the recognition criteria of the association or organisation referred to in articles VI.114 and XIV.81 of the Economic Law Code*

- o for managing your registration on the "Bel-Me-Not-More" list
- o to communicate your data to the companies to whom we have granted a licence for the use of the DNCM list and who wish to carry out a telemarketing action

When we have a legitimate interest. Certain processing of your data is necessary for the realisation of our activities (legal basis: art. 6.1. f. of the privacy law). In such case, we collect and process your data for the following purposes:

- o to adapt our website or our mobile apps according to the preferences of our visitors
- o to prevent and combat fraud and abuse, for the management of disputes and legal proceedings
- o to carry out analyses and produce statistics



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## **Transfer of your data to third parties**

Your data may be transferred to third parties in the following cases :

- to our processors: for the execution of services in our name and on our behalf (e.g. call centres, IT providers, Cloud, ...) and only in accordance with our instructions.
- if you have subscribed to the DNCM list: to licensees of the DNCM list who want to perform a telemarketing action: they only receive your telephone number(s) and the date of subscription. This (these) number(s) may only be used to verify whether the number(s) is (are) in the file of the company concerned and, if necessary, to remove the number(s) concerned.

## **Transfer of personal data outside the European Union**

Your data will only be transferred outside the European Economic Area under the following conditions :

- (i). the applicable data protection legislation is complied with;
- (ii). the third country provides an adequate level of data protection, either by a decision of the European Commission in accordance with Article 45 of the AVG or by the provision of appropriate safeguards in accordance with Article 46 of the AVG; and
- (iii). To the extent necessary, and taking into account the case law of the Court of Justice of the European Union, that additional measures are taken in accordance with recital 109 of the AVG to provide further safeguards through the contractual obligations of the data importer (in addition to the standard contractual clauses), in order to ensure a substantially equivalent level of EU protection

## **Retention period of your data**

In accordance with the legal provisions, your data will be stored in our database for an indefinite period of time. If you wish to be removed from the list, simply inform us by calling +32 2 882 19 75. You can then follow the instructions we will give you.

Any number that is no longer in use will be removed from the list.

## **Security of your data**

We take appropriate and necessary technical and organisational measures to protect your privacy, and in particular to prevent the loss, unlawful use or modification of data.

Our staff members who have access to personal data are trained to handle data protected by law and only our staff members who need to have this access in order to perform their job are granted access to your personal data.



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## **Description of your rights and procedure for exercising them**

### Your right of access and rectification

You have the right to access your data included in our file.

You also have the right to ask us to correct any incorrect or incomplete information about you.

### Your right of objection

You have the right to object to the processing of your personal data based on your specific circumstances in all cases where we process your personal data based on our legitimate interest (see above).

### Your right to be forgotten

You have the right to request that your data be completely deleted from our database in the cases provided for by law.

### Your right to restriction of processing

In the event of a dispute regarding the processing of your personal data, you can request that the processing be restricted. In this case, we will no longer use your personal data until the dispute is resolved.

### Your right to data portability

Finally, you have the right to the portability of your personal data that you yourself have communicated to us. In this case, we will transfer your data to the recipient designated by you.

### Exercising your rights

You must exercise your rights in writing. We reserve the right to ask you to provide us with proof of your identity (in order to prevent us from passing on your personal data to other persons).

### You can send your request to the following address:

DNCM asbl - Raketstraat 50, 1130 Brussels

If you send us your request by e-mail, we will - unless you give us other instructions - also answer it by e-mail.

In accordance with the provisions of the privacy legislation, your request will be processed within 30 days from the moment we are in possession of all the elements necessary for its processing. If your request is complex, this period may be extended by up to two months, but in such a case we will inform you beforehand.

For more information about our privacy statement or if you have any complaints about the protection of your personal data, you can contact our Data Protection Officer directly via the following e-mail address [dpo@dncm.be](mailto:dpo@dncm.be) or in writing via the following address:

DNCM vzw - Raketstraat 50, 1130 Brussels

You can also contact the Data Protection Authority at any time, rue du Mail 35, 1000 Brussels or by e-mail at [contact@apd-gba.be](mailto:contact@apd-gba.be)

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