
**INFORMATION NOTE
ON DATA PROTECTION
FRANKI FOUNDATIONS**

1. INTRODUCTION

FRANKI FOUNDATIONS, with registered offices at avenue Edgard Frankignoul 2, 1480 Saintes (Belgium) which is inscribed in the Crossroads Bank for enterprises under the CBE enterprise number: 0462.910.526, attaches great importance to the safe, transparent and confidential collection and processing of your personal data. In particular, we want to protect the data of our clients, subcontractors and suppliers, notably against loss, violation, errors, unauthorised access and any unauthorised form of processing.

By way of this information note on data protection, we want to inform you about the collection and processing of your personal data.

We request that you read this information note on data protection carefully as it contains important information on the way we process your personal data and the purpose for which we do it.

By communicating your personal data, you expressly acknowledge having read this information note on data protection and expressly accept its content as well as the processing itself.

2. SCOPE

This information note on data protection concerns all services provided by us and, more broadly, all the activities we conduct.

3. COMPANY RESPONSIBLE FOR PROCESSING THE DATA AND ITS COMMITMENTS

The company, FRANKI FOUNDATIONS, with registered offices at avenue Edgard Frankignoul 2, 1480 Saintes (Belgium) is responsible for processing your personal data.

In collecting and processing your personal data, we comply with the Belgian legislation with regard to the protection of personal data, as well as the General Data Protection Regulation (GDPR) as of its entry into force on 25 May 2018.

4. PERSONAL DATA

Based on your activities and the relationship you have with our company, you will provide us with the following personal data: your identity data and contact information (name, title, address, e-mail address, telephone number, mobile phone). For certain specific legal obligations (electronic attendance recording, 3obis declaration of building alterations), you may need to provide us with additional data for attendance recording (such as e-ID data, Limosa number).

We would like to bring to your attention that you are responsible for all data you supply to us and we count on their accuracy. If your data are no longer accurate, we ask that you inform us immediately.

You are not obliged to communicate your personal data, but you must understand that it will be impossible to provide certain services or to collaborate if you do not consent to the collection and processing of certain data.

5. THE PURPOSES OF THE PROCESSING AND THE LEGAL BASIS

5.1. Data of the client

Within the context of our services and activities, we collect and process the identity data and contact information of our clients and principals, their staff, co-workers, employees and any other useful contact person. The purposes of such processing are the implementation of the agreements with our clients, client management, accounting and direct marketing activities, such as the sending of promotional and commercial information. The legal bases are the contract execution, the compliance with legal and regulatory obligations (including the 3obis declaration of building alterations) and/or our legitimate interest.

5.2. Data of the suppliers and subcontractors

We collect and process the identity data and contact information of our suppliers and subcontractors as well as those of their possible (sub-)subcontractor(s), staff, co-workers, employees or any other useful contact persons. The purposes of such processing are the implementation of this agreement, supplier and subcontractor management, accounting and direct marketing activities, such as the sending of promotional or commercial information. The legal bases are the contract execution, the compliance with legal and regulatory obligation (including the mandatory electronic attendance recording, the 3obis declaration of building alterations, the attendance register or other obligations of public procurement, etc.) and/or our legitimate interest (e.g. for direct marketing). For the electronic attendance recording, the e-ID data or the Limosa number will be processed, if required. For direct marketing activities by mail (such as newsletters or invitations to events), authorisation will always be requested and may be withdrawn at any time.

5.3. Data of the staff

We process the personal data of our workers within the context of the personnel management and the compensation management. In view of its specific nature, this processing is treated more elaborately in a data protection policy for staff.

5.4. Other data

In addition to the data of clients, suppliers/subcontractors and staff, we process personal data of other persons, such as new or prospective clients, useful contacts within our sector, networking contacts, experts, etc. The purposes of such processing are our activities, direct marketing and public relations. The legal basis is our legitimate interest or, in certain cases, the contract execution.

6. PROCESSING TIME

The personal data are collected and processed by us for the period necessary, in view of the purposes of the processing and of the (contractual) relationship between us.

The data of the clients, suppliers and subcontractors will, in any case, be withdrawn from our systems after a period of 7 years after the termination of the agreement or after the project is completed, except for the personal data that we are obliged to keep for a longer period on the basis of a specific legislation, or in the case of pending litigation for which the personal data are required.

7. RIGHTS

In accordance with and subject to the Belgian legislative requirements concerning data protection and the provisions of the general data protection regulation, we inform you that you have the following rights:

Right to access: you have the right to take note of the data that we hold about you, free of charge, and to check for what purposes they are used.

Right to correction: you have the right to correction of incorrect personal data relating to you as well as the right to completion of incomplete personal data.

Right to be forgotten and right to data limitation: you have the right to ask us to erase your personal data as well as the right to ask us to limit the processing of these data in the circumstances and under the conditions stipulated in the General Data Protection Regulation. We may reject to erase or limit the data needed by us for processing the salaries, fulfilling a legal obligation, fulfilling an employment agreement or our legitimate interest, provided that these data are necessary for the purposes for which they were collected.

Right to data portability: you have the right to obtain the personal data relating to you that you provided to us in a structured format, commonly used and machine-readable. You have the right to transfer these data to another data controller.

Right to object: you have the right to object to the processing of your personal data for serious and legitimate reasons. However, you cannot oppose the processing of the data we need for the fulfilment of a legal obligation, the implementation of the employment agreement or our legitimate interest, provided that these data are necessary for the purposes for which they were collected.

Right to withdraw consent: If the processing of the personal data is based on prior consent, you have the right to withdraw this consent. These personal data will then be processed only if we have another legal basis.

Automated decision-making and profiling: we confirm that the processing of personal data does not include profiling and that you will not be subject to automated decision-making.

You can exercise the rights specified above by notifying the HR department of our company.

We are dedicated to ensure a meticulous and legitimate processing of your personal data in accordance with the applicable regulation. However, if you consider that your rights have not been respected and your concerns have not been heard within our company, you are free to file a complaint with the:

Commission de la protection de la vie privée [Belgian Privacy Commission]

Rue de la Presse 35, 1000 Brussels - Belgium

Tel. +32(0)2 274 48 00

Fax. +32(0)2 274 48 35

E-mail: commission@privacycommission.be

You can also use judicial procedures, if you believe you are harmed as a result of the processing of your personal data.

8. TRANSFER OF DATA TO THIRD PARTIES

Certain personal data of the Workers collected by the employer, will be transferred to and can be processed by third parties, such as our IT provider, accountant, editor, prospective client as well as the government (e.g. in the case of a 3obis declaration of building alterations, the mandatory electronic attendance recording or for the award of public contracts).

It is possible that one or more third parties are situated outside the European Economic Area (« EEA »). However, personal data will only be transmitted to third countries with an adequate level of protection.

The workers, managers and/or representatives of the above-mentioned service providers or institutions as well as the specialised service providers designated by them, shall respect the confidential nature of your personal data and shall only use these data for the purposes for which they were provided.

If necessary, personal data may be transferred to other third parties. This can happen in the event of a partial or total reorganisation of our company, if our activities are transferred or in the event of a declaration of bankruptcy. It is also possible that personal data will have to be transferred due to an injunction or in order to fulfil a specific legal obligation. In that case, every effort will be made to inform you on beforehand of this communication to other third parties. However, you will understand and acknowledge that this is not always technically or commercially feasible under certain circumstances, or that legal restrictions may apply.

We will not sell your personal data in any way neither will we make them available to direct marketing offices or other providers of similar services, unless we have your prior consent.

9. TECHNICAL AND ORGANISATIONAL MEASURES

We will take suitable technical and organisational measures in order to process the data at an adequate level of safety and to protect personal data against destruction, loss, unauthorised access

or notifications to third parties by mistake, as well as against any form of unauthorised processing of these data.

In no event shall FRANKI FOUNDATIONS be held liable for any direct or indirect damage due to incorrect or unlawful use of personal data by third parties.

10. ACCESS OF THIRD PARTIES

In order to process your personal data, we allow access to your personal data to our workers, co-workers and employees. We guarantee an equal level of protection imposing contractual obligations to our workers, co-workers and employees, similar to those described in the data protection notice.

11. IF YOU HAVE ANY QUESTIONS

If you have any questions left about the collection and processing of your personal data after reading this information note on data protection, please contact FRANKI FOUNDATIONS by mail at the following address: avenue Edgard Frankignoul 2, à 1480 SAINTES - BELGIUM.