Introduction

This privacy statement applies to Bouy Group (hereinafter Bouy), based in Breda. You can contact us by telephone on: +31 (0)88 872 57 72. We are registered with the Chamber of Commerce under number: 81046839.

There is a functionaris voor gegevensbesscherming whom you can contact directly via the general telephone number or at compliance@bouy.eu .

2. General Definitions

Unless expressly stated otherwise below, terms used in these regulations are used in the sense assigned to them by the General Data Protection Regulation (hereinafter: 'GDPR').

Personal data: any information relating to an identified or identifiable natural person (the person concerned).

The person concerned: the person to whom the personal data relates.

Processing of personal data: any operation or set of operations performed on personal data, whether or not carried out by automated processes, including in any event the collection, recording, organization, storing, updating, changing, retrieval, consultation, usage, provide by forwarding, distribution or any other form of making available, alignment, link together, as well as the protection, erasure and destruction of data.

Data controller: the data controller is the person who determines the purposes and means of the personal data processing.

Processor: the person who processes personal data on behalf of the controller, without being subject to the controller's direct authority.

Disclosure of data: the disclosure or making available personal data.

User of personal data: the person who, as an employee or otherwise, is authorised by or on behalf of the controller to process personal data.

Client: a natural or legal person who has commissioned the controller to provide services.

Third party: a natural or legal person, a public authority, a service or any other body, other than the person concerning, the controller, the processor or the persons authorised to process personal data under the direct authority of the controller or the processor.

Consent of the person concerning: Any freely given, specific, informed and unambiguous indication of the person concerning wishes by which he or she, by a statement or a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.

Health data: personal data relating to the physical or mental health of a natural person, including data on the provision of health services which reveal information about health status.

Supervisory authority: an independent public authority established by a Member State. In the Netherlands, this is the Autoriteit Persoonsgegevens.

3. Scope

3.1 These regulations apply to all processing of personal data within Bouy for the purposes of and in the context of its activities.

3.2 Bouy ensures that it complies with all applicable privacy laws and regulations, including the General Data Protection Regulation (GDPR), the Wet op het Financieel Toezicht (WFT) and all other applicable codes of conduct and guidelines.

4. Why do we process your personal data?

Bouy processes personal data for the following purposes:

- assessing and accepting potential customers;
- managing and expanding the customer base;
- concluding and executing agreements;
- exchanging information with other parties who require information in connection with the performance of the product, such as (re)insurers, insurance brokers, debt collection agencies, expertise agencies, accountants and payroll administrators, provided this is strictly necessary for the performance of the (insurance) agreement;
- carrying out analyses of personal data for statistical purposes and archiving;
- to process your claim, declaration form or to settle a claim;
- To prevent and combat fraud against Bouy and other financial institutions in accordance with the Wet op Financieel Toezicht (WFT);
- To comply with legal obligations, such as tax and social security legislation.

5. What data do we process?

Bouy may process the following personal data:

- Contact details such as name, address, place of residence, telephone number and email address;
- Age, gender, marital status;
- Data relating to a passport, driving licence or other form of identification;
- Data regarding employment, income, occupation and employer;
- Data regarding financial situation, assets and any debts;
- Data regarding current financial products, such as bank accounts and insurance policies, as well as details regarding claims submitted/claims history;

- Special categories of personal data, such as health data;
- Data regarding any criminal offences or instances of fraud.

Personal data shall be processed solely in accordance with the purposes for which it was collected. This means that only personal data that is strictly necessary, accurate, relevant and not excessive shall be processed.

6. Conditions for lawful processing

6.1 Personal data shall be processed only for the purposes described in Article 4 and shall not be further processed in a manner incompatible with the purposes for which it was obtained.

6.2 Personal data shall only be processed by persons who are bound by a duty of confidentiality by virtue of their office, profession or legal requirement, or under an (employment) contract.

6.3 Personal data shall only be processed insofar as it is adequate, relevant and not excessive in relation to the purposes described in Article 4.

6.4 Personal data shall only be processed if one of the grounds for processing set out in Article 6 of the General Data Protection Regulation (GDPR) applies, namely:

a) the person of concern has given their unambiguous consent to the processing;

b) the processing is necessary for the performance of a contract to the person concerning, or for the implementation of pre-contractual measures taken at the person concerning's request and necessary for entering into a contract;

c) the processing is necessary for compliance with a legal obligation to which the controller is subject;

d) the processing is necessary to protect the vital interests of the person concerned;

e) the processing is necessary for the performance of a task carried out in the public interest by the relevant public authority or by the public authority to which the data are disclosed, or

f) the processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party to whom the data are disclosed, except where such interests are overridden by the interests or fundamental rights and freedoms of the person concerned, in particular the right to privacy.

6.5 The controller shall maintain confidentiality regarding the personal data of which the controller becomes aware, except insofar as any legal provision obliges the controller to disclose such data or disclosure arises from the controller's duties.

7. Access to personal data

7.1 Bouy uses the ANVA customer tracking system. Bouy employees only have access to personal data to the extent necessary for the performance of their duties.
7.2 Every user of personal data is subject to a strict duty of confidentiality regarding the data of which they become aware by virtue of such access.
7.3 The controller and those working within the scope of an assignment given by the controller or user shall only have access to personal data to the extent necessary for the use and processing of the data, and they shall have signed a confidentiality agreement to this effect.

8. Security of personal data

8.1 To safeguard the principles of integrity and confidentiality, the controller/processor shall, as far as possible, implement technical and organizational security measures to prevent unauthorized access to or use of personal data.
8.2 The controller ensures that security policies for personal data are drawn up and complied with. This is done by regularly testing, assessing and evaluating the technical and organizational security measures to ensure the effectiveness of the processing (Privacy Impact Analysis).
8.3 The controller complies with the data breach notification obligation as described in the policy rules on the notification obligation.
8.4 An internal procedure is in place for handling incidents. The controller shall take measures to inform the Autoriteit Persoonsgegevens and the persons concerned where this is required under the reporting obligation.

9. Disclosure of personal data to third parties

Bouy may not simply disclose personal data to other persons or organisations. However, Bouy may do so if consent has been given, or if it is obliged to do so by law or a court order, or if such disclosure is compatible with the purpose for which the data was collected.

10. Right of access and erasure

10.1 The person concerning has the right to access and obtain a copy of the data relating to them. The person concerning must submit a request to this effect.
10.2 A request as referred to in this article shall be complied with within 4 weeks of receipt of the request.

10.3 The right of access is granted only to the person concerning or their authorized representative. Where applicable, the person concerning or their authorized representative must be able to provide proof of identity and/or demonstrate their authority.
10.4 Exceptions to the right to erasure:
- Where freedom of expression applies;
- Legal obligation of the controller;
- Necessary for the administrative body to perform a public task;
- Necessary for the protection of public health;
- Necessary for archives, scientific, statistical or historical research, insofar as, inter alia, the right to information conflicts with these interests;
- Necessary for the exercise or defense of any legal right.
10.5 No fee will be charged for the dispatch and provision of copies.
10.6 In the event of data erasure, a statement shall be included in the data indicating that the data has been erased at the person concerned request.

11. Right to data portability

11.1 The person concerning has the right to receive the personal data they have provided to a controller in a structured, commonly used and machine-readable format.
11.2 The person concerning has the right to transmit those data to another controller without hindrance from the controller to whom the personal data were provided.
11.3 The controller shall ensure various implementations enabling the person concerning to receive and transmit the data to another controller.
11.4 A request as referred to in this article shall be complied with within 4 weeks of receipt of the request.

12. Right to privacy, supplement and correct recorded personal data

12.1 Upon request, the recorded data shall be supplemented with a statement issued by or on behalf of the person concerned regarding the recorded data.
12.2 If the data recorded are factually incorrect, incomplete or irrelevant for the purpose of the processing, or if the processing contravenes a statutory provision, the person concerned must submit a written request to the controller asking for the data to be corrected, supplemented, erased or restricted.
12.3 As soon as possible after receiving the request, the controller shall inform the person concerned in writing whether, and to what extent, the request will be complied with. Any refusal must always be accompanied by reasons.

12.4 The controller shall ensure that any decision to supplement, correct or delete data is implemented as soon as possible.
12.5 In the event of data deletion, a statement shall be included in the data records indicating that the data has been deleted at the person concerning request.

13. Right to object

13.1 If data are being processed pursuant to Article 4.4, the person concerned may object to this to the controller on the grounds of his or her particular personal circumstances, provided there is a legitimate interest.
13.2 The controller shall assess within four weeks of receiving the objection whether the objection is justified. If the objection is justified, the controller shall immediately cease processing.
13.3 The controller may charge a fee for processing an objection (Besluit kostenvergoeding rechten betrokkenen WBP, Staatsblad 2001 305). The fee will be refunded if the objection is found to be well-founded.

14. Retention periods

14.1 Bouy will never retain data for longer than is necessary for the purpose for which the data is collected, subject to the maximum statutory retention period.
14.2 If data no longer needs to be retained, all identifiable characteristics will be removed, or the data will be deleted in its entirety.

15. Your visit to our website and cookies

Bouy may use cookies on its website(s). When you visit the website, cookies are placed on your computer, tablet or smartphone with your consent. Cookies are small, simple text files. On your next visit, the cookies are used to recognise you. Cookies ensure, for example, that you do not receive or have to enter the same information every time you visit our website. Your settings and preferences are remembered, making your next visit to the site easier. In addition, cookies allow the information and offers on the site to be tailored to your preferences. Cookies are stored for a maximum of 4 weeks.

16. Changes to the Privacy Statement

This Privacy Statement may be amended in the future. You will find the most up-to-date Privacy Statement on the Bouy website.

17. Complaints

17.1 If the person concerning believes that the provisions of this policy are not being complied with and/or if the person concerning believes they have other grounds for complaint, they should contact the Functionaris Gegevensbescherming (FG).

17.2 There is a Functionaris voor Gegegevensbescherming whom you can contact directly; please send any complaints to FG@bouy.eu.

17.3 The person concerning has the right at all times to lodge a complaint with the Autoriteit Persoonsgegevens (AP). The Autoriteit Persoonsgegevens supervises compliance with the legal rules governing the protection of personal data. The contact details of the Autoriteit Persoonsgegevens are:

Autoriteit Persoonsgegevens

Bezuidenhoutseweg 30

2594 AV The Hague

0900-2001201

https://autoriteitpersoonsgegevens.nl