

Data Protection

Declaration concerning processing of personal data

Antwerp-Bruges Port Authority processes personal data in accordance with the declaration attached to this agreement.

By signing the concession agreement, the concessionaire declares that he:

- shall at all times comply with the applicable laws and regulations concerning data protection and processing of personal data, and shall further ensure that the personal data of among others the employees of Antwerp-Bruges Port Authority, processed by the concessionaire under the terms of this contract, shall be handled in a correct and lawful way. This includes, but is not limited to: inform the data subject in a correct manner, keep a record of processing activities and implement appropriate technical and organisational measures to protect the personal data that are processed. Personal data will only be processed in a manner that correlates with the data protection principles of the GDPR and based on a legal/lawful ground.
- shall make the declaration attached to this concession agreement available to all persons whose personal data are processed by Antwerp-Bruges Port Authority under the terms of this agreement, and shall ensure that these personal data are handled in accordance with the provisions of the applicable laws and regulations concerning the processing of personal data.

Declaration concerning processing of personal data

Antwerp-Bruges Port Authority attaches great importance to processing of personal data, i.e. data that make it possible to identify a private individual. Personal data arise whenever it is possible to make a direct or indirect link between one or more items of data and a private individual ("natural person"). Personal data covered by this contract shall always be protected by Antwerp Port Authority in compliance with the "Regulation (EU) 2016/679 of the European Parliament and of the Council 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, and repealing Directive 95/46/EC: the General Data Protection Regulation (GDPR)" and the national legislation implementing this Regulation.

This declaration is issued to provide clear information concerning the processing of personal data.

1. Responsibility for the processing

1.1. The entity responsible for the processing is Havenbedrijf Antwerpen-Brugge NV van publiek recht, with registered office at Zaha Hadidplein 1, 2030 Antwerp, Companies Register N° 0248.399.380, hereinafter referred to as "Antwerp Port Authority" (APA).

1.2. The APA Data Protection Officers can be reached at dpo@portofantwerp.com.

1.3. APA as the entity responsible for the processing shall take all appropriate technical and organisational measures to protect personal data against accidental or unauthorised deletion, accidental loss and any unauthorised processing of personal data.

1.4. APA guarantees that personal data will be processed lawfully, fairly and in a transparent manner; that personal data are collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; that those data are adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed; that the personal data are accurate and, where necessary, kept up to date; that these data are stored no longer than is necessary for the purposes for which they are processed. (General principles article 5 GDPR)

1.5. APA guarantees that no data shall be passed on to third countries for processing or storage without the necessary measures being taken to comply with the data protection requirements of the GDPR.

2. The data subjects

2.1. APA only processes personal data of persons who are involved with this concession and every communication hereabout.

3. The personal data that we process

3.1. In this connection APA gathers the following personal data:

- Contact details of persons covered by this concession agreement and all related communication, such as name, function, company name, company address, company telephone number, e-mail address, mobile phone, ...

3.2. APA does not on any account collect particular categories of personal data, such as information on race, political leanings, health, religious or other beliefs, sexual orientation and suchlike.

4. Sources of personal data

4.1. APA only processes the personal data that it receives directly from the concessionarie. In addition APA processes the personal data of persons, covered by the concession agreement, whose personal data are passed on by the concessionarie or who pass it on themselves in communication with APA. APA expects the other party to make this declaration available to such persons.

5. Purposes for which the data are processed

5.1. The personal data shall be processed for the following purposes:

- To guarantee smooth communication between the concessionarie on the one hand – or certain persons covered by this concession agreement (on behalf of the

cessionarie) – and APA on the other, under the terms of this agreement or any future agreement made with APA in which the concessionarie is also involved. This is to ensure that the concessionarie can always be contacted in connection with a new or current agreement with APA.

- To guarantee correct fulfilment of the concession agreement.

5.2. The personal data shall not be passed on to third parties in connection with this processing

6. Legal basis of the processing

6.1. The legal basis for the processing of personal data is as follows:

The necessity to perform a task carried out in the public interest of APA, namely on the one hand to ensure smooth communication between itself and its concessionaries, and on the other to ensure correct fulfilment of the contract made by it.

7. Period for which the data are kept

7.1. APA shall keep the abovementioned personal data for as long as necessary to achieve the purposes stated in art. 5 above, after which these personal data shall be deleted.

7.2. For more specific information, you can always contact us at dpo@portofantwerpbruges.com.

8. Rights of the persons concerned

The persons whose personal data are processed always have certain rights. These rights can be exercised by sending an e-mail (with proof of identity by attaching a copy of the relevant page or side of the identity card or document) to dpo@portofantwerpbruges.com. APA shall reply within one month.

The person whose personal data are processed (the person concerned) has the following rights:

8.1. In cases where APA acts on the basis of its legitimate aims or tasks of public interest, the right at any time to make an objection against the processing of the personal data concerned, for reasons of the person's specific situation. In such a case the person must explain their specific reasons. APA shall then suspend the processing, unless it is able to show compelling, legitimate grounds for the processing that are more important than the interests, rights and liberties of the person concerned, or that are related to obtaining, exercising or substantiating a court order.

8.2. The right to get a definite answer from APA as to whether or not personal data concerning the person are being processed, and if they are, to inspect this personal data. In responding to this request APA shall also provide the details of the processing. APA shall send a copy of the personal data being processed.

8.3. The right to require APA to immediately rectify incorrect personal data concerning the person. APA can also be required to complete any personal information that is incomplete. In some cases the person may be able to rectify or complete their own personal data themselves, for example by accessing an app.

8.4. The right to require APA to delete personal data concerning person, without unreasonable delay. APA shall delete personal data when the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed, when there is no longer a lawful ground for data processing, when the data subject objects to the processing and there are no overriding legitimate grounds for the processing, when the personal data have been unlawfully processed, when the personal data have to be erased for compliance with a legal obligation in Union or Member State law to which the controller is subject or when the personal data have been collected in relation to the offer of information society services.

In cases where APA has made personal data public and is then required to delete it, APA shall take reasonable measures to inform other data processors with access to the information that the person concerned has asked for all copies of it, reproductions of it or links to it to be deleted.

In some cases APA is not allowed to delete certain personal data, such as when the processing is necessary for exercising the right of freedom of expression and information, for (b) for compliance with a legal obligation which requires processing by Union or Member State law to which the controller is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller, for reasons of public interest in the area of public health, for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes or for the establishment, exercise or defence of legal claims. The data subject will be informed accordingly, if this is the case.

8.5. The right to place limitations on the processing of personal data – if the person contests their correctness, or if their processing is illegitimate but the person opposes deletion of the data, or if APA no longer requires the data for the purposes of the processing but the person still needs it for obtaining, exercising or substantiating a court order, or if the person opposes the processing – until such time as APA is able to show legitimate grounds for the processing, or until it is able to check the correctness of the data.

In such a case the personal data shall not be processed (apart from simply being saved) except with the permission of the person concerned, or except for obtaining, exercising or substantiating a court order, or for protecting the rights of another natural or artificial person, or for other weighty reasons of general interest for the European Union or a Member State.

8.6. The right to obtain the personal information concerning the person, that they have supplied to APA; the right to receive it in a structured, conventional, machine-readable form, and further, to then pass it on to another data processor. This may apply e.g. whenever the processing is based on permission or an agreement to which the person concerned is a party, or when the processing is carried out by automated processes.

8.7. Finally, the right at any moment to submit a complaint to the supervisory authority, namely the Data Protection Authority.