

HOTEL DES  
GALERIES

General Data Protection Regulation  
Privacy Policy

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## **1. Introduction**

This document is an integral part of the normative body for the protection of personal data of Hotel des Galeries, hereby represented by N.C.C. SA, a private liability company, with its registered head office at Rue des Bouchers 38, 1000 Brussels, Belgium, and with the corporate number BE 0836 539 084, and aims to enforce rules and practices, including in the design or modification of procedures for measures of protection of personal data, taking into account the Regulation (EU) 2016/679 or General Data Protection Regulation (hereinafter referred to as GDPR).

Whenever this document is updated, a new version will be made available at the designated place immediately after its approval.

Monitoring of compliance with this standard shall be ensured by measuring the indicators for evaluating controls and/or audits (internal or external), at regular intervals or when significant changes occur.

## **Purpose and Scope**

The Management of Hotel des Galeries has implemented this Privacy Policy in order to demonstrate its commitment and respect for the rules of privacy and protection of personal data.

## **Why this policy?**

This Privacy Policy arises because Hotel des Galeries intend to disclose the general rules of privacy and processing of personal data, which we collect and treat in the strict respect and compliance with national and community legislation for the protection of personal data.

All employees of Hotel des Galeries must respect the best practices in the field of personal data protection and security, having approved for this purpose a demanding program capable of protecting the data that is available to us by all those who in any way have a relationship with Hotel des Galeries.

In this context, a Data Protection Officer has been appointed responsible for the implementation and verification of this Privacy Policy as well as for defining clear rules for the processing of personal data, ensuring that all those who entrust us with the processing of their personal data, are aware of how the Company treats the data and what rights they have in this regard.

## What does this privacy policy cover?

This Privacy Policy applies exclusively to the collection and processing of personal data made by Hotel des Galeries.

## Recipients

This Privacy Policy is intended for all employees and suppliers of Hotel des Galeries.

## Responsibilities

The following list defines responsibilities for the production and management of this document:

- The Management of Hotel des Galeries is responsible for approving and updating this Privacy Policy.
- The Management and the Data Protection Officer of Hotel des Galeries is responsible for communicating the Privacy Policy to all Hotel des Galeries employees.

## 2. Definitions

**Personal Data** – Any information related to an identified or identifiable natural person. 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.

**Special Categories of Personal Data** – Data relating to an individual's: racial or ethnic origin, political opinions, religious and philosophical beliefs, membership of a trade union, physical or mental health, genetic data, biometric data, health data or data relating to sex life and sexual orientation.

**Processing** - Any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organization,

structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

**Data Controller** – The natural or legal person, public authority, agency or any other body which alone or jointly with others determines the purpose and means of the processing of personal data; where the purposes and means of processing are determined by Union Law or Member State Law, the controller or the specific criteria for his nomination may be designated by Union Law or by Member State Law.

**Personal data breach** - Means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to, personal data transmitted, stored or otherwise processed.

**Third party** - Means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorized to process personal data.

**Supervisory Authority** - Means an independent public authority, which is established by a Member State.

### **3. Data Protection Principles**

It is the responsibility of all Hotel des Galeries employees to ensure that the personal data processed by them are:

- processed lawfully, fairly and in a transparent manner in relation to the data subject;
- collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
- adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed;

- Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorized or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organizational measures.

Data processing performed by Hotel des Galeries is legal when at least one of the following situations occurs:

- the data subject has given consent to the processing of his or her personal data for one or more specific purposes;
- processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- processing is necessary for compliance with a legal obligation to which the controller is subject;
- Processing is necessary for the purposes of the legitimate interests pursued by Hotel Des Galeries or by a third party (unless the User's interests or fundamental rights and freedoms that require the protection of personal data prevail).

Hotel des Galeries undertakes to ensure that data subject's personal data are processed in compliance with the conditions and principles set out above.

When the processing of personal data carried out by Hotel des Galeries is based on the data subject consent, he/she has the right to withdraw the consent at any time. The withdrawal of the consent, however, does not compromise the lawfulness of the processing made by Hotel des Galeries based on the consent previously given by the data subject.

The period of time during which the data are stored and archived varies according with the purpose for which the information is processed.

Effectively, there are legal requirements that require you to retain the data for a minimum period. Thus, and where there is no specific legal requirement, the data will be stored and archived only for the minimum period necessary for the purposes of their collection or subsequent processing, after which they will be eliminated.

## 4. Processing of Personal Data

In the exercise of its activity, Hotel des Galeries collects and processes personal data of clients, potential clients, employees, candidates for employees and/or suppliers acting as individuals.

Personal data may be collected directly from the data subject, namely through the conclusion of reservation, check-in, checkout, service agreement, labor agreement, via email, mobile phone or other sources and procedures, which appear appropriate to the relationship established.

The personal data collected and processed by Hotel des Galeries consists in the information relating to the name, date of birth, nationality, mother language, ID card, passport, social security number, taxpayer number, health user number, academic qualifications, qualification certificates, identification of household members and dependents, life insurance, address, postal code, locality, telephone, emergency address, e-mail, IBAN and medical records.

In general terms, Hotel des Galeries process personal data namely the following purposes:

- Provision of lodging and food and beverage services;
- Newsletters and promotions campaigns;
- Selection and recruitment;
- Employment contract management / labor relationship;
- Compliance with legal obligations;
- Institutional communication of Hotel des Galeries;
- Internal and external events promoted by Hotel des Galeries;
- Hotel des Galeries's legitimate interests, such as production control and protection of people and property;
- Training (internal and external).

Hotel des Galeries may transmit or communicate data subject's personal data to other entities if such transmission or communication is necessary for the performance of the contract established between the data subject and Hotel des Galeries or for pre-contractual procedures at the request of the data subject in the case if it is necessary for the fulfillment of a legal obligation to which Hotel des Galeries is subject or

in case it is necessary for the purpose of pursuing the legitimate interests of Hotel des Galeries or a third party. In the event of a data transmission from the data subject to third parties, should be made reasonable efforts in order to guarantee that the data subject's personal data transmitted are in accordance with this Privacy Policy.

## **5. Processors**

In the context of the data subject's personal data processing, Hotel des Galeries resort or may resort to third parties, subcontracted by itself, on behalf of Hotel des Galeries and in accordance with the instructions given by the hotel, in strict compliance with the provisions of the law and this Privacy Policy.

These subcontracted entities may not transmit the data of the data subject to other entities without Hotel des Galeries having given prior written authorization to do so and are also prevented from contracting other entities without prior authorization from Hotel des Galeries.

Hotel des Galeries undertakes to subcontract only those entities, which have sufficient guarantees to carry out the appropriate technical and organizational measures in order to ensure the protection of the data subject rights. All entities subcontracted by Hotel des Galeries shall be bound by a written agreement means in which the subject and duration of the processing, the nature and purpose of the processing, the type of personal data, the categories of data subjects and the rights and obligations of the parties should be mentioned.

## **6. Data Subject Rights**

### **Right of access**

Hotel des Galeries guarantees the means of access by the data subject to your personal data. The data subject has the right to obtain from Hotel des Galeries confirmation as to whether or not personal data concerning him or her are being processed.



## **Right to rectification**

The data subject shall have the right to request, at any time, the rectification of his / her personal data, as well as the right to have incomplete personal data completed, including by means of an additional declaration.

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

The data subject has the right to obtain, from Hotel des Galeries, the erasure of his data when one of the following grounds:

- the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- the data subject withdraws consent;
- the data subject opposes the processing;
- the personal data have been unlawfully processed;
- the personal data have to be erased for compliance with a legal obligation.

Under the terms of the applicable law, Hotel des Galeries does not have the obligation to delete the data of the data subject when it is necessary to fulfill a legal obligation to which Hotel des Galeries is subject or for the purposes of declaration, exercise or defense of a right of Hotel des Galeries in a prevailing legal process or legitimate interest.

Therefore, any request for erasure of personal data by the data subject will not be weighed prior and casuistic by the Data Protection Officer.

In case of data erasure, Hotel des Galeries notifies each recipient/entity to whom the data has been transmitted the deletion.

## **Right to restriction of processing**

The data subject has the right to obtain from Hotel des Galeries, the restriction of the processing of the data subject of the data subject if one of the following situations applies (the restriction is to insert a mark in the personal data preserved with the purpose of limiting its processing in the future):

- If the accuracy of the personal data is contested by the data subject, for a period enabling Hotel des Galeries to verify the accuracy of the personal data;
- If the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead;
- If Hotel des Galeries 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 defense of legal claims;
- If the data subject has object to the processing, pending the verification whether the legitimate grounds of Hotel des Galeries override those of the data subject.

When the personal data of the data subject are restricted, they may only, with the exception of conservation, be processed with the consent of the data subject or for the purpose of declaring, exercising or defending a right in a judicial process, defending the rights of another natural or legal person or for reasons of public interest legally envisaged.

Hotel des Galeries will inform the data subject who has obtained the restriction of processing of his data in the above cases before the processing restriction is annulled.

## **Right to data portability**

The data subject has the right to receive the personal data that he has provided to Hotel des Galeries in a structured reading format and the right to transmit such data to another person responsible for the processing if:

- The processing is based on the consent or a contract of which the data subject is a party;
- Processing is made by automated means.

The portability right does not include inferred data or derived data, i.e. personal data that are generated by Hotel des Galeries consequently or result of the analysis of the data being processed.

The data subject has the right to have the personal data transmitted directly between those responsible for the processing, whenever this is technically possible.

## **7. Procedures to the exercise of Data subject's rights**

The right of access, the right of rectification, the right of erasure, the right to restriction, the right of portability and the right to object can be exercised by the data subject by contacting the Data Protection Officer by email at [info@hoteldesgaleries.be](mailto:info@hoteldesgaleries.be) or by post to the following address: Rue des Bouchers 38, 1000 Brussels, Belgium.

Hotel des Galeries will respond in writing (including by electronic means) to the data subject's request within a maximum of one month from receipt of the request, except in cases of special complexity, where this period may be extended by up to two months.

If the applications submitted by the data subject are manifestly unfounded or excessive, in particular because of their repetitive nature, Hotel des Galeries reserves the right to charge administrative costs or refuse to comply with the request.

## **8. Security, technical and organizational measures**

In order to guarantee the security and confidentiality of the data subject data, Hotel des Galeries employees have the responsibility to process the information received directly from the data subjects in a confidential way, accordingly with the document classification, internal security policies and procedures and confidentiality, which are updated periodically as required.

Depending on the nature, scope, context and purpose of the data processing, as well as the risks arising from the processing of the rights and freedoms of the data subject, Hotel des Galeries undertakes to apply the technical and organizational measures necessary and adequate for the data protection of the data subject and the fulfillment of the legal requirements.

It also undertakes to ensure that, by default, only are processed the data that are necessary for each specific purpose of processing and that such data are not made available without human intervention to an indeterminate number of persons.

In terms of general measures, Hotel des Galeries adopts the following:

- Regular audits to assess the effectiveness of the technical and organizational measures implemented;

- Awareness and training of employees involved in data processing operations;
- Encryption of sensitive personal data;
- Processes capable of ensuring the permanent confidentiality, availability and resilience of information systems;
- Mechanisms to ensure the restoration of information systems and access to personal data in a timely manner in the event of a physical or technical incident.

Hotel des Galeries will document all violations of personal data that may be targeted, including facts related to the violation of personal data, its effects and action measures taken.

Any employee should notify the Data Protection Officer as soon as possible in case of knowledge or suspicion of improper access or unauthorized use of personal data.

## **9. Data Breach**

In the case of personal data breach and as far as that breach would likely involve a high risk for freedoms and rights of data subject, the Data Protection Officer of Hotel des Galeries is responsible for notifying the data breach to the data subject in 72 hours from the aware of the incident. Additionally, in case of breach of this policy by the employees, proportional disciplinary actions will be taken and other measures appropriate to the prevention of reoccurrences.

In legal terms, communication to the data subject is not required in the following cases:

- If Hotel des Galeries has implemented appropriate technical and organizational protection measures, and those measures were applied to the personal data affected by the personal data breach, in particular those that render the personal data unintelligible to any person who is not authorized to access it;
- If Hotel des Galeries has taken subsequent measures to ensure that the high risk to the rights and freedoms of the User is no longer likely to materialize; or
- If the communication involves a disproportionate effort to Hotel Des Galeries, it will make a public communication or take a similar action through which the data subject will be informed.

## **10. Transfers of Personal Data**

The data collected and used by Hotel des Galeries are not made available to third parties established outside the European Union. If, in the future, the transfer arise for the reasons mentioned above, Hotel des Galeries undertakes to ensure that the transfer complies with applicable legal provisions, in particular as regards the determination of the suitability of such country as regards data protection and the requirements applicable to such personal data transfers.

## **11. Changes to the Privacy Policy**

Hotel des Galeries reserves the right to change this Privacy Policy at any time. In case of modification of the Privacy Policy, the date of the last change, available at the top of this page, is also updated.

## **12. Applicable Laws and Jurisdiction**

The Privacy Policy, such as the collecting, processing or transmission of data subject's personal data, are governed by the dispositions of the General Data Protection Regulation 2016/679 of the European Parliament and of the Council of 27 April 2016 and by the laws and regulations applicable in Belgium.

Any litigation deriving from the validity, interpretation or execution of the Privacy Policy, or related to the collection, processing or transmission of data subject's personal data, must be submitted exclusively to the jurisdiction of the courts of Brussels, without prejudice to the legal requirements applicable.

## **13. Contacts**

If the data subject wants to ask questions or complaints related to the Privacy Policy, they may contact the Data Protection Officer to the email at [info@hoteldesgaleries.be](mailto:info@hoteldesgaleries.be) or by post to the following address: Rue des Bouchers 38, 1000 Brussels, Belgium.

## 14. Version Control

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1.0	25.05.2018	DPO	Management	Initial version