

PRIVACY POLICY – <https://tools.commtozero.be>

Effective since: 19 December 2022

Last update: 19 December 2022

1. Who is responsible for processing your personal data?

1.1. The Association of Communication Companies ASBL/VZW (hereinafter “**ACC**”, “**Us**” or “**We**”) respects the privacy and personal data protection of the visitors (hereinafter the “**Guest(s)**”) and the users (the “**User(s)**”) of its platform <https://tools.commtozero.be> (hereinafter the “**Platform**”).

1.2. ACC processes the personal data of the Guests and Users in accordance with the applicable data protection legislations and in particular, Regulation 2016/679 of 27 April 2016 on the protection of individuals with regard to the processing of personal data and the free movement of such data, applicable since 25 May 2018 and the Belgian Law of 30 July 2018 on the protection of natural persons with regard to the processing of personal data (hereinafter the “**Data Protection Legislation**”).

1.3. ACC is the Data Controller in the sense of Data Protection Legislation processing the personal data of the Guests and Users:

The Association of Communication Companies ASBL/VZW (hereinafter “**ACC**”)

Minervastraat 4

1930 Zaventem

Belgium

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VAT BE0451546876

1.4. Access to the Platform implies the Guests and Users complete and unreserved understanding of the present Privacy Policy (hereinafter the “**Privacy Policy**”) as well as Terms of Use of the Platform (hereinafter the “**Terms of Use**”) and the Cookies Policy of the Platform (hereinafter the “**Cookies Policy**”).

1.5. Guests and Users acknowledge having read the information covered by the Privacy Policy and understand that ACC will process, in accordance with the Data Protection Legislation and the Privacy Policy, their personal data for the purposes determined hereafter.

1.6. The Policy is not valid for the pages hosted by third parties to which ACC may refer to and whose privacy policies may differ. ACC can consequently not be held responsible for any data processed by and on these websites. ACC invites Guests and Users to consult the respective privacy policies of such third parties.

2. What types of personal data do we process about Guests and Users?

ACC will collect the following types of personal data for the reasons defined in the following point:

In regard to Guests:

- Your identification data (i.e., name, surname, e-mail address, address);
- Your internet domain;
- Your IP address;
- The date and time of your access to the Platform;
- The pages of the Platforms browsed;
- The type of browser, platform, operating system you are using;
- The search engine and the keywords used to find the Platform;
- Your browsing preferences.

In regard to Users:

- Your identification data (i.e., name, surname, e-mail address, address, profile name, password, date of birth, gender);
- Any content you upload as part for the features of the Platform;
- Your internet domain;
- Your IP address;
- The date and time of your access to the Platform;
- The pages of the Platforms browsed;
- The type of browser, platform, operating system you are using;
- The search engine and the keywords used to find the Platform;
- Your browsing preferences;
- Your search queries in the Platform;
- The campaigns and related information you create in the Platform;
- Your library in the Platform;
- Account settings;
- Interactions with other Users;
- Your use of third-party services, devices and applications in connection with the Platform;
- Survey and research data (for e.g., when you respond to a survey or take part in User research, we can collect and use the personal data you provide).

3. Why do we process your personal data and based on what legal basis do we process your personal data?

We collect your personal data mainly:

- To provide you access to the Platform;
- To provide the Platform's features;
- To improve the Platform; to understand, diagnose, troubleshoot, and fix issues with the Platform's features;
- To evaluate and develop new features, technologies and improvements to the features of the Platform;
- To communicate with Guests and Users;
- To comply with a legal obligation that we are subject to;
- To comply with a request from law enforcement, courts or other competent authorities;
- To fulfil contractual obligations with third parties and only when strictly necessary;

- To take appropriate actions with reports of intellectual property infringement and inappropriate content;
- To establish, exercise, or defend legal claims;
- To conduct business planning, reporting, and forecasting based on our legitimate interest;
- To detect and prevent fraud;
- To conduct research and surveys.

We process your personal data for the purposes laid down above based on the following legal justifications ("**legal bases**"):

- **For the performance of our contract**, that includes our General Terms of Use to provide the features of the Platform to you;
- **For the purposes of the legitimate interests we pursue**, except where such interests are overridden by your interests or fundamental rights and freedoms;
- **Your consent** when ask you to actively indicate your agreement to our use of your personal data for certain specific purposes;
- **For us to comply with a legal obligation we are subject to.**

4. How do we collect your personal data?

4.1. Most of your personal data is collected by us through your active intervention (for example for Users when they sign up to form an account on the Platform).

We can also collect and process some of your information when you are accessing or using the Platform and its features, such as your search queries, development history, the campaigns you create, your library, your browsing history, account settings, interactions with other Users, your use of third-party services, devices and applications in connection with the Platform.

Other data, such as the date and time of your access to the Platform, the pages you have browsed, or your location data, are collected automatically through servers consulted and Cookies placed on the Platform.

4.2. For more information on what a Cookie is, how it is used and the exact data it collects, please consult our **Cookies Policy**.

5. How do protect your personal data?

ACC makes it a priority to ensure the protection of the Guests and the Users personal data. We maintain a strict data protection commitment and take all appropriate measures to ensure that our servers prevent, to the extent possible, any unauthorized leak, destruction, loss, disclosure, use, access or modification of your data.

6. How long do we store your personal data?

6.1. We keep your personal data only for the time strictly necessary to accomplish the objectives pursued. Once this goal is achieved, we either delete or anonymize them.

6.2. ACC may additionally keep your personal data, including correspondence or request for assistance sent to ACC to ensure it can answer to all questions or complaints sent to ACC, and/or in order to comply with all applicable laws or as part of other legal requirements ACC is subject to.

7. Who has access to your personal data, and with whom do we share them?

7.1. ACC treats personal data as confidential information. We will not communicate your personal data to third parties under any condition other than those specified in the present Privacy Policy, such as to achieve the objectives set out and defined in the Privacy Policy, or under the conditions in which the law requires ACC to do so.

7.2. ACC may communicate your personal information to third parties to the extent that such information is strictly necessary for the performance of a contract with you, or if you have consented to it or if it serves ACC's legitimate interest provided these are not overridden by your interests and fundamental rights.

7.3. The communication of your personal data to the aforementioned persons shall, in all circumstances, be limited to what is strictly necessary or required by the applicable regulations, and subject to strict contractual obligations.

8. What are your rights and how can you exercise them?

8.1. In accordance with the Data Protection Legislation, the Guests and Users have the following rights:

- **Right of access:** Guests and Users may, at all times, have access to the data that ACC has on them or check if they are included in the database of ACC. ACC asks Guests and Users to make this request by mail in order to be able to identify them with certainty (please provide ACC your first name, surname, complete address and a valid proof of your identity);
- **Right to rectification:** we take all reasonable steps to ensure that the personal data we keep is up to date. If personal data is inaccurate or incomplete, Guests and Users also have the right to ask us to correct it.
- **Right of objection:** Guests and Users may, at all times, object to the use of their personal data by ACC and by its active partners by sending a request to ACC.
- **Right of erasure:** Guests and Users may, where appropriate, request the deletion of their personal data, except those that ACC must keep on record (legal obligation, fundamental right/freedom of speech, etc).
- **Right of limitation of processing:** Guests and Users may, in particular, obtain a limitation of processing when they have objected to the processing, when they dispute the accuracy of the personal data, or when they consider that the processing is illegal.

- **Right of personal data portability:** Guests and Users have the right to receive the personal data that they have communicated to ACC and may also ask to send this personal data to another data controller.

8.2. Guests and Users may also at all times, request access to their personal data, verify them, transfer them, and, in some cases, as aforementioned, limit their processing and rectify them, by writing to ACC accompanied by a valid proof of identity to the following email address: info@commtozero.be

8.3. ACC will take all necessary measures to satisfy such a request as soon as possible and in any case within one month of receipt of the request. If necessary, this period can be extended by up to two months, given the complexity and the number of requests.

8.4. In addition, Guests and Users also have the right to lodge a complaint with the Belgian Data Protection Authority:

Autorité de protection des données / Gegevensbeschermingsautoriteit

35 Rue de la Presse

1000, Bruxelles

contact@apd-gpa.be

9. Do we transfer your personal data outside the EU?

ACC only transfers personal data to a non-EU country provided that such a country offers an adequate level of protection within the meaning of the Data Protection Legislation or within the limits permitted by it, for example by ensuring the protection of data by appropriate standard contractual clauses.

10. Do we process personal data about minors?

10.1. Our Platform are not targeted to children under the age of 13.

10.2. If you learn that your minor child has provided us with their personal data without your consent, contact us at the following address: info@commtozero.be

11. Updates and language versions

11.1. By informing Guests and Users through the Platform or emails, ACC may modify and adapt the Privacy Policy, in particular to comply with any new legislation and/or regulations applicable (such as the General Data Protection Regulation applicable since 25 May 2018), the recommendations of the Belgian Data Protection Authority, the guidelines, recommendations and best practices of the European Data Protection Board and the decisions of the courts and tribunals on this topic.

11.2. In case of any differences between the available language versions of the present Privacy Policy, the English version must prevail.

12. Validity of the Privacy Policy's provisions

12.1. If ACC does not use/invoke one of the provisions of the present Privacy Policy for a period of time, this cannot be interpreted in any way as a waiver to enforce such rights on a later stage.

12.2. The nullity, interpretation and/or execution of some of the provisions implies by no means the invalidity of all provisions. The provision that is wholly or partially invalid, void or unenforceable is to be considered as unwritten. ACC undertakes to replace this provision by another who, as far as possible, pursues the same goal.

13. Applicable law and competent court

13.1. The validity, interpretation and/or execution of the Privacy Policy are only subject to Belgian law, to the maximum extent permitted by the prevailing rules of private international law.

13.2. In the event of a dispute concerning the validity, interpretation or implementation of the present Privacy Policy, the courts of the judicial district of Brussels are exclusively competent.

13.3. Before launching legal proceedings, the Visitor and ACC will aim to resolve the dispute amicably. That is why they will first contact each other's, and if appropriate and necessary, reach out for mediation, arbitration or any other alternative dispute resolution method.