

# Data Protection Policy

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## 2 About us

ABAKUS IT-SOLUTIONS is an IT services company with expertise in “user-friendly IT”. As a company, we are required to process the personal data of clients, suppliers, job applicants and employees.

This document sets out how and why we collect, process and store personal data.

All group entities enforce this personal data policy.

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VAT: BE 0443 493 896 SSN: 010 090622734 TCR: 61103 Established in 1991	VAT: LU 258 24 152 Reg. no.: 2012 2451 799 TCR: B 173662 Trading permits: 10033078 /0 /1 /2 Established in 2012	VAT: DE 336 455 847 Aachen Trade and Companies Register: HRB24095 Established in 2020

### 2.1 ABAKUS IT SOLUTIONS as data controller

We are responsible for processing personal data that we collect and use. As data controller, we take the necessary measures to enable you to:

- remain informed about the processing of your personal data and your rights;
- continue to exercise control over personal data that we process; and
- exercise rights over your personal data.

In connection with our service delivery, ABAKUS IT SOLUTIONS also operates as an IT service provider (subcontractor). As such, we may gain access to our clients' personal data.

This area is not addressed in this policy, but is included in the service contract between ABAKUS IT-SOLUTIONS and its clients.

### 2.2 Data Protection Officer

We also have a designated Data Protection Officer (DPO), a data protection specialist whose role is to provide an additional assurance that your data are being processed correctly and appropriately.

You can contact the DPO by email at [gdpr@abakusitsolutions.eu](mailto:gdpr@abakusitsolutions.eu) or by telephone on +352 20 88 20 59 // +32 87 59 35 59 // +49 2405 807 49 59.

## 3 Information we collect

### 3.1 Personal data

By "personal data", we mean any information relating to an identifiable individual. The type of personal data we collect depends on the services requested. It could be information about you and/or your representatives, staff, contractors and/or independent directors (hereinafter collectively referred to as "you" or "your").

If you share the personal data of your representatives, staff, contractors and/or independent directors with us, you must notify them of this data protection policy and its contents, as well as our obligations, their rights and how they can exercise those rights. In particular, we collect:

- from our existing clients: identifying information and contact details (e.g. first name, surname, sex, email address, telephone number, etc.), areas of interest and specific financial information (e.g. bank account number);
- from prospective clients: identifying information and contact details (e.g. first name, surname, sex, email address, telephone number, etc.), areas of interest, etc.;
- from job applicants: identifying information and contact details (e.g. first name, surname, sex, email address, telephone number, photo, CV, etc.);
- from our employees: identifying information and contact details (e.g. first name, surname, sex, email address, telephone number, photo, CV, copies of qualifications, copy of identification document(s), etc.). This is set out in detail in a specific document attached to the employment contract (employee data protection rules and regulations).

On our website, we use cookies, which are small information files stored by your web browser on your computer and allow us to obtain specific details about visitors to our website (e.g. language, length of time spent on web pages, etc.). They allow us to adapt the website to your tastes and preferences and make the browsing experience easier. For more information about cookies, please refer to our cookies policy.

We do not collect or process the data of minors or information that is considered sensitive, such as:

- information that reveals a person's racial or ethnic origin, political views, religious or philosophical beliefs, or trade union membership;
- genetic or biometric data (e.g. facial images and digital thumbprints);
- medical information; or
- details of sexual activity or orientation.

Sensitive information that we receive will not be used and will be deleted.

## **4 How data are collected and processed on our website**

### **4.1 Data collection**

The website operator processes data on this website. The website operator can be contacted via the methods provided in our website's Legal Notice. When you visit our website, our IT systems collect other data automatically, or after you have given your consent. These consist mainly of technical data (e.g. browser, operating system or the date/time when you viewed a page). These data are collected automatically when you access our website.

The information is used to (i) ensure that the website services can be delivered free of faults and (ii) analyse your activity as a user. When you visit our website, your browsing activity may be included in statistical analysis. This is carried out using applications known as analytics tools.

### **4.2 External hosting**

This website is hosted by an external service provider (web host). Personal data collected on this website are stored on the host's servers, and may include IP address, contact requests, metadata and communication data, contractual information, contact details, names, website access and other data generated by a website.

We engage the web host's services in order to meet contractual obligations towards our potential and existing clients (Art. 6(1)(b) of the GDPR - General Data Protection Regulation) and in order to ensure secure, fast and efficient provision of our online services by a professional service provider (Art. 6(1)(f) of the GDPR).

Our web host will only process data when required to do so in order to meet its service delivery obligations and in accordance with our instructions regarding the data in question.

### **4.3 Collecting and recording personal data when visiting our website**

When you visit our website, the browser used on your computer sends information to our website server automatically. This information is stored temporarily on what is known as a log file. Absent any intervention by you, the following information is collected and stored until it is deleted automatically:

- IP address of the accessing computer;
- Date and time of access;
- Name and URL of the file accessed; and
- Website used to gain access (referring URL), browser used and, where applicable, your computer's operating system and name of your internet service provider.

We process the aforementioned data in order to:

- Ensure a smooth connection to the website;
- Ensure the user experience is straightforward;
- Measure and assess system security and stability; and
- Fulfil other administrative purposes.

Art. 6(1)(f) of the GDPR forms the legal basis for processing your data. Our legitimate interest is derived from the purposes of the items of data listed above. We will never use data we collect in order to identify you specifically.

#### **4.4 Collecting and recording personal data when using the contact form**

If you wish to submit a query, we give you the option to get in touch with us using the contact form available on the website. To do so, you must give your name and a valid email address, so that we know who sent the query and in order to give a response. You may opt to provide additional details. Data that you share when you contact us are processed in accordance with Art. 6(1)(a) of the GDPR, based on your voluntary consent. Personal data that we collect in connection with the use of the contact form are automatically deleted as soon as your query has been addressed. Our contact form is encrypted so that any information shared cannot be viewed by third parties.

#### **4.5 Use of cookies**

On our website, we use cookies, which are small information files that your browser stores on your computer and allow us to obtain specific details about visitors to our website (e.g. language, length of visit to the website, etc.).

Cookies enable the website to provide more engaging services, which would not be possible otherwise. They also make it possible to optimise the information and services provided on our website, from the user's perspective. As already mentioned, cookies allow us to recognise users of our website in order to facilitate the user experience. For example, visitors to a website that uses cookies are not required to re-enter their information each time they visit. Instead, the website and the cookie installed on the user's computer handle this process.

You may block the installation of cookies by our website at any time, by configuring your web browser accordingly and, in doing so, permanently blocking the installation of cookies. Furthermore, you can delete cookies already installed at any time using a browser or other software application. This option is available on all current browsers. If you disable cookies on your web browser, you may not be able to fully use all functional features available on our website.

## **4.6 Use of analytics tools**

We use the tracking measures listed below in accordance with Art. 6(1)(f) of the GDPR. Through the tracking measures we have implemented, we aim to adapt and optimise our website in response to operating requirements on an ongoing basis. We also use tracking to collect statistics on how our website is used and evaluate website performance, in order to optimise our services. These interests are considered legitimate as defined by the aforementioned provision in the GDPR. Information about the various purposes of data processing and categories of data are available in the corresponding tracking tools.

### **4.6.1 Google Analytics**

To adapt our website in response to operating requirements and optimise our web pages on an ongoing basis, we use Google Analytics, a web analytics tool provided by Google Inc. (<https://www.google.co.uk/about/>) (1600 Amphitheatre Parkway, Mountain View, CA 94043, USA; hereinafter referred to as "Google"). The tool creates pseudonymous usage patterns and uses cookies. Information generated by the cookie about your use of this website, such as browser type / version, operating system, Referring URL (i.e. previous page visited), the IP address / host name of the accessing computer or the time of the server request, is sent to and stored on a Google server in the United States. This information is used to measure use of the website, generate reports on website activity and provide other services, in connection with use of the website and the internet, for market research purposes, and to adapt these web pages in response to operating requirements. This information may also be shared with third parties where required to do so by law, or if the third parties are authorised to process data. Your IP address is never merged with other Google data. IP addresses are anonymised and as such cannot be attributed (IP masking). You can block the installation of cookies by configuring your browser. However, if you decide to do so, please be aware that you may not be able to fully use all of this website's functional features.

You may also block the collection of data generated by the cookie regarding your use of the website (including your IP address) and the processing of these data by Google by downloading and installing an add-on for your browser (<https://tools.google.com/dlpage/gaoptout?hl=en>). As an alternative to installing an add-on (e.g. for mobile browsers), you can also block Google Analytics from collecting data by clicking this link. An opt-out cookie will then be installed, which will prevent your data from being collected when you visit this website. The opt-out cookie is stored on your computer and is only functional for this browser and our website. If you delete cookies on this browser, you will need to reinstall opt-out cookies. More detailed information about data protection on Google Analytics is available in the Help section of Google Analytics (<https://support.google.com/analytics/answer/6004245?hl=en>)



## 5 Why we collect personal data

### 5.1 Client acceptance and performance of the contract

We need personal data in order to:

- register you as a prospective or current client on our CRM system;
- confirm you as a client as part of our onboarding process;
- contact you to obtain your consent to delivery of the requested services; and
- bill you for our services or record the delivery of services for our accounts.

### 5.2 Subcontracting and performance of the contract

We need personal data in order to:

- register you as a supplier or subcontractor on our ERP system;
- confirm you as a supplier as part of our onboarding process;
- contact you to obtain your consent to delivery of the requested services; and
- receive invoices for your services or record delivery of services for our accounts.

### 5.3 Direct marketing

We would like to keep you informed about our services, events or relevant articles. We will contact you if you explicitly request us to do so, or if we believe that you might be interested in, or that your company/organisation might benefit from, one of our services.

You can obtain this information in a number of ways: at ABAKUS IT SOLUTIONS' offices, online or on the app(s), by email, post or telephone, or at events. We will also adopt new technology where this enables us to communicate with you and cause you the least inconvenience.

You will receive direct marketing communications from us, where you have given your express consent for us to contact you. In particular, we will ask for your permission if you are not a client of ABAKUS IT SOLUTIONS.

However, even if you decide not to give your consent, you may still receive offers and advertisements from us. This will be the case if you already have a commercial relationship with ABAKUS IT SOLUTIONS. In such cases, the communications we send are based on our legitimate interest.

If you no longer wish to receive advertising from us, you can exercise your right to object to direct marketing, as described below.

#### **5.4 Business operations**

Business operations are considered a "legitimate interest". Our data processing activity is based on a number of legitimate interests. However, we do ensure that such actions do not upset the balance between our legitimate interests and the potential impact on your privacy.

If you would still like to object to this processing, you can exercise your right of objection, as mentioned below.

We process personal data in the following instances:

- For use as proof (archives);
- To register your participation and/or attendance at our events;
- To provide information when you request us to do so;
- To confirm, exercise, defend or safeguard our rights or those of our representatives, for example in the event of a dispute;
- The administration, management (risk) and or audit of our organisation (e.g. to combat and investigate fraud or money laundering, risk management, high-risk functions and inspections, handling complaints, internal and external audits, etc.); and
- To streamline the delivery, use and completion of services by the client, to prevent you from having to provide information that you have already given and go through the full identification process.

#### **5.5 Resource commitment (employment contracts)**

When we recruit new staff, we need personal data in order to:

- Contact you;
- Make contractual offers that meet your requirements;
- Verify your professional credentials; and/or
- Carry out technical, psychometric or competency-based tests;

## 6 Who we share your data with

- Your personal data will only be shared with staff and independent contractors who require access to personal data to fulfil their professional duties. They operate under our supervision and responsibility and are bound by a confidentiality obligation.
- We also engage external suppliers, who undertake a number of processing actions in order for us to be able to offer you our products and services, such as legal, financial, accounting, IT and other services. As these third parties have access to personal data in order to deliver the services requested, we have taken technical, organisational and contractual measures to ensure that your data are only processed and used for the aforementioned purposes.
- To meet our obligations under applicable law, we may be required to share your personal data with judicial or regulatory bodies, tax authorities and parafiscal agencies, and research organisations.

## 7 Where personal data are stored and processed

Your personal data are never stored outside the EU. We also take steps to ensure that the minimum legal requirements and security standards are met at all times. If we plan to record and process your data outside the EU, we will communicate this to you explicitly and ensure that the same level of protection can be guaranteed.

In all other cases, your personal data will never be shared with or made available to third parties and shall be used solely in our interests. Other companies will not therefore be able to use your data to send you communications (e.g. advertising).

## 8 How long we hold your personal data

We will not keep your data for longer than is necessary.

Given that the need to store data depends on the type of data and the purpose of data processing operations, the length of time data is kept may vary considerably.

The length of time we hold onto data will depend on:

- How long we need the data in order to provide the service requested;
- Whether or not we have agreed and stated a specific storage period;
- Whether or not we have permission to extend the storage period; and/or
- Whether or not we are subject to a legal, contractual or equivalent obligation.

When we no longer need your data and are no longer legally required to hold onto them, we will permanently delete them or, should that not be possible, anonymise them on our systems.

However, your personal data will be stored and used for period of time necessary to meet our legal obligations, resolve disputes or conclude contracts.

In general, data are stored for 10 years from the end of the contract in accordance with applicable law, unless you give your consent for your data to continue to be processed and used after that time.

Data relating to recruitment activity are kept for a period of five years.

## 9 How we keep your personal data secure

Your personal data are treated as strictly confidential. We take appropriate technical and organisational measures to protect the personal data we receive and collect from destruction, loss, accidental damage and deterioration, accidental or illegal access, or other unjustified data processing.

## 10 Your rights

### **10.1 Right of access, objection, rectification, portability and right to be forgotten**

#### **10.1.1 Right of access**

You have access to, and have a right to scrutinise, personal data that we process. We will also provide you with a copy of these data free of charge on request.

#### **10.1.2 Right of rectification**

You have the right to request the erasure or rectification of incorrect, incomplete, inadequate or obsolete data.

#### **10.1.3 Right to withdraw your consent**

When processing activity takes place with your explicit consent, you have the right to withdraw your consent at any time.

Should you withdraw your consent to specific processing activity involving your personal data, you may no longer receive information about or have access to our services or activities.

#### **10.1.4 Right of objection to certain processing operations**

You have the right to object to processing activity carried out on the basis of legitimate interest.

#### **10.1.5 Right to be forgotten**

You have the right to arrange for the erasure of your personal data.

However, we may continue to retain data that we are required to hold onto as proof.

#### **10.1.6 Right to data portability**

You may ask us to send you personal data that you have shared with us in a digital, readable and structured format for the purposes of saving them for your personal (re-)use, or for transfer to another Data Controller, where this is technically feasible.

Under data protection legislation, a number of limitations to this right are in force. As a result, this right does not apply to all data.

#### **10.1.7 Right of restriction of certain processing operations**

You may ask us to restrict the processing of your personal data in the following instances:

- If you dispute the data's accuracy, processing may be restricted for the period in which we are required to verify their accuracy;
- If you claim that the processing activity is unlawful but do not demand that your data be deleted;
- If we no longer need your personal data but would like to hold onto them because they continue to be necessary in order to confirm, exercise or defend our rights in the event of court proceedings; or
- If you object to processing carried out on the grounds of legitimate interest, the processing activity shall be restricted while the arguments of both parties are reviewed.

Besides storage, where you obtain the right to restrict processing, we will not carry out any further operations with the data in question.

## **10.2 Right to object to direct marketing**

As mentioned in 3.2, we may use your personal data to send you commercial information, advertising or personalised offers (e.g. through direct marketing or e-newsletters). If you do not want to receive this type of communication from us (any longer), you may object to the processing of your data for direct marketing purposes, by selecting the relevant option in each email you receive from us. Your request will be handled as soon as possible.

Even if you exercise your right of objection, you may consent once again to direct marketing using the same process at a later date.

Exercising your right of objection does not prohibit us from contacting you for any other purpose, such as performance of the contact, in accordance with this Policy.

### **10.3 How to exercise your rights or file a complaint**

To exercise the aforementioned rights, you can send a written request in one of the following ways:

- By email: [gdpr@abakusitsolutions.eu](mailto:gdpr@abakusitsolutions.eu)
- By post:
  - Data Protection Officer, ABAKUS IT SOLUTIONS, Euregiostrasse 8, 4700 Eupen, Belgium.
  - Data Protection Officer, ABAKUS IT SOLUTIONS, Duarrefstrooss 31A, 9944 Beiler, Luxembourg.
  - Data Protection Officer, ABAKUS IT SOLUTIONS, 3rd Floor, Adenauerstrasse 20 A2, 52146 Würselen, Germany
- By telephone:
  - +32 87 59 35 59
  - +352 20 88 20 59
  - +49 2405 807 49 59

Please clearly indicate the right that you intend to exercise and the processing operation(s) you would like to object to or the specific consent you would like to withdraw. We ask you to be as specific as possible when exercising your rights.

If you are not satisfied with our response, have comments regarding the exercise of your rights, or believe that the processing of your data did not comply with applicable data protection legislation, you can submit a complaint to your country's Data Protection Authority.

## **11 Changes to this policy**

We reserve the right to amend, or make additions to, this Policy where necessary.

Where significant changes are made, the date of amendment will be updated, and we will notify you of the changes and provide a copy of the updated Policy.

We recommend that you periodically check this Policy to take note of how we process and share your personal data.