Information document on the DKV Belgium S.A. policy regarding the protection of personal data

Public

Contact

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1 Preamble

1.1 Objective of this information document

The objective of this document on the DKV Belgium S.A. policy regarding the protection of personal data is to
inform you about the regulations in force governing data protection, the policy of DKV Belgium S.A. on the
matter and your rights.
This is a detailed version of the privacy statement of DKV, reproduced in full in point 6 and available under the
Privacy section of the website dkv.be, which is the only document that commits DKV.

1.2 Who is this document aimed at?

This document is aimed at any individual who is in contact with DKV in any way whatsoever. This may be a policyholder, an insured person or an identified or identifiable third party (potential clients, website visitor, policyholder applicant, etc), excluding legal entities. By reading this document, you are one of those individuals visiting our websites or virtual tools whose information is processed.

1.3 Information on DKV Belgium S.A.

DKV attaches great importance to the protection of privacy. Personal data is processed by DKV in compliance
with the regulations in force.

DKV Belgium S.A. (Rue de Loxum 25, 1000 Brussels) Brussels Trade Register 0414858607, is a company
governed by Belgian law registered with the National Bank of Belgium under number 0739, providing insurance
products for DKV dental care, outpatient care, hospital care, loss of income and dependency, which are subject
to Belgian law (branch 2 'illness' and/or 18 'assistance').

2 Basic principles

2.1 Regulations in force

Belgian law regarding the protection of privacy in the processing of personal data (ie until 25 May 2018, the law
of 8 December 1992 on the protection of privacy with regard to the processing of personal data) and, since its
entry into force, the General Data Protection Regulation 2016/679 (hereinafter GDPR).

2.2 Personal data and what DKV does with it.

In order to meet our main objective of offering you the best services, we process two types of data - your
personal data and data concerning health which falls into special categories of personal data.

2.2.1 Personal data in general

Personal data is information that relates to an identified or identifiable natural person: it consists of a large
quantity of data which concern you directly or which, when combined with other information, can be used to
identify you.
This may be your name, address, date of birth, bank details, etc.
2.2.2 Special categories of personal data

The regulations in force set out several special categories of personal data (e.g.: personal data regarding political opinions, religious beliefs, union affiliations, data concerning health, etc.), the processing of which is forbidden in compliance with these regulations.

However, for data processing and the purposes of DKV, we focus on data concerning health of individuals which falls into the special categories of personal data and which we define as being highly sensitive. We process this information for strictly defined purposes and only based on your explicit and informed consent.

In rarer cases, criminal judicial data may also be processed based on the legitimate interest of DKV to recover its disbursements or to exercise its recourse action, in accordance with the law.

2.3 Processing

The principle of “processing” includes any operation (or set of operations) carried out by automated or manual methods and applied to personal data, such as, for instance, collection, recording, organisation, storage, adaptation, retrieval, consultation, use, disclosure, circulation, provision, standardisation or combination.

2.4 Individuals affected by the principles of personal data protection

Any living individual whose personal data is processed by an organisation.

2.5 Controller

The controller is the body which determines the purpose of the data processing and the method used to carry it out. DKV is the data processing controller for your personal data.

2.6 Third party or contractor (processor)

A third party or contractor is an individual, legal entity, public authority, agency or body other than DKV.

Therefore, your personal data may, in certain cases, be communicated to other organisations we work with. These may be experts, lawyers, insurance intermediaries or other companies with which we have contractual agreements. These third parties or contractors can only access information which is necessary for them to complete their task and they process information in a secure and confidential manner.

We do not sell your information to third parties for commercial use.

If your personal data is sent to contractors for the stated purposes in one of the countries where the European Commission believes is not able to guarantee an adequate level of protection, DKV shall ensure that the regulations in force are respected and implemented through agreements concluded with these contractors. DKV takes all appropriate protection measures set out in standard contractual clauses regarding data protection adopted by the Commission, in compliance with Articles 46.2 of the GDPR. These can be consulted at our head office.

Only when strictly necessary for the purposes set out above, data will be sent to the following third parties or contractors:
• Insurance intermediaries for the statistical purposes of coded data which they will explain and produce at the request of the person concerned;
• Insurance intermediaries, for data concerning health, in compensation statements and in the copy of the insurance contract containing any exclusions and/or loadings, if the person concerned has given them prior explicit and informed consent;
• Health insurance funds, for allowing compensation;
• One or more insurance companies in the event of co-insurance, assistance and/or recovery of expenses in the event of the liability of a third party in the occurrence of the loss;
• The companies of the MUNICH RE group to which DKV belongs, for monitoring and reporting;
• Subcontractors located in the European Union or outside, responsible for processing operations defined by DKV;
• The Insurance Ombudsman in the event of a dispute;
• Banking institutions;
• Postal, transport and delivery companies to allow a better routing of our mail;
• Tax and social administrations, due to DKV’s legal obligations;
• The public supervisory and control authorities because of DKV’s legal obligations;
• The IPT (Insurance Premium Tax) to which you are subject, if applicable, for the payment of the international tax.

2.7 Personal data breach

This is a security breach resulting in the accidental or unlawful destruction, loss, alteration, unauthorized disclosure or access to personal data transmitted, stored or otherwise processed. DKV is obliged to report personal data breaches to the Belgian Data Protection Authority within 72 hours of becoming aware of a personal data breach.

Where there is a high risk of damaging the personal data or the privacy of the persons concerned, DKV has the obligation to inform the natural person, concerned by the violation of his personal data, as soon as possible after DKV becomes aware of this.

3 DKV Policy regarding personal data management

3.1.1 Fair, lawful and transparent processing

Your personal data is processed fairly and legally.

Therefore, your information cannot be used for purposes other than those for which they have been collected, taking all relevant elements into account, especially your reasonable expectations and the legal and regulatory provisions in force. The regulations state that, under certain conditions, further processing for historical, statistical or scientific purposes may be deemed compatible with the objectives declared.

The principle of transparency means that information (e.g. in the form of policies or forms) must be provided in a concise, transparent, intelligible and easily-accessible way, using clear and simple language.

3.1.2 Processing limits

Belgian law regarding the protection of privacy in the processing of personal data and, since its entry into force, the General Data Protection Regulation 2016/679 (GDPR) set out the limits regarding the use of your information. These limits depend on the nature of the information.

Your information must be collected for clearly outlined, explicit and legal purposes stated above.
3.1.3 Data minimisation

Your personal data is processed in an adequate and relevant way for the purposes stated and the processing is restricted to what is strictly necessary in order to achieve these purposes.

Only persons who have to perform tasks relating to the processing of your personal data are authorised to have access to them. They are bound by professional secrecy and must respect the various technical and organisational obligations laid down within the company to ensure the confidentiality of your personal data. Moreover, your data concerning health are subject to great care and caution on the part of DKV and are only accessible to a very limited number of people in the context of treatments and purposes planned. Unauthorised persons have no access to your personal data.

3.1.4 Information accuracy

The data processed must be accurate and kept up to date. This means that inaccurate data must be deleted or corrected. In order to be able to trace your data and comply with the regulations in force regarding processing, a record of processing activities carried out by DKV has been set up.

In addition, in all DKV processing activities, we make every effort to verify the identity of the persons concerned. If we are in doubts as to your identity, we reserve the right to request additional information to confirm your identity or the accuracy of your personal data. It is of course possible for you refuse to answer our request, which can possibly prevent the continuation of the treatment in progress.

3.1.5 Data retention limits

As a consequence of data minimisation, data retention must be kept to a strict minimum. This means that we do not keep your data any longer than is necessary for the intended purpose (execution of the contract, etc) DKV has defined the rules in an internal data retention policy, based on the regulations in force.

3.1.6 Responsibility

In accordance with the regulations in force, we are responsible for processing your personal data and we are required to demonstrate compliance with the principles of data protection. DKV is obliged to document all decisions and processes related to the processing of personal data.
4 Your rights

4.1 Right to access

To enable you to assert your rights regarding data protection, you have access to your personal data. You therefore have the right to obtain the following:

- Confirmation of whether and where we process your personal data (processing);
- Information on the purposes of the processing;
- Information on the categories of data processed;
- Information on the categories of recipients with whom the data can be shared;
- Information on the period for which your data will be stored (or the criteria used to determine this period);
- Information on the existence of rights of deletion, rectification, restriction of processing and opposition to processing;
- Information on the existence of the right to complain to the Belgian Data Protection Authority;
- When the data has not been collected directly from you: information about the source of the data;
- Information and an explanation of the logic involved in any individual automated processing that has a significant effect on your person.

In addition, you may request a copy of your personal data being processed.

4.2 Right to deletion (the “right to be forgotten”)

You have the right to demand that we delete your personal data if the continued processing of such data is not justified and provided that this request does not conflict with any other legal obligation in force.

4.3 Right to rectification

DKV, as controller, must ensure that inaccurate or incomplete data is erased or rectified. You have the right to request the rectification of inaccurate personal data concerning you.

4.4 Right to restrict processing

You have the right to restrict the processing of your personal data (which means that your personal data can only be kept by the controller and can only be used for restricted purposes) if:

- the accuracy of the data is contested (and only for the time needed to verify this inaccuracy);
- the processing is illegal and you request a restriction;
- we no longer need your data for our original purpose, but that it is still required to establish, exercise or defend legal rights;
- verification of compelling reasons is in progress, in the context of a request for deletion.

4.5 Right to data portability

You have the right to transfer your personal data between different controllers (e.g. in the event of a change of insurer).

4.6 Right to object to data processing

When the processing of your personal data is based on a legitimate interest of DKV, you have the right to object, at any time, to the processing of this data unless the legitimate interest of DKV proves superior or if the processing of your personal data is necessary for the establishment, exercise or defense of legal rights.
4.7 Right to object to processing for direct marketing purposes

You have the right to object to the processing of your personal data for direct marketing purposes.

4.8 Right not to be the subject of a decision based exclusively on individual automated processing (including profiling)

You have the right not to be the subject of a decision based exclusively on automated processing unless this decision is necessary for the conclusion or performance of your contract.

You also have the right to human intervention to express your views and challenge the decision.

5 What data are we talking about in concrete terms?

5.1 How does DKV collect your personal data?

We collect your personal data mainly when:

- you subscribe to DKV cover for yourself or a third person such as a member of your family by filling in the necessary documents;
- you contact DKV for information on our products and services;
- you use the various services and tools (applications, personal platforms, newsletters, etc) that we make available to inform you or to contact us in order to request information;
- you exercise a right set out as part of our contractual relationship;
- you visit our websites or social networks;
- you visit our premises: your visit is recorded and saved on video by CCTV cameras for security purposes;
- a third party, authorised to do so, provides us with your personal data (professional providers, your insurance intermediary, your employer as part of a group cover, a healthcare professional, etc)

5.2 What categories of personal data are processed by DKV?

In the context of the above processing and purposes, DKV processes the following categories of personal data:

- **Identification data** – e.g.: name, title, address (private and business), previous addresses, telephone number (private and business)
- **Financial details** – e.g.: bank account number, insurance type, details of risks covered, amounts insured, period of cover, expiry date, payments made or received and payments not made or not received, state of the policy
- **Personal characteristics** – e.g.: age, sex, date of birth, place of birth, nationality
- **Physical data** – e.g.: height, weight
- **Life habits** – e.g.: smoking, alcohol consumption
- **Leisure and interests** – e.g.: hobbies, sports, other interests
- **Image recordings** – e.g.: images from CCTV cameras
- **Sound recordings** – e.g.: tape recording, telephone call recording
- **Data concerning health** – e.g.: medical record, medical report, diagnosis, treatments, test results
- **Judicial data** – e.g.: guardianship ruling, charge sheet of an accident
6 Privacy Statement

6.1 Preamble and contact details of the Data Protection Officer

“DKV Belgium S.A.” attaches great importance to the protection of privacy. The personal data of the prospect, the policyholder and the persons to be insured (together referred to as "data subjects") are processed by DKV Belgium S.A., whose registered office is located at Rue de Loxum 25, 1000 Brussels in accordance with the Belgian Personal Data Protection Act and, as from its entry into force, the General Data Protection Regulation 2016/679 (hereafter GPDR).

The Data Protection Officer of DKV Belgium S.A. can be contacted by post at: Rue de Loxum 25, 1000 Brussels and e-mail: Privacy@dkv.be.

6.2 What categories of personal data are processed by DKV?

The following categories of personal data are processed by DKV: Identification data, Financial details, Personal characteristics, Physical data, Life habits, Leisure and interests, Image recordings, Sound recordings, Data concerning health and Judicial data.

6.3 How does DKV collect your personal data?

DKV collects your personal data mainly when:

- you subscribe to DKV cover for yourself or a third person such as a member of your family by filling in the necessary documents;
- you contact DKV for information on our products and services;
- you use the various services and tools (applications, personal platforms, newsletters, etc) that we make available to inform you or to contact us in order to request information;
- you exercise a right set out as part of our contractual relationship;
- you visit our websites or social networks;
- you visit our premises: your visit is recorded and saved on video by CCTV cameras for security purposes;
- a third party, authorised to do so, provides us with your personal data (professional providers, your insurance intermediary, your employer as part of a group cover, a healthcare professional, etc)

6.4 On what legal basis does DKV collect and process your personal data?

Personal data are processed for the following purposes:

- For the execution of the insurance contract which covers in particular the assessment of risk, the issue and execution of insurance contracts, provision of customer service, claims management, recovery from a third party responsible for the claim, management of contractual relations, issue, collection and verification of invoices, possible litigation, communication with DKV staff (including by e-mail in the case of choice of electronic means of communication) and notification of a change in the insurance contract or privacy statement, including new purposes. Personal data related to the fulfillment of the precontractual obligations, deriving from the contractual relationship with the data subject, are also processed by DKV.
DKV processes your data concerning health specifically for drawing up an insurance application and managing your requests for intervention during the execution of your contract. This data (as well as that provided in the past) can only be processed with your consent. If the latter is not available, the conclusion and/or proper performance of the contract could be prevented.

If necessary, this data is processed by means of fully automated processing without the intervention of a health professional, for which your consent is asked.

You may ask your attending physician to communicate to the medical adviser designated by DKV any medical certificate necessary for the execution of the contract which is limited to a description of the state of health at the time of the occurrence of an insurance case. The medical officer appointed by DKV is then entitled to transmit to DKV only the relevant information in accordance with the insurance case.

This type of data is processed by DKV employees who are part of the following DKV processes: Product Development/Pricing, Marketing/Sales and Distribution, Underwriting, Policy Administration, Claims Management, Medical Services, Planning and Controlling (incl. Statistics), Actuarial Services, Risk Management, Accounting (incl. Litigation), Tax Management, Internal Audit, Compliance, Legal, IT, Services, Facility Management and Logistics.

On basis of DKV’s legitimate interest, with a view to:
- carry out computer tests;
- monitoring the quality of the service;
- training staff;
- monitoring and reporting;
- prevent abuse and fraud;
- for the storage of video-surveillance recordings during the legal period;
- to establish statistics of coded data, including big data;
- inform, independently of the means of communication, about the commercial actions, products and services of DKV and of the group to which it belongs.

DKV processes criminal judicial data, based on DKV’s legitimate interest in recovering its disbursements or exercising its recourse action, in accordance with the law.

Based on the legal obligations applicable to DKV with a view to DKV’s compliance.

As stated in point 6.9 of this document, the data subject has the right to withdraw his consent at any time, without affecting the lawfulness of the processing operations based on his consent before his withdrawal. It can also oppose other treatments.

DKV uses procedures for processing personal data, including data concerning health, involving automated decisions affecting the conclusion or execution of contracts (e.g. online insurance subscription, claims management, etc). On your request DKV will provide meaningful information about the logic involved as well as the significance and the envisaged consequences of the automated decision-making. You have the right not to be subject of a decision based exclusively on automated processing unless this decision is necessary for the conclusion or performance of your contract. You also have the right to human intervention, to express your views and to challenge the decision.
6.5 Retention period

Personal data are retained for the duration of the agreement with DKV and thereafter until the expiry of the legal retention obligations, in particular tax and accounting obligations and until the end of contractual liability.

6.6 Recipient of the data

The data will, exclusively for what is necessary for the purposes indicated above, be communicated to the following third parties:

- Insurance intermediaries for the statistical purposes of coded data which they will explain and produce at the request of the person concerned;
- Insurance intermediaries, for data concerning health, in compensation statements and in the copy of the insurance contract containing any exclusions and/or loadings, if the person concerned has given them prior explicit and informed consent;
- Health insurance funds, for allowing compensation;
- One or more insurance companies in the event of co-insurance, assistance and/or recovery of expenses in the event of the liability of a third party in the occurrence of the loss;
- The companies of the MUNICH RE group to which DKV belongs, for monitoring and reporting;
- Subcontractors located in the European Union or outside, responsible for processing operations defined by DKV;
- The Insurance Ombudsman in the event of a dispute;
- Banking institutions;
- Postal, transport and delivery companies to allow a better routing of our mail;
- Tax and social administrations, due to DKV's legal obligations;
- The public supervisory and control authorities because of DKV's legal obligations;
- The IPT (Insurance Premium Tax) to which you are subject, if applicable, for the payment of the international tax.

6.7 Localisation of the data

Data may be processed in EU or non-EU countries where the European Commission considers that it does not guarantee an adequate level of protection of personal data. In this case DKV, as controller, will take appropriate protective measures by means of standard contractual data protection clauses adopted by the Commission in accordance with Article 46(2) of the GDPR. These can be consulted at the controller's headquarters.

6.8 Contractual framework

This present information document on DKV's personal data protection policy is established to give you more information on the data protection regulations in force, DKV's data protection policy and your rights. This information document is a detailed version of the privacy statement which you can find under the Privacy section of the web site dkv.be (privacy statement which is the only document binding DKV).
6.9 Exercise of rights relating to the protection of personal data

6.9.1 At DKV Belgium S.A.:

Upon written request dated and signed in this way, and with proof of your identity, you can obtain from DKV, free of charge if reasonable volume, the written communication of data, as well as, where appropriate, the withdrawal of your consent to the processing of your data concerning health, rectification, limitation of processing, deletion of data that are inaccurate, incomplete or irrelevant. If the processing is based on the performance of the contract or consent, you may exercise your right to the portability of the data.

If no action has been taken on the application 30 days after its submission, it shall be considered rejected. The President of the Court of First Instance will hear any application concerning these rights if the application has been rejected by DKV.

If, at any time, you wish to exercise your rights with DKV, you can send a letter or an e-mail with proof of your identity. DKV will make every effort to detect and correct the problem.

By letter:
DKV Belgium S.A.
Data Protection Office
Rue de Loxum 25, 1000 Brussels

By e-mail: Privacy@dkv.be.

6.9.2 At the Belgian Data protection authority if you consider that there is a violation of the regulations in force by DKV Belgium S.A.

In accordance with Article 77 of the GDPR, you may also address or lodge a complaint with the Data Protection Authority at the following address:
Rue de la Presse, 35, 1000 Bruxelles
contact@apd-gba.be

or with the supervisory authority of the country of your habitual residence, for the exercise of your rights.