

PROTECTION OF PRIVACY AND PERSONAL DATA POLICY

1. PREAMBLE

Each lawyer part of LEXENA group located at 1410 Waterloo, Chaussée de Tervuren 198F/3 (hereinafter the Office) is concerned about the protection of your personal data and undertakes to comply with the provisions relating to the protection of personal data (hereinafter the data) in force in Belgium, including the General Data Protection Regulation, 2016/679 (hereinafter the GDPR).

As part of our concern to protect your data, the Office remains at your disposal for any questions or comments on the subject matter.

The Office ensures an adequate level of technical and organizational security of your data, in order to protect you from any data leakage, including loss, destruction, public disclosure, unauthorized access or misuse. However, if you are aware of a data leak or suspect one, please report it to us immediately.

2. WHO IS THIS POLICY INTENDED FOR?

- 2.1. This policy is intended for natural persons who contact us, including those who:
 - Request information on the services provided by the Office ;
 - Are Office's clients ;
 - Work for Office's clients, or with its suppliers.
- 2.2. The Office informs you that your data will be used in accordance with this data protection policy and the data protection and privacy provisions in force in Belgium.

3. WHAT DATA DOES THE OFFICE PROCESS AND WHERE DO THEY COME FROM?

- 3.1. The Office collects processed data through different channels. Either directly through you, or through a judicial or administrative authority, an opposing party in a dispute or an insurance company defending your interests (professional liability, family liability, legal protection, etc.), or through any other intervener (technical advice, expert, etc...).

Some data may also be validly collected if they are publicly disclosed or if you have made them publicly accessible in particular on public/social media (such as LinkedIn, Facebook ...);

- 3.2. The following categories of data may be processed:
 - **Identifying data:** last name, first name, personal address, email address, telephone, sex, date and place of birth, civil status, nationality, identity picture, identity card.
 - **Data belonging to special categories of data** (Articles 9 and 10 of the GDPR): medical history, illness, disability, judgment, data relating to criminal convictions and offences, etc.
 - **Banking data:** account number, or even account statements, warning statement and the household composition or any documents attesting the financial situation.
 - **Family data ;**

- **Any other data relating to a dispute/file entrusted to the Office necessary for its handling.**

4. WHY DOES THE OFFICE PROCESS YOUR DATA?

- 4.1. Depending on the collected and processed data, purposes differ :
- Defending your interests or those of the legal or natural person for whom you are acting;
 - Performing the Office's contractual or pre-contractual obligations towards you or towards the legal or natural person for whom you are acting;
 - Invoicing;
 - Defending the Office's interests in case of litigation against you;
 - Checking for possible conflicts of interest;

5. WHAT IS THE BASIS FOR LAWFULNESS OF THE OFFICES PROCESSING ACTIVITIES?

- 5.1. Depending on the intended purpose, the Office processes your data on the basis of :
- Legal obligations imposed on it in the course of its activities. The law requires the Office to process certain personal data. This is the case for its accounting, social and administrative obligations or its duty to defend your interests (article 6 c. of the GDPR);
 - The defense of your interests or those of the legal or natural person for whom you are acting (Article 9, 1, f);
 - Its contractual or pre-contractual obligations towards you (Article 6 b. of the GDPR);
 - The legitimate interest of the Office, when it must keep your data to initiate, exercise or support a possible legal action, but also for sending you our newsletter (article 6 f. of the GDPR);
 - In certain very specific cases, the Office may have to process your data on the basis of your consent (Article 6 a. of the GDPR).

6. WHOM DOES THE OFFICE SHARE YOUR DATA WITH ?

- 6.1 All data sharing shall be carried out within the limits of professional secrecy, ethical rules and this document.
- 6.2. The data listed above are accessible to members of the Office's team or any colleagues, acting as collaborators or specialized lawyers, or any technical advice to the extent strictly necessary to fulfill the Offices's obligations.
- 6.3. The Office may, if necessary, transmit your data:

- to the judicial or administrative authorities or judicial auxiliaries as well as to the Legal Aid Office in order to defend your interests and to the extent necessary.
 - to opposing parties in the defense of your interests and to the extent necessary.
 - to banking or insurance institutions in order to defend your interests and to the extent necessary.
 - authorities or entities established by law, decree or any applicable regulatory provision.
- 6.4. The Office may also share certain data with its co-contractors, defined as "subcontractors" within the meaning of legislation, to the extent strictly necessary for the operation of computerized or non-computerized applications or management systems to which the Office has subscribed.

The list of subcontractors, their field of activity, the intended purpose and, where applicable, the country in which the data are processed and hosted shall be available on first request.

7. HOW LONG DOES THE OFFICE KEEP YOUR DATA ?

- 7.1. The Firm will not retain the data beyond a period of 10 years necessary to meet its legal or contractual obligations (tax prescription, professional liability, law of September 18, 2017 on the prevention of money laundering and terrorist financing and on the limitation of the use of cash, etc).

This period begins as soon as your relationship with the Office ends.

- 7.2. In the event of a dispute, the data will be kept beyond the deadlines indicated above for the purpose of legal defenses. In this case, the retention of the relevant data could be extended to the extent necessary for the handling of the litigation.

- 7.3 The Office shall keep the necessary identifying data to be able to check any possible conflict of interest in the course of its activities.

8. DOES THE OFFICE TRANSFER YOUR DATA OUTSIDE THE EUROPEAN UNION ?

- 8.1. Data transfers to a country outside the European Union will only be allowed if and only if :
- the European Commission has issued a decision granting an adequate level of protection equivalent to that provided by European legislation, personal data will be transferred on this basis.

- the transfer is covered by an adequate measure granting a level of protection equivalent to that provided for in European legislation, such as the Commission's Standard Clauses.

9. QUELS SONT VOS DROITS ?

9.1. Except if a legal provision in force in Belgium does not allow it, including the GDPR or if professional secrecy prevents it, according to regulations you have the following rights:

- The right to access your data including the right to know if the Office is processing your data;
- The right to have a copy of the processed data;
- The right to rectify the processed data
- The right to object to the processed data;
- The right to limit the processing of your data;
- The right to delete the processed data;
- The right to the portability of the processed data;
- The right to file a complaint before the Data Protection Authority:
 - www.autoriteprotectiondonnees.be/
 - Rue de la Presse, 35 à 1000 Bruxelles
 - Tel.: +32 (0)2 274 48 00
 - Fax: +32 (0)2 274 48 35
 - Email : contact@apd-gba.be

9.2. You may exercise your rights by contacting the Office at the following email address: info@lexena.eu or by post to the following address: Cabinet LEXENA, Chaussée de Tervuren 198 F/3 1410 Waterloo.

10. MODIFICATIONS

The Office may at any time, for various reasons, make corrections, additions or modifications to this data protection and privacy policy. The most current version is available at all times on our website: www.lexena.eu