



欧盟中国商会
CHINA CHAMBER OF COMMERCE TO THE EU



Privacy Policy

Effective as of June 2020

China Chamber of Commerce to the EU

*A responsible bridge-builder for increased
Sino-European economic interaction*

Introduction

Within the framework of its activities, China Chamber of Commerce to the EU (CCCEU) lawfully processes commercial and personal data. This policy applies to all personal data processed by CCCEU.

The CCCEU understands the importance of personal data protection and the concerns of its employees, customers, suppliers and other stakeholders from whom personal data are collected and processed.

This personal data protection policy applies to a variety of individuals within the CCCEU, such as members and its staff, independent service providers, consultants, temporary agents such as interim workers, trainees, students, volunteers, former employees customers and suppliers, or anyone who may access personal data of CCCEU staff.

The Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016, hereinafter "General Data Protection Regulation" or "Data Protection Regulation" or "the Regulation") imposes some obligations on the CCCEU when it processes personal data. The Regulation also grants rights for the data subjects.

This policy outlines the general obligations that the CCCEU and its working staff must comply with under the data protection regulations.

Article I - Scope of Application

This policy applies to the CCCEU and its entire staff who process personal data. This policy also prescribes compulsory guidelines to process data which are or will be part of a structured file, by a wholly or partly automated system.

This policy concerns all computing and communication equipment used by the User within the framework of its activities related to the CCCEU, regardless of their location, and among others, carried out with:

- (i) PCs, servers and other computer systems,
- (ii) laptops and tablets,
- (iii) e-mail addresses made available to the User by the CCCEU.
- (iv) phones, smartphones

(hereinafter "Equipment").

Article II - Contact Point for the Protection of Personal Data

The company has appointed a manager and its team to be responsible of ensuring the implementation and compliance with this policy and general data protection regulations.

The data protection officer can be reached by e-mail at paolo.recaldini@ccceu.eu or by telephone at 0032-22347893 at the Secretariat of China Chamber of Commerce to the EU.

Article III - Principles Applicable to the Collection and Processing of Personal Data

Data protection regulations prescribe basic principles that any data controller must comply with. Any personal data must be processed in accordance with the basic principles and the conditions deriving therefrom, which are included in data protection regulations.

If you have any question arising from a specific situation as to the application of these principles, please do not hesitate to contact paolo.recaldini@ccceu.eu in accordance with the procedure laid down in Articles VI and VII.

Article III – Principles for data processing

1. Legality

Data protection legislation provides that personal data must be processed lawfully and fairly in relation to the data subject.

The lawfulness of the processing relies on legal provisions. In principle, personal data may only be processed if:

- (i) The data subject gives his/her consent. The CCCEU shall inform the data subject in advance of the following information: the purpose for which its data are requested, the type of data collected for processing, the right to withdraw his/her consent, the potential consequences associated to the automated individual decision making and profiling for the data subject, and the transfer of data to third countries.
- (ii) The processing is necessary for the performance of a contract to which the data subject is a party or in order to take pre-contractual measures requested by the data subject.
- (iii) The processing is necessary to comply with a legal obligation imposed on the CCCEU.
- (iv) The processing is necessary in order to protect the essential interests of the data subject or of another natural person.
- (v) The processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the CCCEU as the controller.
- (vi) The processing is necessary for the purposes of the legitimate interests pursued by the CCCEU as controller or by a third party, unless the personal data of a subject require protection guaranteed by its fundamental rights and freedoms.

You may at any time revoke the consent you have given to the CCCEU to process your data for a specific purpose. The CCCEU will stop processing your data, for which you have given consent, and will inform you of the potential consequences of a consent withdrawal. If the CCCEU needs your personal data for other purposes pursuant to any legal grounds, the CCCEU may continue to process your data.

Certain categories of personal data are sensitive. Therefore, data protection regulations provide a strict framework for these categories of data (referred to as "sensitive data"). This includes personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data that identify an individual in a specific manner, health data and sexual data related such as sexual orientation.

Please note that data relating to criminal offences or sentences belong to a special category of data.

In principle, the processing of such sensitive data is prohibited unless the CCCEU can invoke one of the exceptions. In a limited number of cases, the CCCEU must process sensitive data, in which case the data subject will be informed in advance. For more information about the CCCEU's processing of sensitive data, please contact the CCCEU in accordance with the procedure laid down in Article VIII of this policy.

2. Loyalty

The CCCEU guarantees that personal data will be processed:

- (i) For specific, explicit and legitimate purposes for which the data are collected, and will not be

further processed in an incompatible manner with the latter purposes. The CCCEU shall at all times clearly disclose these purposes prior to processing.

- (ii) Within the limits of necessary actions required to achieve the latter purposes for which the data are collected. Whenever possible, the CCCEU will anonymise or pseudonymise the data.
- (iii) For a limited period of time and insofar as it is necessary for the purpose concerned.
- (iv) Correctly and, if necessary, the data will be updated.

3. Transparency

In principle, the CCCEU processes personal data directly supplied by the data subject. In this context, the CCCEU provides him/her with the requisite information as provided for by the Regulation.

If the data subject has already received all the information, the CCCEU will not inform him/her further about the processing of his/her personal data.

If the CCCEU processes personal data for other purposes or in a way incompatible with the purposes for which they were originally collected, the CCCEU will take all necessary measures to process such data lawfully and will inform the data subject accordingly.

The CCCEU may provide the information on both collective and individual basis, and will always ensure that the latter information is written in clear and understandable language.

Some regulations may contain exceptions or impose additional requirements with regard to the provision of information to data subjects. The CCCEU remains bound by these regulations.

Binding legal provisions on data protection take precedence over this Policy.

4. Confidentiality and Integrity

The CCCEU takes any technical and organizational measure required to ensure that the processing of personal data is always carried out with the appropriate safeguards to protect data against unauthorized access, unlawful processing, accidental loss, destruction or damage.

These measures apply to the access to personal data either physically or by any Equipment. In addition, any CCCEU staff member who, in the performance of its duties, has access to personal data, shall comply with the obligations aimed at guaranteeing the confidentiality and the integrity of personal data.

The CCCEU ensures that third-parties to whom it may provide with personal data, apply the legislation on personal data protection and on privacy.

Article IV - Transfer of Personal Data

In some cases, the CCCEU may transfer your personal data to third party beneficiaries, both within the CCCEU and outside of the CCCEU. Either way, personal data are transferred exclusively to these beneficiaries, who intent to process them for specific purposes. Upon the transfer, the CCCEU shall systematically adopt the necessary security measures to ensure the confidentiality and the integrity of the personal data, in particular with regard to the recipients.

The transfer to third parties may take various forms which are described in more detail below.

1. Transfer to Collaborators

The CCCEU may ask a third-party subcontractor to process personal data exclusively on behalf of and according to the instructions of the CCCEU. The subcontractor shall not process such data for beyond

the scope of the purposes for which the CCCEU intends to process them.

The CCCEU may use processors and shall only provide them with personal data if a contract or agreement for the processing of personal data and/or an annex is concluded to guarantee the lawful processing of personal data.

Should any CCCEU member staff fail to fulfil its obligations under the contract, the CCCEU must take any appropriate measure accordingly.

2. Transfer to Third Countries

The CCCEU may transfer personal data to parties located in third countries, i.e. outside the European Economic Area.

Such a transfer is only possible if the country where the recipient is located provides sufficient legal safeguards to protect your personal data. Those safeguards must be approved by the European Commission. The CCCEU may also enter into a specific contract with the recipient of data located in third countries, provided that there is a comparable and equivalent protection to the one granted under European standards.

In any other situation incompatible with the above rules, your data will not be transferred to third countries, unless the CCCEU is compelled do so under mandatory legal provisions or if the data subject agrees to it.

Article V - Retention Period of Personal Data

CCCEU shall retain your personal data only for the specific purpose for which there are collected. At the end of the retention period, the CCCEU deletes or anonymises personal data for statistical purposes. The CCCEU may retain personal data for a longer period of time in case of litigation management, research or archiving purposes.

Article VI - Rights of Data Subjects

The Data Protection Regulation provides data subjects with rights relating to the processing of personal data. Accordingly, data subjects remain in sufficient control over the processing of their personal data.

1. Right of Access

The data subject shall have the right to obtain confirmation from the CCCEU that his/her personal data are being processed. If this is the case, the data subject may request access to his/her data.

The CCCEU will inform the data subject of the following :

- (i) the purposes of the processing;
- (ii) the type of personal data concerned;
- (iii) the recipients or types of recipients of the personal data;
- (iv) the transfer to recipients located in third countries or the transfer to international organisations;
- (v) if possible, the forecast storage period of personal data or, if not possible, the criteria used to determine this period ;
- (vi) the right of the data subject to request from CCCEU personal data correction or deletion, or the right to restrict or to object to the processing of his or her personal data ;
- (vii) the right to lodge a complaint with a supervisory authority ;

- (viii) should the data subject himself/herself not provide personal data, any available information as to their source;
- (ix) the existence of automated decision making, including profiling and relevant information concerning the underlying reason for such decision making, as well as the importance and foreseeable consequences of such processing for the data subject.

The CCCEU shall also provide the data subject with a copy of the personal data processed upon request and free of charge. If the data subject wishes additional copies, the CCCEU may charge reimbursement of costs.

2. Right of Rectification

If the data subject establishes that CCCEU holds inaccurate or incomplete data relating to him/her, he/she has the right to notify CCCEU at any time in order for CCCEU to take any necessary steps to correct or complete the data.

The data subject is responsible to provide CCCEU with accurate personal data.

3. Right to Oblivion

The data subject has the right to request the deletion of his personal data if the processing does not comply with data protection regulations and within the limits of the General Data Protection Regulation (GDPR, Art 17).

4. Right to Limit Processing

The data subject has the right to request that the restriction of the processing if:

- (i) The accuracy of the personal data is called into question and for the necessary period to verify their accuracy;
- (ii) The processing is unlawful and the data subject does not wish to delete them;
- (iii) The CCCEU no longer uses the data, but the data subject explicitly asks for its data not to be deleted because he or she needs them to exercise and justify legal proceedings;
- (iv) Pending an explanation of the legitimate interests overriding the data subject's interests, a complaint is lodged against the operation of processing.

5. Right to Portability

Data subjects shall have the right to receive any personal data concerning them which they provided to the CCCEU in a structured, commonly used and machine-readable format. The data subject shall have the right to forward such personal data, directly by the CCCEU, to another controller. This is only possible if the processing is automated and relies on the consent of the data subject.

6. Right to Object

Should personal data be processed for direct marketing purposes (including profiling), the data subject can always object to the processing.

The data subject may also object to the processing of a specific situation concerning him or her. In this case, the CCCEU ceases the processing unless it demonstrates that there are legitimate and compelling reasons for the processing to override the interests of the data subject or reasons which relate to the exercise or justification of legal proceedings.

7. Automated Individual Decision Making

The data subject shall have the right to object to a decision based exclusively on automated processing, including profiling, which creates legal effects for him or her or significantly affecting him or her in a similar

way. The latter instance can be illustrated by the evaluation of personal aspects relating to the performance of work, reliability, solvency, etc.

This right not to be subject to such automated decision making does not exist if the decision is authorized by a mandatory legal provision.

However, the data subject may not invoke this right if the decision is necessary for the creation or performance of the contract between the data subject and the CCCEU or if the data subject explicitly its right. In the latter two cases, the data subject has the right to human intervention by a member of the CCCEU and has the right to make his or her views known as well as to challenge the automated decision.

8. Right to Withdraw Consent

If a data subject has given his/her consent to the CCCEU for a specific processing purpose, he/she may withdraw this consent at any time via e-mail.

Article VII - Procedure Concerning the Exercise of Rights and Other Provisions

The data subject may exercise his/her rights by sending an e-mail to paolo.recaldini@ccceu.eu. The CCCEU may ask the person concerned to prove his/her identity in order to ensure that the effective exercise of the rights is requested by the data subject.

In principle, the CCCEU shall comply with a party's request within one month. Otherwise, the CCCEU shall inform the person concerned of the reasons for inaction or delay following the request. The CCCEU shall make the necessary efforts to inform the recipients of the data subject's personal data that the data subject is enforcing his/her right to correct, delete or restrict the processing.

Article VIII - Complaint

The data subject also has the right to lodge a complaint with the Data Protection Authority (www.autoriteprotectiondonnees.be)

- (i) or by e-mail: contact@apd-gba.be
- (ii) or by post at the following address: Rue de la presse 35, 1000 Brussels.

Article IX - Responsibilities of the Person Concerned

The CCCEU expects any of its employees to comply with this policy and to ensure that this policy is implemented by those for whom they are responsible.

Employees must therefore:

- (i) Process the personal data of colleagues, customers, and various stakeholders in a regular and appropriate manner in accordance with the applicable law, the employer's instructions and the CCCEU's privacy policy, while ensuring data integrity and confidentiality;
- (ii) In case of any doubt as to the application of this policy or compliance with data protection regulations in the performance of their duties, seek advice from their supervisor or from the data protection officer;
- (iii) Process personal data only if it is required for the performance of their duties and/or if it is instructed by the CCCEU;

- (iv) Receive trainings on the implementation of confidential personal data's processing, and general principles and obligations arising from data protection regulations;
- (v) Assist the data protection officer;
- (vi) As the recording of personal files or copies may cause errors in personal data and increased risks of infringements, shall not keep copies of personal data on any office computer or on personal media if CCCEU has a centralized and secure storage place;
- (vii) Immediately inform the data protection officer if they become aware of a potential or actual breach of personal data or data protection legislation.

Article X - Audit and Review

The CCCEU reserves the right, at its discretion, to review this policy. The CCCEU shall comply with any legal requirements and/or any recommendations from the relevant data protection supervisory authority.

If the CCCEU is unable to comply with this policy due to mandatory legal requirements imposed on it, it will inform the data protection officer.

Article XI - Cookies

The CCCEU's website uses cookies, i.e. small files that are placed on the User's computer, mobile phone or tablet when visiting the website. Through the use of cookies, the CCCEU can provide the users of this website and e-correspondence with more user-friendly services that would not be possible without the cookie settings. By means of cookies, the information on our website can be optimised with the user in mind: cookies allow the CCCEU to recognise the website users and to make it easier for them to utilise the CCCEU's website.

The data subject may at any time prevent, also permanently, the sending of cookies on our website by means of corresponding settings on his/her Internet browser. Already set cookies may be deleted at any time via the same Internet browser or other software programmes. If the data subject does so, he/she may not be able to access certain parts of the CCCEU's site. Since the CCCEU will not be able to tell whether the data subject has visited our site before, he/she will be notified again about the cookie options and asked for his/her consent to set cookies.

The CCCEU's website has a tool to help the data subjects manage their cookies. We encourage any data subjects to examine it on the CCCEU's website (en.ccceu.eu).



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