

# PRIVACY POLICY

## Introduction

At The Restaurant by Pierre Balhazar, we care about personal privacy. It is of the utmost importance for us that all processing of personal data take place in consideration of the privacy of the individual. This is why we always do our best to ensure that all processing of personal data takes place in accordance with the General Data Protection Regulation (the “**GDPR**”) and other applicable legislation. This privacy policy (the “**Policy**”) applies to personal data about guests, customers and suppliers as well as other individuals who may be registered in IT systems (such as booking systems), website, apps, loyalty programs or the equivalent or personal data that is transferred from travel agencies, other booking sites or similar.

## Who is the controller?

The Restaurant by Pierre Balhazar - Elba Leasehold sprl - Boulevard de Waterloo 38- 1000 Bruxelles

TVA: BE0889 633 520 reservations@therestaurant.be

## How we collect personal data

Depending on the situation, we collect information from you or from other sources.

### From you

If you have contact with us regarding a reservation or making a restaurant reservation, have special requirements regarding your visit or use a social media that we provide, we will collect and process the information that you provide us with (which could include special categories of personal data, such as information about allergies). We also collect information from you that we need in relation to our loyalty programs.

### From other sources

If someone makes a reservation for you, we process such personal data about you.

Also, sometimes we receive personal data from third parties (including other companies within our group) with whom we do business with or that are suppliers to us.

In addition, if permitted by law, we – or a third party – can under certain circumstances use tracking tools (such as cookies) to collect information about you.

Under certain circumstances we process personal data about you that originates from publicly available sources.

In those cases we process personal data about you that we receive from other sources than yourself, we will provide you with information in accordance with the GDPR (if possible).

## Different types of processing activities

### Information regarding guests

#### Type of personal data

Contact information (for example your name, e-mail address, telephone number and address), demographic information (such as age, gender, age and language), guest stay information (which could include special

categories of personal data, such as information about allergies), passport number, loyalty program numbers, payment information (such as credit card number), business information, information relating to the reservation, information (e.g. feedback about our restaurant and services) that you submit to us.

#### Lawful basis for the processing

Consent (in cases we have asked for that and you have accepted it) or that processing is necessary for the performance of a contract to which you are a party or in order to take steps at the request of you to entering into a contract (for example in relation to a reservation).

#### Purpose

To provide you with the services and products that you have asked for (for example in relation to a reservation).

#### **Information regarding contact persons**

##### Type of personal data

Contact details such as name, e-mail address and telephone number.

##### Lawful basis for the processing

Legitimate interests – we will use your data in ways that you would reasonably expect and which have a minimal privacy impact (or where there is a compelling justification for the processing) and solely in accordance with the purpose.

##### Purpose

We process personal data for the purpose of managing the supplier relationship, for contacts in various questions, billing and marketing (if applicable) or communicate in other ways with you and your company.

#### **Social media**

##### Type of personal data

The personal data that you submit to us on any social media platform (e.g. name, e-mail address and telephone number).

##### Lawful basis for the processing

Consent (in cases we have asked for that and you have accepted it) or that processing is necessary for the performance of a contract to which you are party or in order to take steps at the request of you to entering into a contract (for example in relation to a reservation) or legitimate interests.

##### Purpose

To provide you with the services and products that you want, to manage and market our services and products and to communicate with you.

#### **E-mail**

##### Type of personal data

Name, e-mail address, telephone number and any other personal data that you submit to us via e-mail.

##### Lawful basis for the processing

Consent (in cases we have asked for that and you have accepted it) or that processing is necessary for the performance of a contract to which you are party or in order to take steps at the request of you to entering into a contract (for example in relation to a reservation) or legitimate interests.

## Purpose

To provide you with the services and products that you want, to manage and market our services and products and to communicate with you.

## **Personal data regarding children**

As far as we know, we are not in contact or collect personal data from children under 18 without relevant permission from a parent or guardian. If you believe we have inadvertently collected such information, please contact us so we can promptly obtain parental consent or remove the information.

## **Direct marketing**

We may use your personal data to communicate and provide you with offers and other information in relation to marketing activities. If you have consented to receive marketing, you may at any time opt out at a later date.

In addition, if you receive marketing you have the right to at any time stop us from contacting you for marketing purposes and you are at any time entitled to object to the processing of personal data for such marketing purposes (see further below regarding your opportunities and rights in relation to this). Furthermore, you can decline to receive marketing by using the links in the relevant communication.

## **Camera surveillance**

We use camera surveillance at the restaurant. Camera surveillance is deemed to be particularly sensitive from a privacy perspective and it is of great importance that all camera surveillance take place in accordance with the relevant legislation in effect from time to time.

Contact us if you would like more information about our camera surveillance (see contact details below).

## **Different kind of systems**

Depending on the circumstances, we may process personal data in, or in relation to, inter alia, the following types of systems:

Property management system, property operation system, staff registration system, productivity system, telephone system, accounting system, clock system, yield management system, revenue center system, communication system, salary system, credit card system, key card system, TV and IT infrastructure (Internet etc.) and video surveillance system.

## **Who are the recipients or the categories of recipients which will receive the personal data?**

In order to serve you, we may share your personal and anonymous data with other companies (including companies (and hotels) within the same group as us), such as vendors, contractors and co-operation companies. Their use of information is limited to these purposes and subject to agreements that require them to keep the information confidential. Our vendors provide assurance that they take reasonable steps to safeguard the data they hold on our behalf, although data security cannot be guaranteed.

In addition, we may share information with third parties that are data processors that perform services to us (e.g. companies that operate our restaurant, assist us in marketing activities) and with other group companies (e.g. to facilitate reservations). If needed, we share information with relevant authorities.

We may also share personally identifiable information (such as name, address, e-mail address or telephone number) with trusted partners in order to provide you with relevant advertising offers or services.

Analytics companies may access anonymous data (such as your IP address or device ID) to help us understand how our services are used. They use this data solely on our behalf. They do not share it except in aggregate form; no data is shared as to any individual user.

### **Will transfers be made to any third country?**

As a main rule, we will not transfer any personal data to a third country (i.e. a country outside the EU/EEA). If, we will make sure there is a decision by the Commission regarding adequate safeguards or that the transfer and processing is lawful in any other way according to the GDPR (e.g. by entering into standard contractual clauses adopted by the Commission).

### **How long is the personal data saved?**

We will not save personal data longer than necessary taking into consideration the purpose of the relevant processing. Our responsible managers shall ensure that any routines applicable to deletion of personal data are complied with (please note that certain laws require that certain types of information must be saved for specified periods of time).

### **What rights do you have as a data subject?**

You have the right to have your personal data corrected, in certain cases to object to the processing and to require the personal data to be erased, that it should be restricted (a marking that the processing of the personal data should be restricted to a particular purpose), and that it should be turned over to you on an IT medium (data portability). Please note, however, that certain personal data is necessary in order to be able to fulfil certain duties, such as payment information, and may therefore not be restricted or erased for this purpose. You also have the right to withdraw your consent where the processing is based on consent. Where this is the case, this will be stated as the legal basis in the relevant sections.

In order to exercise your rights under the GDPR, you must send in your request to, or contact, the data controller (please see contact details below). Please see below for a more detailed description of your rights as a data subject.

#### ***A. Extracts from filing systems***

You are entitled to obtain information about what personal data is registered about you in our filing systems, generally free of charge (commonly referred to as extracts from filing systems). Please send your request for an extract from the filing systems to the data controller (please see contact details below). The extract is normally sent to you within one month, to your email address which is registered in our systems or your National Public Register address. If it will take more than one month, we will inform you of the reasons for the delay. If you believe that any information about you in a filing system is incorrect or misleading, please contact us.

#### ***B. The right to correction***

As a data subject, you have the right to require that we correct any incorrect personal data about you as a data subject. This also means that you, as a data subject, are entitled to supplement incomplete personal data, among other things by providing a supplemental statement. Such supplementation relates to personal data which is missing and which is relevant taking into consideration the purpose of the processing of the data.

#### ***C. The right to erasure***

You are entitled to contact us and request for your personal data to be erased. The personal data must be erased in the following cases:

- where the data is no longer necessary for the purposes for which it was collected.
- where the processing is based on your consent and you withdraw the consent (and there is no other legal basis for the processing).
- where the processing takes place for direct marketing and you, as the data subject, oppose the processing of the data.
- Where you, as the data subject, oppose processing which takes place following a weighing of interests and there is no legitimate reason which overrides your interest.
- where the personal data has been processed unlawfully.
- where erasure is required in order to fulfil a legal obligation.

- where the personal data relates to children and has been collected in conjunction with the child creating a profile in a social network.

We are entitled to deny erasure in certain cases, among others in order to fulfil a legal obligation.

#### ***D. The right to restrict processing***

In certain cases, you have the right to require that we restrict the processing of your personal data. A restriction entails that the data is marked so that in the future it may only be processed for certain limited purposes. The right to restriction applies where you believe that the data is incorrect and request a correction. In these cases, you can request a restriction of the processing during the period of time in which we are investigating the accuracy of the data.

#### ***E. The right to data portability***

In certain cases, you have the right to receive personal data regarding you as a data subject and which you have provided to us and the right to transfer this data to another controller. This right applies to automated processing where the processing of personal data is supported by a consent from you as the data subject, or in order to perform an agreement with you and this applies only to such data as you yourself have provided.

#### ***F. The right to make objections***

You are entitled, at any time whatsoever, to object to our processing of your personal data where it involves personal data which is being processed based on a legitimate interest. In such case, we may no longer process the personal data unless we can demonstrate a compelling legitimate reason for the processing which overrides the interests, rights and freedoms of the data subject, or where takes place in order to establish, exercise or defend against a legal claim. Where the personal data is processed for direct marketing, you as a data subject are entitled at any time whatsoever to object to the processing of personal data involving you for such marketing, including profiling to the extent this is connected to such direct marketing.

#### **Automated decision-making**

No automated decision-making is taking place (including profiling).

#### **Have we asked for your consent? Then you can always withdraw your consent!**

Under certain circumstances, we have to ask for your consent in order to provide you with services and process your personal data. Following your consent, we will only process your personal data for the purposes related to such service, product or similar.

In the following cases, inter alia, we may request your consent:

- (i) Marketing activities;
- (ii) In relation to processing of children's data (where we will obtain consent from a parent);
- (iii) If we process special categories of personal data (such as allergies);
- (iv) If we transfer personal data to a third country;
- (v) [Processing of Reservations]
- (vi) Processing of personal preferences for the purpose of personalisation

Where the processing is based on consent, you are entitled at any time whatsoever to withdraw the consent (without this affecting the lawfulness of the processing carried out on the basis of the consent before the consent was withdrawn). If you would like to withdraw your consent, please refer to the same service, website or similar where you consented or contact us at the address or telephone number below.

#### **You are always entitled to file a complaint with the relevant privacy protection authority or a corresponding supervisory authority**

The supervision is exercised by the data protection authority. The data protection authority has the possibility of reviewing the personal data processing which is carried out by us. If we fail to comply with the GDPR, the authority, for example, can issue a warning and/or impose an administrative fine.

### **Security measures**

We have implemented appropriate technical and organizational measures to ensure a level of security appropriate to the risk with relevant processing activity (including reasonable steps to secure your personally identifiable information against unauthorized access or disclosure). We encrypt transmission of data on pages where you provide payment information. However, no security or encryption method can be guaranteed to protect information from hackers or human error. Please always use the internet with caution.

### **Miscellaneous**

You are not obligated to provide us with any information and personal data about you. However, in some cases, we will not be able to provide you with some of our services or products if we are not allowed to process your personal data.

### **Contact details**

If you have any questions or concerns about our privacy policies or our processing of your personal data, please contact us: The Restaurant by Pierre Balthazar - Elba Leasehold sprl - Boulevard de Waterloo 38- 1000 Bruxelles - mail [reservations@therestaurant.be](mailto:reservations@therestaurant.be) - Tel: +32 2 504 13 33

### **Updates of the Policy**

We may update this policy from time to time. As required by law, we will notify you of any material changes to our Policy. We will always post an updated copy on our relevant websites. Therefore, please check our site for updates.