

## Privacy Statement Stichting ICAM

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ICAM is a non-profit organisation that defends everyone's right to privacy and respect for personal life. ICAM highly values its participants' privacy and handles personal information with all due care. In this privacy statement we would like to explain which of your personal data are processed when you visit our website or when you take part in an ICAM (collective) action or contact ICAM in any other way, the purposes for which ICAM processes your personal data and your rights with regard to your personal data.

### Who is ICAM and how can you contact us?

The controller of your personal data is Stichting Initiatieven Collectieve Acties Massaschade ('ICAM', 'we', 'our', 'us'), having its registered office in (3581 BD) Utrecht, at Maliesingel 17.

Any questions regarding the processing of personal data by ICAM should be addressed to [info@stichtingicam.nl](mailto:info@stichtingicam.nl) or by ordinary mail to Maliesingel 17, 3581 BD Utrecht.

### To whom does this privacy statement apply?

This privacy statement applies to persons who visit and use the ICAM website and contact ICAM. In this privacy statement we also explain how we use your personal data if you register for and participate in a collective action by ICAM.

### What does ICAM do with your personal data?

Below we have explained when and why ICAM processes personal data from you and what personal data ICAM uses for that specific purpose.

#### Registration

You can register and participate in collective actions conducted by ICAM. In order to represent you in collective actions, ICAM asks you to complete the registration form. You provide ICAM with personal details about yourself and/or minors you represent, including name, gender, date of birth, telephone number and e-mail address. ICAM needs this information in order to represent you in proceedings and file a claim on your behalf.

#### Supporting documents

In order to act on your behalf and make a claim, ICAM will ask for evidence that may be required for the claim. This could be a confirmation email of an account with the digital service in question, screenshots, agreements, etc. Without this evidence, ICAM may not be able to prove the claim and you may not be entitled to any compensation.

#### Compensation

If a court decides in legal proceedings that you are entitled to compensation, ICAM will ask you for your bank account details.

- Communications** If you participate in a collective action of ICAM, ICAM will keep you informed by e-mail about the progress of the action, claim(s) and the legal proceedings. If, for example, the court has awarded damages, ICAM will inform you of this by e-mail.
- Contacts** You can get in touch with ICAM in various ways, by using the contact form or the chat function on the website, by e-mail and by telephone. If you contact ICAM, we process the personal details provided by you. The exact data depends on your question or request, and may include your name, e-mail address, telephone number and the information provided by you together with your question. If you contact us by telephone, we will also record information about you if required to deal with your question. The information we obtain from you for this contact is used only to answer your question and to be of service to you.
- Newsletter** We would like to keep you informed about our activities and (collective) actions that ICAM is committed to. You can sign up for the e-mail newsletter. We process your e-mail address to send e-mail newsletters. If you do not wish to receive e-mail messages: every newsletter sent to you by ICAM includes an option to unsubscribe.
- Statistics** ICAM has incorporated an email-tracking functionality in its emails, by embedding a small, transparent image pixel in the outgoing email. Once you open the email, ICAM can access certain information, such as the name and surname of the recipient, the email address of the recipient, confirmation that the recipient received and opened the email, IP address used to open the email, whether a link in the email was clicked on, IP address used when clicking the link and browser and operating system used by the person who clicked on the link.
- Website** ICAM collects automatically generated data on your use of the website. This information consists of your IP address (a unique number, which facilitates identification of your device); data displayed or clicked on (such as links); and other log information (such as browser type, IP address, date and time of access and cookie ID). We need this information to ensure that the website functions to full extent (for example, to display content properly and to keep the website secure). We do not use these data for marketing purposes.
- Marketing** In order to bring our actions to the attention of a wide audience, ICAM advertises on social media, such as Facebook and Instagram. These advertisements are

not directed at specific users, but at selected target groups, for example in a certain region or age category. ICAM does not share any of your personal data with social media. For the processing of personal data resulting from the selection of the relevant target groups and the display of the advertisement to the target audience, ICAM is jointly responsible with the respective provider of social media. If you do not want ICAM's advertisements on your social media, you can let the provider concerned know.

If you click on one of our advertisements on social media and visit our website, ICAM only collects aggregated, statistical data on the effectiveness of its advertising campaigns. This way ICAM knows what proportion of its website visitors is derived from social media and whether its ad was effective. We cannot see who clicked on which ad.

### **What are the bases pursuant to which ICAM processes personal data?**

ICAM must have a valid reason for processing personal data. The privacy law, the General Data Protection Regulation (GDPR), lists six reasons, also referred to as bases. ICAM therefore needs a basis to be able to process your personal data. Below we explain the bases on which ICAM processes your personal data, as explained above.

One of the six bases for processing is that the processing of personal data is required in order to execute an agreement. When you register, you enter into a participant agreement with ICAM and this requires the processing of personal data:

- Personal data that ICAM receives from you in order to register you are necessary for the performance of the participant agreement between you and ICAM. Without your personal data, ICAM is not able to represent you and you cannot participate.
- Also the processing of personal data contained in supporting documents is required for the implementation of this participant agreement, in order to be able to represent you and file a claim on your behalf. Without these documents, ICAM may not be able to adequately substantiate the claim on your behalf and the court may not award damages.
- The processing of your bank account to pay any compensation to you is required for the performance of the participant agreement, as ICAM will not be able to pay any awarded compensation to you without processing your bank account.
- In conclusion, your e-mail address is required for the implementation of the participant agreement if ICAM has to communicate with you about the action in which you participate.

ICAM moreover processes personal data on another basis, i.e. when it is required for the protection of a legitimate interest of ICAM. To this end, ICAM has reviewed whether its right to process personal data (its legitimate interest) prevails to the right to privacy. Would you like to

know more about this assessment of interests? Please contact ICAM.

- The processing of your personal data, which ICAM obtains because you contact ICAM, is required to fulfil ICAM's legitimate interest, to answer your questions and to provide you with good services.
- Your e-mail address for sending the newsletter is also required for the fulfilment of ICAM's legitimate interest, direct marketing.
- The processing of personal data to generate statistics is required for the purposes of serving ICAM's legitimate interests, in order to analyse the range and effectiveness of the emails sent by ICAM.
- The processing of any personal data resulting from marketing activities on social media is required for the protection of the legitimate interests of ICAM, in order to bring the collective actions organised by it to the attention of a wide audience.

#### **How long does ICAM retain your personal data?**

ICAM retains your personal data for as long as required for the purposes for which the data were obtained. ICAM shall retain your personal data in accordance with the following retention periods:

- ICAM shall retain your personal data which you provide to ICAM through the registration form when you participate in proceedings, including evidence which you provide to ICAM for that purpose, for as long as required for (the preparation of) the proceedings and actions instituted by it and/or any related activities such as settlements. Your personal data will subsequently be removed within 6 months.
- Pursuant to the General Act on State Taxation, ICAM is obliged to retain financial data for a period of seven years.
- ICAM shall retain information received from you if you contact ICAM for as long as required to deal with your question, request or complaint. ICAM shall subsequently delete this information within one month.
- ICAM will keep your e-mail address for sending the newsletter as long as you are subscribed to the newsletter and will delete your e-mail address no later than one month after unsubscribing.
- Statistics generated on the basis of a sent e-mail are not retained for more than three months.
- Your IP address will not be retained for more than seven days.

#### **With whom does ICAM share your personal data?**

When ICAM takes collective action/proceedings, it will be assisted and advised by third parties, such as lawyers, (legal) consultants, experts and bailiffs. If you have registered for an ICAM collective action, ICAM may share your personal data with these service providers. Your personal details (for example in evidence) may in that case also be shared with the court and the other party/parties.

Sharing your personal data is required for the performance of the agreement between you and ICAM regarding your participation in the action. The processing of personal data by these parties is subject to the privacy statement of the party in question. Please contact ICAM if you should like to receive more information about third parties with whom ICAM shares your personal details.

ICAM also uses the services of external companies (so-called processors) who perform specific work at ICAM's request and with whom your personal data may be shared. These service providers process your personal data exclusively on behalf of ICAM. The processing by service providers is subject to a so-called processing agreement, in which ICAM has ensured that the service provider may only process personal data on behalf of ICAM and not for other purposes. This concerns the following service providers:

- Hosting provider for the storage and management of data collected and stored by ICAM;
- Applications for sending mailings and newsletters and for generating statistics;
- Other specific tasks that have been outsourced include IT support and (financial) administration.

#### **Where are your personal data stored?**

Some of our service providers are based in a country outside the European Economic Area ("EEA"), i.e. the United States. In order to comply with EU data protection legislation on international transfers, we carefully consider whether an adequate level of protection can be provided. Where necessary, we lay down arrangements in a transfer agreement based on standard contractual clauses adopted by the European Commission (Article 46(2)(c) of the GDPR). For more information on international transfer guarantees, please contact us using the contact details provided in this Privacy Statement.

#### **What are your rights?**

You have a number of rights to control your personal data:

##### **Right to access**

You have the right to obtain from ICAM access to your personal data and additional information on the processing of your personal data, for example to which (categories of) recipients your personal data have been or will be shared.

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

In some cases you have the right to request ICAM for the deletion of your personal data. We will delete your personal data if, for example, your data are no longer needed, if you object to the use of your data or if a statutory retention period has expired.

<b>Right to rectification and supplements</b>	You have the right to have inaccurate data adjusted or incomplete personal data supplemented.
<b>Recht op beperking</b>	You have the right to limitation of your personal data in certain situations. This means that ICAM temporarily suspends the processing of your personal data, for example if your personal data are possibly inaccurate, we limit the use as long as we have not yet checked whether the data is accurate.
<b>Right to object</b>	If ICAM prevents the use of your personal data based on its legitimate interests, you have the right to object to the processing of your personal data because of your particular situation (your special personal circumstances). We will stop processing these data, unless we argue there are compelling legitimate reasons for processing that prevail to your interests. As long as it is not yet clear whether our reasons prevail to your interests, we will not process the data concerned.
<b>Objection to direct marketing</b>	If you object to the use of your personal data for direct marketing purposes (the newsletter), we will no longer process your personal data for those purposes.
<b>Data portability</b>	You have the right to receive your personal data which you have provided to ICAM if the processing is based on your consent or on an agreement.

You can submit your request to ICAM at [info@stichtingicam.nl](mailto:info@stichtingicam.nl). ICAM shall answer your request as soon as possible, and in any event within one month of receipt. This period may be extended by two months if necessary, depending on the complexity and number of the request. ICAM will notify you within one month after receipt of the request if such an extension will take place and state the reason for the delay.

If ICAM does not take action on your request, ICAM will notify you as soon as possible, no later than 30 days after receipt of the request, of the reasons as to why no action has been taken. In that case you also have the right to lodge a complaint with the supervisory authority, which for the Netherlands is the Personal Data Authority.

Please visit [the website of the Personal Data Authority](#) for further information on your rights.

**Reporting complaints on the use of your personal data?**

If you have any complaints about this privacy statement or about the way ICAM handles your personal data, you can first of all contact ICAM. If you are unable to resolve the matter with ICAM, you are also entitled to lodge a complaint with the privacy supervisory authority. For the Netherlands, this is the Personal Data Authority. Please go [here](#) for the contact details of the Personal Data Authority.

**Can this privacy statement be changed?**

The most recent version of this privacy statement is published on our website. We will notify you in the event of any significant changes to this privacy statement.

*Latest update: 8 February 2022.*