

# Privacy Policy – Real Face Value B.V.

Last updated: 23-04-2021

## 1. INTRODUCTION

Data protection has a particularly high priority for Real Face Value B.V.. The use of the Real Face Value B.V. website is practically possible without any indication of personal data. However, if a person concerned wishes to make use of services of our company via our website and/or application, it may be necessary to process personal data. If the processing of personal data is necessary and there is no legal basis for such processing, we generally obtain the consent of the person concerned.

The processing of personal data, for example the name, address, email address or picture of a data subject, is always carried out in accordance with the General Data Protection Regulation (hereafter GDPR) and in accordance with the country-specific data protection regulations applicable to Real Face Value B.V.. This Privacy Policy will inform individuals about their rights.

Real Face Value B.V., as the data controller (and processor), has implemented numerous technical and organisational measures to ensure the most complete possible protection of the personal data processed via this website and/or application. Nevertheless, Internet-based data transmissions can in principle have security gaps, so that absolute protection cannot be guaranteed. For this reason, each person concerned is free to transmit personal data to us by alternative means, such as by telephone.

## 2. DEFINITIONS OF TERMS

The privacy statement of Real Face Value B.V. is based on the terms used by the European directive and regulator in the adoption of the GDPR. Our data protection declaration should be easy to read and understand for the public as well as for our customers and business partners. In order to guarantee this, we would like to explain the terms used in advance.

We use the following terms in this data protection declaration:

### A) PERSONAL DATA

“Personal data” is any information relating to an identified or identifiable natural person (hereinafter “data subject”). A natural person shall be considered identifiable if he/she can be identified directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or one or more specific characteristics expressing the physical, physiological, genetic, psychological, economic, cultural or social identity of that natural person.

### (B) DATA SUBJECT

“Data subject” means any identified or identifiable natural person whose personal data are processed by the controller.

### C) PROCESSING

“Processing” means any operation or set of operations which is carried out with or without the aid of automated processes and which relates to personal data, such as collection, recording, organisation, sorting, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or association, qualification, erasure or destruction.



#### D) LIMITATION OF PROCESSING

“Limitation of processing” is the marking of stored personal data with the aim of limiting their future processing.

#### E) PROFILING

Profiling” is any form of automated processing of personal data that involves the use of such personal data to identify certain personal aspects relating to a natural person.

#### (F) PSEUDONYMISATION

“Pseudonymisation” means the processing of personal data in such a way that the personal data can no longer be attributed to a specific data subject without the provision of additional information, provided that such additional information is kept separately and is subject to technical and organisational measures ensuring that the personal data are not attributed to an identified or identifiable natural person.

#### (G) CONTROLLER OR DATA CONTROLLER

The “controller” or “data controller” is the natural or legal person, public authority, agency or other body which alone or jointly with others determines the purposes and means of the processing of personal data. Where the purposes and means of such processing are laid down by Union law or by the law of the Member States, the controller or controllers may be designated in accordance with Union law or with the law of the Member States on the basis of specific criteria.

#### (H) PROCESSORS

Processor is a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

#### I) RECIPIENT

The recipient is a natural or legal person, public authority, agency or other body to whom personal data are disclosed, whether or not that person is a third party. However, authorities which may receive personal data in the course of a specific investigation task under Union law or the law of the Member States shall not be considered as recipients.

#### J) THIRD PARTY

Third party means any natural or legal person, public authority, agency or body other than the data subject, the controller, the processor and the persons authorised to process the personal data under the direct responsibility of the controller or processor.

#### K) CONSENT

Consent shall mean any voluntary, informed and unambiguous expression by the data subject of his or her will in the particular case, in the form of a statement or other unequivocal confirmatory act, indicating that he or she consents to the processing of his or her personal data.

### **3. NAME AND ADDRESS OF THE PERSON RESPONSIBLE FOR PROCESSING**

The person responsible within the meaning of the GDPR, other data protection laws applicable in the Member States of the European Union and other provisions of a data protection nature is the Data Protection Commissioner of Real Face Value B.V. that can be reached at:

Real Face Value B.V.  
Honingerdijk 34  
3062 NW Rotterdam  
the Netherlands  
Mail address: [info@realfacevalue.eu](mailto:info@realfacevalue.eu)

#### **4. COLLECTION OF GENERAL DATA AND INFORMATION**

The website and/or application of Real Face Value B.V. collects a series of general data and information each time it is accessed by a data subject or an automated system. These general data and information are stored in the log files of the server. The types of browsers and versions used can be recorded: (1) the operating system used by the accessing system, (2) the operating system used by the accessing system, (3) the website from which an accessing system accesses our website and/or application (so-called referrer), (4) the sub-sites accessed via an accessing system on our website and/or application, (5) the date and time of access to the website and/or application, (6) an Internet protocol address (IP address), (7) the Internet service provider of the accessing system and (8) other similar data and information used to avert dangers in the event of attacks on our information technology systems.

When using these general data and information, Real Face Value B.V. does not draw any conclusions about the person concerned. Rather, this information is required to (1) correctly deliver the contents of our website and/or application, (2) optimize the contents of our website and/or application and the advertising for it, (3) ensure the long-term functionality of our information technology systems and the technology of our website and/or application, and (4) provide law enforcement authorities with the information necessary for criminal prosecution in the event of a cyber attack. This anonymously collected data and information is therefore evaluated by Real Face Value B.V. both statistically and with the aim of increasing data protection and data security in our company to ultimately ensure an optimal level of protection for the personal data processed by us. The anonymous data in the server log files are separated from all personal data provided by the person concerned.

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#### **6. ROUTINE DELETION AND BLOCKING OF PERSONAL DATA**

The controller shall process and store the personal data of the data subject only for the period of time necessary to achieve the storage purpose or where provided for by the European directive and regulation maker or another legislator in laws or regulations to which the controller is subject.

If the storage purpose no longer applies or if a storage period prescribed by the European directive and regulation giver or another competent legislator expires, the personal data shall be blocked or



deleted routinely and in accordance with the statutory provisions. For Real Face Value B.V., this means that we will delete personal data if it has not been accessed for over one year.

## **7. RIGHTS OF THE DATA SUBJECT**

### **A) RIGHT TO INFORMATION**

Every data subject shall have the right, granted by the European directive and regulation maker, to obtain from the controller confirmation as to whether personal data relating to him or her are being processed. If a data subject wishes to exercise this right of confirmation, he or she may at any time contact an employee of the controller.

### **B) RIGHT OF ACCESS**

Any person concerned by the processing of personal data has the right, granted by the European regulator, to obtain at any time, free of charge, from the controller, information on the personal data relating to him which have been stored and a copy of that information. Furthermore, the European Data Protection Supervisor has granted the data subject access to the following information:

- the processing purposes
- the categories of personal data processed
- the recipients or categories of recipients to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations
- if possible, the planned duration for which the personal data will be stored or, if that is not possible, the criteria for determining that duration
- the existence of a right to the rectification or erasure of personal data concerning him or her or to the limitation of the processing carried out by the controller or of a right to object to such processing
- the existence of a right of appeal to a supervisory authority
- if the personal data are not collected from the data subject: All available information on the origin of the data
- the existence of automated decision-making, including profiling, in accordance with Article 22(1) and (4) of the GDPR and, at least in these cases, meaningful information on the logic involved, the scope and the intended effects of such processing on the data subject

The data subject also has the right to know whether personal data have been transferred to a third country or to an international organisation. If this is the case, the data subject shall also have the right to obtain information on the appropriate safeguards in connection with the transfer.

- If a data subject wishes to exercise this right of access, he or she may at any time contact a member of staff of the controller.

### **C) RIGHT TO RECTIFICATION**

Any person concerned by the processing of personal data has the right, granted by the European regulator, to request the rectification without delay of inaccurate personal data concerning him or her. Furthermore, the data subject shall have the right, having regard to the purposes of the processing, to request the completion of incomplete personal data, including by means of a supplementary statement.

If a data subject wishes to exercise this right of rectification, he or she may at any time contact a member of staff of the controller.

### **D) RIGHT TO ERASURE (RIGHT TO BE FORGOTTEN)**

Any person data subject to the processing of personal data shall have the right, granted by the European directive and regulation, to require the controller to erase without delay personal



data concerning him which are subject to one of the following conditions and to the extent that the processing is not necessary:

- Personal data have been collected or otherwise processed for purposes for which they are no longer necessary.
- The data subject withdraws his consent on which the processing was based pursuant to Art. 6 (1)(a) GDPR or Art. 9(2)(a) GDPR and there is no other legal basis for the processing.
- The data subject objects to the processing under Article 21(1) DS Block Exemption Regulation and there are no overriding legitimate reasons for the processing or the data subject objects to the processing under Article 21(2) GDPR.
- The personal data have been processed unlawfully.
- The deletion of the personal data is necessary to fulfil a legal obligation under Union law or the law of the Member States to which the controller is subject.
- The personal data were collected in relation to information society services offered pursuant to Art. 8(1).

If one of the above reasons applies and a data subject wishes to have personal data stored at Real Face Value B.V. deleted, he or she may at any time contact an employee of the controller. The employee of Real Face Value B.V. will ensure that the request for deletion is complied with immediately.

If the personal data have been made public by Real Face Value B.V. and if our company is obliged to delete the personal data as the person responsible pursuant to Art. 17(1) GDPR, Real Face Value B.V. shall take appropriate measures, including technical measures, taking into account the available technology and the implementation costs, to inform other persons responsible for data processing who process the published personal data that the data subject has requested these other persons responsible for data processing to delete all links to this personal data or copies or replications of this personal data, insofar as this processing is not required. The employee of Real Face Value B.V. will take the necessary steps in individual cases.

#### E) RIGHT TO RESTRICTION OF PROCESSING

Any person data subject to the processing of personal data has the right, granted by the European directive and regulation, to request the controller to limit the processing if one of the following conditions is met:

The accuracy of the personal data shall be contested by the data subject for a period of time which allows the controller to verify the accuracy of the personal data.

The processing is unlawful and the data subject refuses to erase the personal data and instead requests that the use of the personal data be restricted.

The controller no longer needs the personal data for the purposes of processing, but the data subject needs them for the assertion, exercise or defence of legal rights.

The data subject has lodged an objection to the processing pursuant to Art. 21(1) GDPR and it is not yet clear whether the legitimate reasons of the data controller outweigh those of the data subject.

If one of the above-mentioned conditions is met and a data subject wishes to request the restriction of personal data stored at Real Face Value B.V., he or she can contact an employee of the data controller at any time. The employee of Real Face Value B.V. will arrange for the processing to be restricted.

#### F) RIGHT TO DATA PORTABILITY

Any data subject involved in the processing of personal data has the right, granted by the European directive and regulation, to obtain personal data concerning him or her which have been provided by



the data subject to a controller in a structured, common and machine-readable format. It also has the right to communicate these data to another controller without being hindered by the controller to whom the personal data have been provided, provided that the processing is based on the consent pursuant to Art. 6(1)(a) GDPR or Art. 9 (2) (a) GDPR or on a contract pursuant to Art. 6 (1)(b) GDPR and the processing is carried out by automated means, provided that the processing is not necessary for the performance of a task carried out in the public interest or in the exercise of official authority entrusted to the controller.

Furthermore, when exercising his right to data transferability pursuant to Art. 20 (1) DS Block Exemption Regulation, the data subject shall have the right to obtain that the personal data be transferred directly from one data controller to another data controller insofar as this is technically feasible and insofar as this does not impair the rights and freedoms of other persons.

In order to assert the right to data transfer, the person concerned may at any time contact an employee of Real Face Value B.V..

#### G) RIGHT TO OBJECT

Any person data subject to the processing of personal data has the right, granted by the European directive and regulation maker, to object at any time, for reasons related to his/her particular situation, to the processing of personal data concerning him/her on the basis of Article 6(1)(e) or (f) of the GDPR. This also applies to profiling based on these provisions.

The Real Face Value B.V. will no longer process the personal data in the event of objection, unless we can prove compelling reasons for the processing worthy of protection which outweigh the interests, rights and freedoms of the data subject, or the processing serves the assertion, exercise or defense of legal claims.

If Real Face Value B.V. processes personal data in order to conduct direct advertising, the data subject has the right to object at any time to the processing of personal data for the purpose of such advertising. This also applies to profiling in so far as it is connected with such direct advertising. If the data subject objects to Real Face Value B.V. processing for the purposes of direct marketing, Real Face Value B.V. will no longer process the personal data for these purposes.

Furthermore, the data subject has the right to object to the processing of personal data concerning him/her by Real Face Value B.V. for scientific or historical research purposes or for statistical purposes pursuant to Art. 89 (1) GDPR for reasons arising from his particular situation, unless such processing is necessary for the performance of a task in the public interest.

In order to exercise the right to object, the data subject may directly contact any employee of Real Face Value B.V. or another employee. The data subject is also free to exercise his or her right of objection in connection with the use of information society services, notwithstanding Directive 2002/58/EC, by means of automated procedures using technical specifications.

#### H) AUTOMATED INDIVIDUAL DECISION-MAKING, INCLUDING PROFILING

Any person data subject to the processing of personal data has the right under the European Directive and Regulation not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects upon him or her or significantly affects him or her in a similar manner, provided that the decision (1) is not necessary for the conclusion or performance of a contract between the data subject and the data controller, or (2) is authorised by Union or national law or by the Member States to which the data controller is subject and which provides for adequate measures to safeguard the rights and freedoms and the legitimate interests of the data subject, or (3) is taken with the express consent of the data subject.

Where the decision (1) is necessary for the conclusion or performance of a contract between the data subject and the data controller or (2) is taken with the express consent of the data subject, the Real Face Value B.V. shall take appropriate measures to safeguard the rights, freedoms and legitimate interests of the data subject, including at least the right to have the data controller intervene, to present his or her point of view and to challenge the decision.

If the data subject wishes to exercise rights relating to automated decisions, he or she may at any time do so by contacting an employee of the controller.

#### **1) RIGHT TO REVOKE CONSENT UNDER DATA PROTECTION LAW**

Any person concerned by the processing of personal data has the right, granted by the European directive and regulation maker, to revoke consent to the processing of personal data at any time.

If the data subject wishes to exercise his or her right to withdraw consent, he or she may at any time do so by contacting an employee of the controller.

### **8. LEGAL BASIS OF PROCESSING**

Art. 6 (1)(a) GDPR serves as a legal basis for processing operations in which we obtain consent for a specific processing purpose. If the processing of personal data is necessary for the performance of a contract to which the data subject is a party, as is the case, for example, with processing operations that are necessary for the delivery of goods or the provision of other services or consideration, the processing is based on Art. 6 (1)(b) GDPR. The same shall apply to such processing operations which are necessary for the implementation of pre-contractual measures, for example in cases of inquiries regarding our products or services. If our company is subject to a legal obligation which requires the processing of personal data, such as for the fulfilment of tax obligations, the processing is based on Art. 6 (1)(c) GDPR. In rare cases, the processing of personal data may become necessary in order to protect the vital interests of the data subject or another natural person. This would be the case, for example, if a visitor to our site were injured and his name, age, health insurance information or other vital information would have to be disclosed to a doctor, hospital or other third party. Then the processing would be based on Art. 6 I lit. d GDPR. Ultimately, processing operations could be based on Art. 6 (1)(f) GDPR. Processing operations that are not covered by any of the aforementioned legal bases are based on this legal basis if the processing is necessary to safeguard a legitimate interest of our company or a third party, provided that the interests, fundamental rights and fundamental freedoms of the data subject do not predominate. Such processing operations are permitted to us in particular because they have been specifically mentioned by the European legislator. In this respect, it took the view that a legitimate interest could be assumed if the data subject is a customer of the data controller (recital 47 sentence 2 GDPR).

### **9. LEGITIMATE INTERESTS IN THE PROCESSING PURSUED BY THE CONTROLLER OR A THIRD PARTY**

If the processing of personal data is based on Article 6 (1)(f) GDPR, our legitimate interest is the conduct of our business for the benefit of all our employees and shareholders.

### **10. DURATION FOR WHICH THE PERSONAL DATA IS STORED**

The criterion for the duration of the storage of personal data is the respective legal retention period. After this period has expired, the corresponding data will be routinely deleted unless they are no longer required for the fulfilment or initiation of the contract.

**11. STATUTORY OR CONTRACTUAL PROVISIONS FOR THE PROVISION OF PERSONAL DATA; REQUIREMENT FOR THE CONCLUSION OF A CONTRACT; OBLIGATION OF THE PERSON CONCERNED TO PROVIDE THE PERSONAL DATA; POSSIBLE CONSEQUENCES OF NOT PROVIDING THE DATA**

We will inform you that the provision of personal data is partly required by law (e.g. tax regulations) or may result from contractual provisions (e.g. information on the contractual partner). Sometimes it may be necessary for a contract to be concluded that a person concerned makes personal data available to us which must subsequently be processed by us. For example, the data subject is obliged to provide us with personal data if our company concludes a contract with him or her. Failure to provide personal data would mean that the contract could not be concluded with the data subject. The data subject must contact one of our employees before providing personal data. Our employee will inform the data subject on a case-by-case basis whether the provision of personal data is required by law or contract or is necessary for the conclusion of a contract, whether there is an obligation to provide the personal data and the consequences of not providing the personal data.

