

ITAA PRIVACY STATEMENT

Organisation: The transitional council for the Institute for Tax Advisors and Accountants (ITAA) established pursuant to Article 127 § 2 of the Law of [17 March 2019 on the profession of Accountant and Tax Advisor \(Belgian Official Gazette of 27 March 2019\)](#) (second edition), Co. Reg. No. 737.810.605

Contact details: The transitional council of the Institute for Tax Advisors and Accountants
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Emile Jacqmainlaan 135/2,
1000 Brussels,

Tel: + 32 (0)2 240 00 00
E-mail: info@itaa.be
<https://www.itaa.be>

If we process your data, we do so in accordance with the General Data Protection Regulation of 27 April 2016 (hereinafter referred to as the 'GDPR')

I. Entity responsible for processing personal data (the 'controller')

The transitional council of the Institute for Tax Advisors and Accountants (ITAA), established pursuant to the Law of [17 March 2019 on the profession of Accountant and Tax Advisor \(Belgian Official Gazette of 27 March 2019\)](#) (second edition), Co. Reg. No. 737.810.605 **is responsible for processing personal data as set out in this privacy statement.**

This means that the ITAA is responsible for correctly processing the data concerned, and for ensuring that in the case of questions, or to exercise your rights with regard to data processing, you may contact the ITAA.

For all questions with regard to personal data protection, you may contact privacy@itaa.be

II. Categories of personal data - source of these data

The ITAA primarily processes the ID and contact details of its members, honorary members, trainees, candidate trainees and third parties (interested parties or stakeholders), service providers and suppliers.

These include **personal ID or contact details**, such as first name, surname, address, e-mail address, national ID number, professional contact details, such as the company name and registration number, as well as **personal characteristics** (gender, date of birth, nationality) that are necessary for:

- providing services you ask for;
- managing your membership of the Institute;
- our statutory task and/or;
- the contractual or pre-contractual relationship with the ITAA.

As required by law, the ITAA also processes **legal data**. These include:

- data on convictions of members as communicated to the ITAA by the Office of the Prosecutor-General
- data the ITAA obtains as part of an application for registration (copy of criminal record check)
- data the ITAA obtains as part of proceedings in which the ITAA is involved such as criminal prosecutions for unlawful exercise of the profession or unlawful use of the title.

Usually, you will give us your data yourself, but it is possible we also obtain data from other parties.

These personal data usually come from the members (individual consent), but they may also exceptionally come from third parties.

Financial data (bank account numbers) are processed for accounting (membership fees, payments to suppliers, invoicing etc.).

III. Objectives and legal grounds for processing personal data

- A. The ITAA processes members' personal data pursuant to its statutory task carried out in the public interest (Article 6, 1, e of the GDPR) and pursuant to its legal obligation (Article 6, 1, c of the GDPR), described as follows:

Article 127, § 2, of the Law of 17 March 2019)

The transitional council performs all preparatory tasks necessary for the establishment and operation of the Institute referred to in Article 2, 17°, and of its bodies up until the date of entry into force of all the provisions of the present law. After the entry into force of all the provisions of the present law, it will exercise its duty to perform all tasks referred to in Article 72.

- B. Moreover, the ITAA processes its members' personal data pursuant to the express consent of its members for data collection and processing (Article 6, 1, a of the GDPR).

- C. To achieve its objectives, the ITAA does, inter alia, the following:
- Organising seminars, training days, info sessions and events for members, trainees, and third parties and informing our members and trainees on such events organised by third parties;
 - Where necessary setting up committees and working groups;
 - Providing useful tools for members and trainees;
 - Informing members and trainees, interested parties and stakeholders via the newsletter and website;

IV. Processing by the ITAA

Depending on the service you require, the ITAA processes your personal data in the manner described below.

A. To perform its statutory tasks, as described above, the ITAA processes personal data for:

- Organising seminars, training days, info sessions and events for members, trainees, and third parties;
- Setting up committees and working groups as part of its statutory tasks;
- Providing professional tools for members and trainees through the e-service;
- Informing members and trainees via the newsletter and website;
- Sending invitations and mailshots to members;

B. Visiting our website

- If you visit our website, we (the ITAA) may, pursuant to our legally justified grounds, gather statistics on the use of our website. We use Google Analytics for this purpose and do not need to place analytical cookies for this purpose. To delete this analytical cookie, please refer to the information on this subject provided by your browser. There is also a session cookie on the website, required for the website's operation, which may not be refused. This is a first-party cookie. This means that we have full control of the information collected via this cookie. No data is sent to a third party. We can also guarantee that this information will not be used for other purposes. In any case, the information contained in the cookies is not used to analyse individual users' web surfing behaviour.
- Downloadable forms or interactive applications and services where visitors have to provide information such as their name, e-mail address, address, language preferences and/or other data, are only used to process visitors' requests and contact them. This information is used solely for this purpose and is not stored for longer than necessary.

C. The ITAA member search function on www.itaab.be

Visitors to the website who wish to check whether a person is an accredited member or trainee, or search for one, may do so via the ITAA member search function. The information that may be consulted is limited to the professional contact details that are relevant as regards the exercise of this profession. It contains only the details of the professionals registered on the list or register. Only the details in accordance with the ITAA's statutory task of maintaining the list and register, i.e. the first name, surname and status are able to be consulted at all times. The other details may be consulted based on the options selected for this by the professional concerned.

D. E-service members

The e-service is only able to be accessed by Institute staff, as well as active members, trainees and trainers. We use cookies.

E. Automated decision-making:

The ITAA makes no decisions based on automated processing on matters that may have consequences, considerable or otherwise, for people.

F. The ITAA uses the following computer programs or systems and platforms:

- E-service
- Website
- Extranet
- Microsoft Office 365
- Traineeship logbook
- Edumatic (traineeship exams)
- Quality portal
- Seminars
- Inis (ITAA sessions)
- Excel for Accountancy
- App4Acc
- BeExcellent
- Companyweb
- eStox
- LinkedIn
- Facebook
- Twitter

V. How long is data stored for?

<u>Processing</u>	<u>Storage</u>
Membership management	For the duration of the membership and thereafter: to find out whether the person concerned has been a former member of the ITAA or not (re-registration, client liability claim, third-party queries regarding membership)
Website & Extranet	Cookies are sometimes placed temporarily ('session cookies', these are deleted when you close down your browser) and sometimes permanently ('persistent cookies', these remain until they expire or until you delete them)
Recruitment candidates	After the selection process, the personal data of candidates not selected is deleted. The personal data of the candidate selected is kept for HR and administration.
Alleged unlawful exercise of the profession	For the amount of time it takes for the case to be handled, including the court and tribunal proceedings.
Complaints	For the amount of time it takes for the case to be handled, including the proceedings within the ITAA and, in the case of disciplinary proceedings, by the competent Courts. If the processing is no longer relevant, the data is deleted unless legal provisions prescribe a longer period of storage time
Contacts with the press, spokespeople, other entities	For as long as the person concerned occupies a role for which contact must be maintained
ITAA service providers	10 years after the end of the service (liability timeframe)

VI. Transfer of data

The data of members and trainees may be transferred to professional associations, organisers of continuing professional development, the supplier of BeExcellent and other third parties who may provide professional services or tools to members and trainees. This transfer of personal data occurs as part of the performance of the ITAA's statutory task and its justified interest. It will occur only if the member has given his/her express consent. If a member has not given his/her express consent, his/her personal data will under no circumstances whatsoever be transferred for these purposes.

Once consent is given, it may at any time be withdrawn by sending an e-mail to privacy@itaa.be

What addresses are given for this purpose?

Only the professional address details are provided for the aforementioned purposes.

The professional e-mail address is only given if the member has given specific and separate consent thereto. Every member may at any time separately withdraw this consent. From then on, only the other professional address details will be given.

Transfer to third countries

In principle, no personal data is transferred to third countries (= countries outside the European Economic Area).

VII. Security

The security of personal data is high priority for the ITAA. The ITAA takes appropriate technical and organisational security measures to protect the personal data processed. These measures relate to general security measures as well as specific applications through which access to personal data is only possible via procedures with an encrypted password.

Furthermore, the ITAA stipulates to external service providers that process personal data for the ITAA, that they must always take the necessary security measures and are accountable to the ITAA for that purpose.

VIII. Your rights in relation to processing of your personal data

As the data subject, you have a number of rights. If you wish to exercise one of the rights listed below, please contact us at privacy@itaa.be.

- Right of access maximum one month after receipt of the request: you have the right to access the data we hold on you to ascertain what we are using them for;
- Right of rectification of incorrect data: you may ask to have incorrect data corrected or supplement incomplete data;
- Right to object if you do not agree with the way in which we process your personal data;
- Right to data portability: you have the right to receive your personal data in a structured, commonly used and machine-readable format and to transmit this data to third parties;
- Right to erasure of personal data: under certain terms, you have a right to have your personal data erased. This request may be refused. Inclusion of member data in the public register is a legal requirement to be able to exercise the professions concerned;
- Right to restriction of processing.

To be certain that a request for access has been made by you, we ask you to send copy of the front of your ID along with your request. The shape of the ID and name must remain legible although members may block out all other personal data.

We reserve the right not to respond to requests that are obviously unfounded or disproportionate. The information we have on you, or a declaration specifying that we do not have any information on you, will be sent to you free-of-charge within a month of your request. If necessary, this term may be extended by two months, taking into account the complexity and number of queries. Your query will be kept for as long as it is possible to appeal.

IX. Complaints

In the first instance, it is best to contact the ITAA: privacy@itaa.be

If such a complaint is not properly handled, members may lodge a complaint with the national supervisory authority. The contact details are as follows:

GEGEVENSBECHERMINGSAUTORITEIT (GBA)
Drukpersstraat 35,
1000 Brussels
E-mail: contact@apd-gba.be
+32 (0)2 274 48 00
+32 (0)2 274 48 35
<https://www.dataprotectionauthority.be/>

X. Breaches with regard to your personal data

The ITAA takes all appropriate measures and makes all reasonable efforts to protect their members' data from hackers, loss, misuse or forgery. If nevertheless a breach does occur, and it entails a high level of risk for the rights and freedoms of members, the ITAA shall inform the members immediately of such a breach, under the terms established in the GDPR.

XI. Updates and changes to the privacy statement

The ITAA may change or update the privacy statement as long as it informs those concerned via the website or by e-mail. The reasons for such updates or changes may be to comply with new legislation and/or regulations that apply to personal data protection, recommendations from the Belgian Data Protection Authority, guidelines, recommendations and good practices from the European Data Protection Board and decisions by courts and tribunals pertaining to these matters.