

# Privacy policy of the Belgian Court of Audit with regard to the processing of personal data within its statutory tasks

## 1. General information

This policy describes how the Court of Audit processes your personal data when performing its statutory tasks and what your rights are in such cases.

The Court of Audit processes your personal data in accordance with the provisions of the General Data Protection Regulation<sup>1</sup> (GDPR) and the Belgian Data Protection Act<sup>2</sup>.

The Court of Audit ensures that your personal data are processed in an adequate and relevant manner, and limited to what is necessary for the purposes for which they have been collected.

## 2. Who are the controller and the data protection officer (DPO)?

The Court of Audit (Rue de la Régence 2, B-1000 Brussels) is responsible for processing the personal data it collects when performing its statutory tasks. This implies that it determines, in the light of the tasks conferred on it by law, the purposes of the processing of such personal data and the resources it allocates to it.

The DPO of the Court of Audit is the contact person for all questions about the processing of your personal data and the exercise of your rights under the GDPR (DPO@ccrek.be).

## 3. What are the purposes of the processing of your personal data by the Court of Audit?

The Court of Audit processes your personal data to fulfil its statutory obligations and tasks of general interest<sup>3</sup>.

The Court's statutory tasks are listed in article 180 of the Belgian Constitution, in the Act of 29 October 1846 organising the Court of Audit, the act of 16 May 2003 containing general provisions, and in various national and regional regulations determining specific tasks falling under the responsibility of the Court of Audit. An overview of the Court's tasks is available on its [website](#).

The Court of Audit will neither process your personal data for commercial or advertising purposes nor share them with third parties who would use them for such purposes.

## 4. Which personal data are processed by the Court of Audit?

In addition to specific statutory tasks, the Court of Audit performs financial, legality and regularity audits, and audits on the sound use of public funds. As a result, its audit scope covers all federal and regional administrations and bodies. This also means that the Court's audits are of a very diverse nature and can cover any area. Given the scope of the Court's statutory tasks, the personal data that may be collected for this purpose may fall under any category of personal data, such as:

- **identification data (i.e.: names, surnames, birthdates);**
- **contact details (i.e.: home address, region);**
- **employment data (i.e.: job, employment periods);**
- **financial data (i.e.: income, property);**
- **social data of personal nature, including health data (i.e.: family situation, work incapacity, medical data);**
- **judicial data (i.e.: periods of imprisonment, criminal data).**

The Court of Audit collects these data from other controllers under its audit scope, such as social security institutions, federal public services and regional authorities.

The Court's publications do not contain any personal data.

## **5. Who are the recipients of your personal data?**

The personal data processed by the Court of Audit will not be shared with third parties.

Some of the collected personal data may, for security and management purposes, be processed by an external party, such as an IT service provider. This external party is subject to the provisions of the GDPR (Articles 28 and 29) and is therefore bound by the confidentiality of your personal data and by the obligation to limit the processing to clearly defined purposes.

## **6. Data security and confidentiality**

The Court of Audit undertakes all the necessary steps to guarantee the security of your personal data and it ensures their protection against, among other things, any unauthorised access, unlawful use, loss or unauthorised modification. The Court has taken several technical and organisational measures to guarantee the security and confidentiality of your personal data.

For instance, the Court of Audit has strictly regulated the authorisations for its staff to access and process personal data. Moreover, thanks to the technical and organisational measures, these data are only accessible to persons and applications expressly authorised to do so based on their functional needs.

## **7. Storage period of your data**

The Court of Audit will not retain your personal data longer than necessary for the purposes for which they have been processed. In practice, the personal data used for an audit will be destroyed once the audit report has been published or communicated and at the latest within one year after the end of the audit (if a follow-up or impact analysis has been planned).

## **8. Your rights when the Court of Audit processes your personal data**

Generally speaking, the Court of Audit's processing operations have no immediate impact on your rights and freedoms. The Court merely collects pre-existing data from the entities falling under its audit scope and is not the recipient of personal data as defined in the GDPR.

In principle, you have the right to consult your personal data insofar as they have been processed by the Court and to have them completed or corrected. You may also request the Court to erase your personal data or to restrict their processing in the circumstances and under the conditions provided for by the GDPR. The Court may refuse to erase or restrict the processing of the personal data necessary for the performance of its statutory obligations for as long as such data are necessary for the purposes for which they have been collected.

Finally, you have the right to object, on serious and legitimate grounds, to the processing of your personal data but please be aware that you may not oppose the processing of the personal data that the Court needs to fulfil its statutory obligations for as long as such data are necessary for the purposes for which they have been collected.

However, the Court of Audit will generally not be in a position to confirm that your data have been processed as part of an audit. Indeed, the Court is required to audit administrative entities and, in doing so, it will not usually examine individual files. Therefore, if you wish to exercise your rights regarding personal data in order, in particular, to complete and rectify them, you should preferably contact the administrative entities from which the Court of Audit has collected its data.

The Court confirms that the processing of personal data will not involve profiling and that you will not be subject to decisions based exclusively on automated processing.

## 9. How to exercise your rights

To exercise your rights, please send your signed request by email to [DPO@ccrek.be](mailto:DPO@ccrek.be) or by post to the Court of Audit, rue de la Régence 2, B-1000 Brussels.

Your request will be processed in the month following its receipt. Depending on its complexity and the number of requests to be processed, this period may be extended by two additional months if necessary.

## 10. Recourse

Without prejudice to any other administrative or judicial recourse, you have the right to file a complaint with the Belgian Data Protection Authority if you consider that your rights have not been respected or that any processing of your personal data constitutes a breach of the GDPR.

In that case, please send your complaint to:

### **Data Protection Authority**

Rue de la Presse 35

B-1000 Brussels

Email: [contact@apd-gba.be](mailto:contact@apd-gba.be)

## 11. Privacy policy update

This policy may be updated and modified. Please consult it regularly to be informed of any changes. The updated policy will always be compliant with the GDPR.

---

<sup>1</sup> Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC.

<sup>2</sup> Act of 30 July 2018 on the protection of natural persons with regard to the processing of personal data.

<sup>3</sup> Article 6.1, c) and e) of the GDPR.