

PRIVACY NOTICE

Last update: 1 December 2019

This privacy notice ("**Notice**"), provided pursuant to Articles 13 and 14 of Regulation (EU) 2016/679 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 (General Personal Data Protection) ("**Regulation**" or "**GDPR**"), describes the processing of personal data by the Association Européenne de Droit International Privé / European Association Private International Law ("**EAPIL**", the "**Association**", "**we**", "**our**") as the data controller.

In particular, this Notice aims to explain how the Association collects and processes personal data that are collected through the website <https://eapil.org> (the "**Site**", "**Website**").

1. CONTROLLER

For the purposes of this Notice and of the processing activities it covers, the Controller (article 4, point 7, GDPR) is the Association Européenne de Droit International Privé / European Association Private International Law (EAPIL), with registered office in 4 Rue Alphonse Weicker - L-2721 Luxembourg.

2. WHAT KIND OF DATA WE PROCESS, PURPOSES AND LEGAL BASES OF THE PROCESSING

Through the Site, the Association may process personal data relating to the subjects listed in this section, for the purposes of and with reference to the legal bases described below.

2.1 Personal data relating to those wishing to join the Association

2.1.1. Categories of personal data processed

EAPIL may process, among others, the following personal data concerning individuals who are interested in joining the Association ("**Interested Users**"), or the representatives of entities equally interested in joining the Association (respectively "**Representatives**" and "**Interested Entities**"):

- Personal information (name, surname)
- Contact details (email address, postal address)
- URL of the academic or professional website
- VAT or other identification number.

2.1.2. Purposes and legal bases of the processing

The personal data mentioned above is processed in order to establish and manage the membership relationship between the Association and the specific Interested User or Interested Entity. The legal bases are, respectively: (i) the performance of a contract and related pre-contractual measures between EAPIL and the Interested Users of Entities; (ii) the legitimate interest of EAPIL in establishing and managing a membership relationship with an Interested Entity through a representative of the latter.

With the consent of the data subject, the personal data collected may also be used to send communications, such as a newsletter, relating to the institutional activities of EAPIL.

2.1.3. Consequences of failure to provide personal data

If a data subject fails to provide his/her personal data, EAPIL will not be able to proceed to the establishment and/or proper management of the membership relationship with the relevant Interested User or Interested Entity. The refusal to provide personal data, and to give consent to the processing – where required – will also make prevent the Association from sending communications relating to the institutional activities of EAPIL.

2.1.4. Storage period

EAPIL will retain any personal data collected for the period strictly necessary for the pursuit of the purposes for which the data were collected. In any case, EAPIL will not retain personal data for a period exceeding ten (10) years from the end of the membership relationship established with a specific Interested User or Interested Entity, unless this is necessary to comply with a legal obligation or to defend a right of EAPIL before a judicial, administrative or other kind of authority.

2.2. Personal data relating to users who subscribed to the Association's blog

2.2.1. Categories of personal data processed

Users of the site may decide to subscribe to the EAPIL blog without joining the Association ("**Blog Subscribers**"). For that purpose, EAPIL may collect and process personal data such as personal information (name, surname) and contact details of such Subscribers.

2.2.2. Purposes and legal bases of the processing

The personal data mentioned above will be processed for the purpose of notifying subscribers of new blog posts or new features of the blog, on the basis of the consent of the data subjects concerned.

2.2.3. Consequences of failure to provide personal data

The provision of personal data by the data subjects is optional. If a data subject fails to provide his/her personal data, the Association will not be able to notify of new posts or new features of the blog.

2.2.4. Storage period

EAPIL will retain the personal data of Newsletter Subscribers for the period strictly necessary for the pursuit of the purposes for which the data were collected. In any case, EAPIL will not retain personal data for a period exceeding ten (10) years since the consent was obtained, without prejudice for the possibility to renovate such consent.

2.3. Navigation data

Every time you visit the EAPIL Website some data will be gathered automatically:

- technical information, including IP addresses or domain names used to connect to our Website, the type and version of the browser you are using, the time/zone settings, the type and version of browser plug-ins, the operating system and the platform you are using;
- information on your visit to our Website and online navigation records, including the entire URL, data on the series of clicks generated (clickstream), navigation dates and time; the resources requested and the size of the file obtained in response, the time and the status of the reply given by the server (successful, error, etc.), the methods used to exit webpage navigation.

Navigation information is not collected with the primary aim of identifying users, however due to its very nature it may allow for the identification of users. Our Website does not use profiling cookies.

3. SOURCE OF PERSONAL DATA

EAPIL may collect personal data about the data subjects through the following channels:

- Data provided directly by the data subject by filling in a form on the Site
- Data provided by the person acting on behalf on an Interested Entity when filling in a form on the Site.

4. HOW WE PROCESS YOUR PERSONAL DATA

The processing of data subjects' personal data is carried out by computer, automated and/or manual means in compliance with the principles of lawfulness, fairness, transparency, accuracy, integrity, data minimization and purposes and storage limitation, as well as in accordance with the provisions of the GDPR and current legislation on the protection of personal data, as well as with the adoption of appropriate security measures.

5. TO WHOM WE DISCLOSE YOUR PERSONAL DATA

To the extent that it is necessary for the purposes stressed in this Notice, personal data of the data subjects may be disclosed to the following subjects.

5.1. Data Processors

In order to ensure that personal data of the data subjects is processed as accurately as possible, EAPIL may at any time appoint one or more data processors to whom personal data may be disclosed. These subjects will be selected among professionals who guarantee the implementation of appropriate technical and organizational measures, so that the

processing is always carried out in compliance with applicable legislation and ensuring the protection of data subjects' rights.

5.2. Legal obligations

Where necessary for the exercise or protection of our rights, as well as to comply with legal obligations, data subjects' personal data may also be disclosed to third parties such as judicial and/or administrative authorities, law enforcement agencies or auditors.

Data subjects may request further information about subjects to whom EAPIL may disclose personal data by contacting us at secretary.general@eapil.org.

6. HOW WE PROTECT PERSONAL DATA OF THE DATA SUBJECTS

Personal data of the data subjects are collected, elaborated, transferred and stored under security measures (physical, logical and organisational) aimed to protect such data from breaches (such as destruction, loss, alteration, unauthorised disclosure or accidental or unlawful access to such personal data) and to ensure that processing is carried out only for the purposes described in this Notice.

7. WHAT ARE THE DATA SUBJECTS' RIGHTS AND HOW THEY CAN EXERCISE THEM?

If the appropriate conditions are met, the GDPR grants the data subjects the following rights in relation to their personal data that EAPIL processes:

- **Access:** data subjects can obtain information about the processing of their personal data and a copy of that personal data (Article 15 of GDPR);
- **Rectification:** if data subjects believe that their personal data is inaccurate or incomplete, they may request that such data be corrected or modified by following your instructions (Article 16 of GDPR);
- **Erasure (so-called "right to be forgotten"):** except in cases provided for by applicable law, data subjects have the right to request the erasure of their personal data, when: (i) the data are no longer necessary for the purposes for which they were collected and processed; (ii) the data subjects withdraw their consent where consent is the legal basis of the processing; (iii) data subjects object to the processing carried out to achieve other purposes and there are no overriding legitimate grounds to continue with the processing; (iv) personal data are processed unlawfully; (v)) the erasure is required by law; (vi) the personal data refer to child and have been collected in relation to the offer of information society (Article 17 of GDPR);
- **Limitation:** data subjects may request the limitation of the processing of their personal data (Article 18 of GDPR);
- **Object:** data subjects have the right to object to the processing of their personal data at any time in relation to their particular situation. Upon receipt of the object, EAPIL will continue with the processing only if there are legitimate and compelling reasons that can be demonstrated to prevail over rights, interests and freedoms of the data subjects. Right to object to the processing of personal data for direct marketing purposes is absolute and can be exercised at any time (Article 21 of GDPR);
- **Withdrawal of consent:** if the processing of their personal data is based on consent, data subjects have the right to withdraw their consent at any time (Article 7 of GDPR);
- **Data portability:** where the processing is based on consent, data subjects have the right to receive in a structured format, commonly used and readable by automatic device the personal data they have provided us and, where technically feasible, to the secure transmission of their personal data to another data controller (Article 20 of GDPR);

8. TRANSFER OR PERSONAL DATA OUTSIDE EEA

For the purposes described in this Notice, EAPIL may transfer personal data of the data subjects to countries outside the European Economic Area ("EEA").

EAPIL guarantees that all transfers outside the EEA will be made in such a way as to guarantee the full protection of rights and freedoms of the data subjects. If, with regard to the third country to which the data is transferred, no adequacy decision has been taken by the European Commission, the data transfers will be regulated by the application of standard contractual clauses issued by the European Commission, or, where applicable, in the event of transfer to the United States, by the Privacy Shield mechanism.

9. HOW TO CONTACT US

To exercise their rights, and for any question or clarification on how their personal data is processed and used in accordance with this Notice, data subjects may contact the Association EAPIL by e-mail at secretary.general@eapil.org. If a data subject contacts us, all the data they provide will be processed exclusively for the purpose of providing data subjects with prompt feedback and to ensure the proper management of their requests.

10. PROTECTION OF DATA SUBJECTS' RIGHTS

In order to protect their rights and their personal data, data subjects may at any time decide to lodge a complaint with the competent supervisory authority or to take action before the competent national courts.

11. CHANGES TO THIS NOTICE

We reserve the right to update this Notice at any time. For this purpose, we quote the last update date at the beginning of this Notice.

Any change that substantially affects the processing of data subjects' personal data will be communicated to the data subjects through the appropriate channels, always in such a way as to ensure that the data subjects have effective knowledge of the modality of processing, with the aim to guarantee the full transparency of the processing itself and full and adequate protection of data subjects' rights.