

## Procedure Handling requests concerning rights of data subjects

Effective date: 01-09-2020

SCOPE FinTech Solutions

+31 23 5179 200

[www.scope.nl](http://www.scope.nl)

## Table of contents

|   |   |
|---|---|
| Article 1 Definitions .....   | 3 |
| Article 2 Submission of a request .....   | 3 |
| Article 3 Types of requests .....   | 3 |
| Article 4 Handling of a request .....   | 3 |
| Article 5 Request for access to personal data.....                                  | 3 |
| Article 6 Request for rectification of inaccurate or incomplete personal data ..... | 4 |
| Article 7 Request for erasure of personal data .....                                | 4 |
| Article 8 Request for restriction of the processing of personal data .....          | 5 |
| Article 9 Request for the transfer of personal data .....                           | 6 |
| Article 10 Objection to the processing of personal data .....                       | 6 |
| Article 11 Request regarding automated decision-making.....                         | 6 |
| Article 12 Transitional and final provisions.....                                   | 7 |
| Article 13 Entry into force and citation.....                                       | 7 |
| Article 14 Publication .....  | 7 |

## Article 1 Definitions

1. GDPR: General Data Protection Regulation
2. Data subject: an identified or identifiable natural person whose personal data is processed
3. SMT: SCOPE marketing technology B.V. – SCOPE Fintech Solutions
4. Owner of the data processing: the person within SMT who has been designated as the owner of the processing in the register of processing operations.
5. DPO: SMT's Data Protection Officer
6. Personal data: any information about a data subject
7. Data Controller: SCOPE marketing technology B.V. – SCOPE Fintech Solutions

## Article 2 Submission of a request

1. A data subject can submit a request to the DPO by email (info@scope.nl) with regard to his or her personal data.
2. A request shall contain at least the name of the person concerned, his or her contact details, an ID document, the type of request referred to in Article 3 and a brief description of the request.

## Article 3 Types of requests

A request contains one or more of the following rights of data subjects:

- A request for access to the personal data (see Article 5);
- A request for rectification of inaccurate or incomplete personal data (see Article 6);
- A request for erasure of personal data (see Article 7);
- A request to restrict the processing of personal data (see Article 8);
- A request for the transfer of personal data (see Article 9);
- An objection to the processing of personal data (see Article 10);
- A request for automated decision-making (see Article 11);

## Article 4 Handling of a request

1. The DPO will send the person concerned an acknowledgement of receipt of the request as soon as possible.
2. The DPO checks the identity of the applicant to ensure that the applicant is the same person as the data subject. The applicant identifies himself by sending proof of identity.
3. Once the identity of the requester has been established, the DPO will contact the owner(s) of the data processing to which the request relates. Depending on the type of request, this will be dealt with in accordance with the relevant article below.

## Article 5 Request for access to personal data

1. If SMT processes data of the data subject, the data subject has the right to inspect the personal data that is being processed. Before access is granted, the DPO checks whether the documents contain personal data of another person. These will be removed or made illegible before inspection is provided.

2. The DPO shall ensure that the applicant has access to the requested personal data within one month of receipt of the request. If it is a complicated request, this period will be extended by a maximum of 2 months.

### **Article 6 Request for rectification of inaccurate or incomplete personal data**

1. The data subject may request correction or completion if his or her personal data:
  - a. Be factually incorrect;
  - b. Be incomplete or irrelevant to the purpose for which they were collected; or
  - c. Used in any other way in violation of the law.
2. The DPO, together with the owner or owners of the data processing(s) to which the request relates, will check whether one of the situations referred to in Article 6(1) applies
3. If the data subject is indeed entitled to rectification, the DPO, together with the owner or owners of the data processing(s) to which the request relates, will decide how the data subject's request will be carried out.
4. The DPO will send a written motivation as soon as possible, but no later than one month after receipt, as to whether the request for rectification and/or completion will be complied with and, if so, how. If it is a complicated request, this period will be extended by a maximum of 2 months.

### **Article 7 Request for erasure of personal data**

1. With regard to the processing by SMT, the data subject has the right to erasure if:
  - a. The personal data are no longer necessary for the purposes for which they were collected or processed;
  - b. The data subject has withdrawn consent where the processing was based on the basis of 'consent';
  - c. The data subject objects to the processing based on the grounds of "public interest/public order" or "legitimate interest" and there are no overriding legitimate grounds for processing.
  - d. The data subject objects to the processing for direct marketing purposes;
  - e. The personal data has been unlawfully processed; or
  - f. The personal data must be erased in order to comply with legal obligations.
2. The DPO, together with the owner or owners of the data processing(s) to which the request relates, will check whether one of the situations referred to in Article 7(1) applies.
3. If it has been established that the data subject has the right to erasure of the personal data, the DPO will check whether one of the exceptions to the right to erasure applies. This is the case if the processing is necessary:
  - a. To exercise the right to freedom of expression and information;
  - b. For the fulfilment of a legal obligation or the performance of a task carried out in the public interest or by public authority by the controller;
  - c. For reasons of public interest in the field of public health; or
  - d. To establish, exercise or defend legal claims.

4. As soon as possible, but no later than one month after receipt of the request, the DPO will send the data subject a written motivation as to whether the request for erasure will be complied with and, if so, how. If it is a complicated request, this period will be extended by a maximum of 2 months.
5. If SMT has shared the personal data in question with other parties, the DPO will inform these parties of the fact that the data has been deleted at the request of the data subject. SMT does not need to do this when it:
  - a. Impossible, it turns out; or
  - b. An impossible effort requires from SMT.

### **Article 8 Request for restriction of the processing of personal data**

1. The data subject has the right to temporarily suspend (restrict) the processing of his or her personal data by the controller in the following situations:
  - a. According to the data subject, the data is incorrect and the controller checks the accuracy of the data within a certain time: restriction during that time;
  - b. The restriction is unlawful and the data subject does not want it to be erased, but to restrict it (e.g. to claim compensation for unlawful processing);
  - c. The controller no longer needs the personal data (and therefore actually has to delete them), but the data subject still needs the data for a legal claim;
  - d. The data subject has objected to the processing pursuant to Art. 21 (1) GDPR and the controller has not yet responded to this request because it needs to find out whether the interests of the processing outweigh those of the data subject. The data subject can then request the restriction of processing during the period in which he or she is awaiting the response.
2. The DPO, together with the owner or owners of the data processing(s) to which the request relates, will check whether one of the situations referred to in Article 8(1) applies.
3. If it has been established that the data subject has the right to restrict the processing of his or her personal data, these data will not be processed unless:
  - a. The data subject gives permission for this;
  - b. The controller needs the data for a legal claim; or
  - c. The processing is necessary for the protection of the rights of others or for important reasons of public interest.
4. As soon as possible, but no later than one month after receipt of the request, the DPO will send the data subject a written motivation as to whether the request for restriction of processing will be complied with and, if so, how. If it is a complicated request, this period will be extended by a maximum of 2 months.
5. If SMT has shared the personal data in question with other parties, the DPO will inform these parties of the fact that processing has been restricted at the request of the data subject. SMT does not need to do this when it:
  - c. Impossible, it turns out; or
  - d. An impossible effort requires from SMT.

## **Article 9 Request for the transfer of personal data**

1. The right to portability of personal data gives the data subject the right to obtain a copy that they have provided to SMT. The right to data portability exists only:
  - a. If the processing is based on the grounds of consent or agreement; and
  - b. The processing is automated.
2. The DPO, together with the owner or owners of the data processing(s) to which the request relates, will check whether one of the conditions referred to in Article 9(1) applies.
3. If it has been established that the data subject has the right to transfer personal data, the DPO will ensure that the data subject receives a copy of the data in a structured, commonly used and machine-readable format (CSV, JSON, XML, etc.) as soon as possible, but no later than one month after receipt of the request. If it is a complicated request, the deadline can be extended by 2 months.

## **Article 10 Objection to the processing of personal data**

1. The data subject has the right to object to the processing of his or her personal data in the following cases:
  - a. If the processing is based on the following principles:
    - Fulfilment of a task in the public interest on public policy; or
    - The legitimate interest of the controllerIf a data subject invokes this right, the controller must cease the processing unless it has compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject.
  - b. If personal data is used for direct marketing purposes. In that case, the processing must always be stopped.
2. The DPO, together with the owner or owners of the data processing(s) to which the request relates, will check whether one of the conditions referred to in Article 10(1) applies.
3. The DPO will send the person concerned a written motivation as soon as possible, but no later than 1 month after receipt, as to whether the objection will be complied with. If it is a complicated request, this period can be extended by 2 months.

## **Article 11 Request regarding automated decision-making**

1. Automated decision-making is only permitted in exceptional situations. If SMT uses automated decision-making, the data subject may submit the following requests:
  - a. The data subject may invoke his right to human intervention;
  - b. The data subject has the right to express his or her point of view;
  - c. The data subject has the right to challenge the decision.
2. If the data subject submits a request with regard to one or more of the rights referred to in Article 11(1), the DPO will ensure that this right is exercised within 1 month of receipt of the request. If it is a complicated request, this period can be extended by 2 months.

## **Article 12 Transitional and final provisions**

Without prejudice to any legal provisions, these regulations are in force during the entire duration of the processing of personal data.

## **Article 13 Entry into force and citation**

1. This procedure will enter into force on 01-09-2020
2. The procedure can be cited as *Procedure for handling requests concerning the rights of data subjects SCOPE marketing technology B.V. / SCOPE Fintech Solutions*

## **Article 14 Publication**

This procedure is published on [www.scope.nl](http://www.scope.nl) [www.cddondemand.com](http://www.cddondemand.com) and [www.IDVondemand.com](http://www.IDVondemand.com)