

Data Protection

Declaration on processing of personal data

Antwerp Port Authority attaches great importance to processing of personal data, i.e. data that make it possible to identify a private individual. Personal data arise whenever it is possible to make a direct or indirect link between one or more items of data and a private individual ("natural person"). Personal data passed on under the terms of this declaration shall always be protected by Antwerp Port Authority in compliance with the "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: the General Data Protection Regulation (GDPR)" and the national legislation implementing this Regulation.

This declaration is issued to provide clear information concerning the processing of personal data.

1. Responsibility for the processing

1.1. The entity responsible for the processing is *Havenbedrijf Antwerpen NV van publiek recht*, with registered office at Zaha Hadidplein 1, 2030 Antwerp, Companies Register N° 0248.399.380, hereinafter referred to as "Antwerp Port Authority" (APA).

1.2. The APA Data Protection Officers can be reached at dpo@portofantwerp.com.

1.3. APA as the entity responsible for the processing shall take all appropriate technical and organisational measures to protect personal data against accidental or unauthorised deletion, accidental loss and any unauthorised processing of personal data.

1.4. APA guarantees that no data shall be passed on to third countries for processing or storage without the necessary measures being taken to comply with the data protection requirements of the GDPR.

2. The personal data that we process

2.1. APA shall in this case gather the following personal data (in addition to the other data which must bligatorily be provided for such berth reservations):

Seagoing ships: in case of reservation by the ship's agent

Advance reservation:

- Company
- Telephone number of contact person

First berth request:

- Crew members
- Contact person
- Telephone number of contact person

Notification of warping:

- Name of ship's agent
- Name of ship

Departure:

- Name of ship's agent

The following data shall be called up in APICS:

- For crew members of a seagoing ship:
 - o Name
 - o Rank
 - o ID
 - o Nationality
 - o Place of birth
 - o Date of birth
- For passengers on a seagoing ship:
 - o Name
 - o ID
 - o Nationality
 - o Place of birth
 - o Date of birth
 - o Port of embarkation
 - o Port of disembarkation
- For stowaways on a seagoing ship:
 - o Name
 - o Description
 - o ID
 - o Nationality
 - o Place of birth
 - o Date of birth
 - o Port of embarkation
- Sick and deceased persons: (anonymised)
 - o Date of embarkation
 - o Illness
 - o Date on which symptoms first appeared
 - o Status of illness (still sick, cured, deceased)
 - o Status of patient (evacuated, on board)
 - o Treatment
 - o Remarks
- CSO (Company Security Officer):
 - o Name
 - o Telephone number at work
 - o Email address at work

Barges: in case of reservation by the barge operator

At the locks:

- Contact details of barge and barge operator

Camera images

There are surveillance and other cameras throughout the port area, on roads, civil engineering structures and local critical points. The presence of these cameras is made known, if necessary, by a pictogram as laid down in the Act of 21 March 2007 governing the installation and use of surveillance cameras.

Radio conversations

VHF is used by ships, bridge operators, lock operators etc.

Radar and AIS

All parties who happen to be on the water within the port area are recorded in radar images and AIS.

Applications within the port

The following personal data are processed in connection with various applications within the port:

- Information concerning waste collectors and waste processors
- Company information
- Contact details of customers
- Contact details of the Port Facility Security Officer

2.2. APA may in certain cases gather particular categories of personal data, i.e. health information on passengers or crew members, for the purposes of reporting in APICS. More information on the way in which these personal data are processed and the legal basis for such processing can be found in the APICS system.

3. Sources of the personal data

3.1. APA processes the personal data that it obtains from the parties involved (in the case of barge transport) or from the ship's agent (in the case of seagoing ships).

4. Purposes for which the data are processed

4.1. The personal data shall be processed for the following purposes:

- Managing shipping traffic and ensuring safe, smooth navigation within the port area
- Ensuring safety and security of the port in general
- Freight handling and scheduling
- Monitoring of the port's internal infrastructure and facilities
- Dealing with average
- Obtaining the necessary work permits
- Charging for use of port facilities
- Charging port dues, such as shipping dues, barge dues and tugging charges
- Compiling statistics on shipping
- Complying with the legal requirements for vessels entering the port that are obliged to supply personal information
- Ensuring efficient scheduling and handling of container barge transport in the port of Antwerp
- Dealing with invoicing of/from various customers, suppliers, contractors, service providers etc.
- Implementing and following up agreements with external parties, as well as government contracts
- Local information network

4.2. The personal data shall for the purposes of this processing be passed on to third parties within the EU, namely the bodies with which APA is obliged to share certain information, such as the Police, Shipping Police, various federal government departments, crisis managers, the Local Committee for Maritime Security etc., together with various partners in the nautical chain who require certain

information, such as pilots. Certain personal data shall also be passed on to external companies who provide technical support for particular applications.

5. Legal basis of the processing

5.1. The legal basis for the processing of personal data is as follows:

- The necessity to comply with the legal obligations incumbent upon APA, namely the Municipal Port Police Regulations, the Ports Decree, maritime security legislation, the security of ships and port facilities (including among others Regulation 725/2004 of 31 March 2004 for the improvement of the security of ships and port facilities), tariff regulations, reporting facilities for ships entering the port (Directive 2010/65/EU of the European Parliament and the Council meeting of 20 October 2010 concerning the reporting formalities for ships arriving in/departing from ports of Member States), etc.
- The justified reasons which APA has for carrying out certain tasks as part of port operations, without these justified reasons being more weighty than the interests, basic rights and fundamental freedoms of the party concerned.

6. Period for which the data are kept

6.1. APA shall keep the personal data for as long as necessary to achieve the purposes stated in art. 4 above, after which these personal data shall be deleted.

7. Rights of the persons concerned

The persons whose personal data are processed always have certain rights. These rights can be exercised by sending an e-mail (with proof of identity by attaching a copy of the relevant page or side of the identity card or document) to dpo@portofantwerp.com. APA shall respond within one month.

The person whose personal data are processed (the person concerned) has the following rights:

- 7.1. In cases where APA acts on the basis of its legitimate aims, the right at any time to make an objection against the processing of the personal data concerned, for reasons of the person's specific situation. In such a case the person must explain their specific reasons. APA shall then suspend the processing, unless it is able to show compelling, legitimate grounds for the processing that are more important than the interests, rights and liberties of the person concerned, or that are related to obtaining, exercising or substantiating a court order.
- 7.2. The right to get a definite answer from APA as to whether or not personal data concerning the person are being processed, and if they are, to inspect this personal data. In responding to this request APA shall also provide the details of the processing. APA shall send a copy of the personal data being processed.
- 7.3. The right to require APA to immediately rectify incorrect personal data concerning the person. APA can also be required to complete any personal information that is incomplete. In some cases the person may be able to rectify or complete their own personal data themselves, for example by accessing an app.

- 7.4. The right to require APA to delete personal data concerning the person, without unreasonable delay. In some cases APA may actually be obliged to delete the personal data concerned, which it shall do accordingly.

In cases where APA has made personal data public and is then required to delete it, APA shall take reasonable measures to inform other data processors with access to the information that the person concerned has asked for all copies of it, reproductions of it or links to it to be deleted.

In some cases APA is not allowed to delete certain personal data, in which case the person concerned will be informed accordingly, if a deletion request is received.

- 7.5. The right to place limitations on the processing of personal data – if the person contests their correctness, or if their processing is illegitimate but the person opposes deletion of the data, or if APA no longer requires the data for the purposes of the processing but the person still needs it for obtaining, exercising or substantiating a court order, or if the person opposes the processing – until such time as APA is able to show legitimate grounds for the processing, or until it is able to check the correctness of the data.

In such a case the personal data shall not be processed (apart from simply being saved) except with the permission of the person concerned, or except for obtaining, exercising or substantiating a court order, or for protecting the rights of another natural or artificial person, or for other weighty reasons of general interest for the European Union or a Member State.

- 7.6. The right to obtain the personal information concerning the person, that they have supplied to APA; the right to receive it in a structured, conventional, machine-readable form, and further, to then pass it on to another data processor. This may apply e.g. whenever the processing is based on permission or an agreement to which the person concerned is a party, or when the processing is carried out by automated processes.

- 7.7. Finally, the right at any moment to submit a complaint to the supervisory authority, namely the Data Protection Authority.