

Privacy Policy

Customers



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1 Who are we?

“We” or “our” is the company Arxus NV, a commercial organization that offers cloud services to business customers.

We are considered the controller for the personal information we collect and process regarding:

- The use of our website: www.arxus.eu;
- The use of our portal: portal.arxus.eu;
- The services you have purchased.

For the personal information you place in the services you have purchased, using a contractual agreement, you are the controller, and we are the processor.

Our company information:

- **Official registered address:** Veldkant 35D, 2550 Kontich, Belgium
- **Head office:** Prins Boudewijnlaan 24A, 2550 Kontich Belgium
- **Phone:** +32 3 451 36 42
- **Enterprise number:** BE 0806.065.149

2 List of Definitions

2.1 GDPR

The “General Data Protection Regulation” (or AVG in Dutch); the privacy framework set by the European Union in which we have to comply with.

2.2 Personal information

Personal information (or personal data) means any information relating to an identified or identifiable natural person. An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

2.3 Processing

Processing means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

Example of processes we use are purchasing new products/services, creating support cases, creating invoicing, ...

2.4 Commercial contact

During pre-sales and later during execution of your contract, we keep a list of contacts of your company. Those contacts can be assigned one or more specific roles. The “Commercial Contact” role is assigned to someone who has commercial decision making authority within your company. This contact will be involved in all commercial quoting decisions. Usually this contact also has the signing authority within your company.

Using our Arxus Portal you have complete control on who you will designate as commercial contact(s). You can have more than one commercial contact.

2.5 Technical contact

During the execution of your contract, we keep a list of contacts of your company. Those contacts can be assigned one or more specific roles. The “Technical Contact” role is assigned to someone who will actually maintain, set-up, configure or service the purchased products or services within your company. This contact is also allowed to make requests towards our service desk and can be contacted by us for operational information.

Using our Arxus Portal you have complete control on who you will designate as technical contact(s). You can have more than one technical contact.

2.6 Data Protection Officer

During the execution of your contract, we keep a list of contacts of your company. Those contacts can be assigned one or more specific roles. The “DPO” role is assigned to someone who acts as the DPO or privacy officer within your company. This contact shall be informed directly when data breaches occur on your environments. The DPO is also officially appointed by you in the DPA.

Using our Arxus Portal you have complete control on who you will designate as DPO contact(s). You can have more than one DPO contact.

2.7 Security Incident Escalation contact

You can assign this role to a person within your organization that is responsible to manage sensitive (cyber) security related information. This makes sure this information is not shared with other contacts within your organization. This role is only applicable when you have subscribed to specific products/services within Arxus.

2.8 Watchlist contact

You can assign this role to a person in your organization who must always be informed on every ticket created with Arxus. For large companies, this makes sure all requests also pass by someone within your organization, regardless of who created it.

3 Scope

This privacy statement is applicable for our website (www.arxus.eu), our direct marketing activities, our lead/prospection, our Arxus Portal (portal.arxus.eu) and our general administration.

4 Why and how do we process personal information?

We collect personal information for the purpose of our commercial goals: selling cloud services to business customers. Your personal information shall only be saved as long as necessary to complete a specific processing goal. We have grouped all processing activities in the following four main groups:

4.1 Marketing and prospection

For marketing and prospection, we organize our processing activities around advertising our products and services to existing and potential customers. This also includes discovering opportunities within our sales channels.

4.1.1 Based on consent

You can withdraw your consent at any time. This withdrawal has no retro-active action on the processing activities that were made before the withdrawal. This means that your consent will remain active for those processing activities, but you will not receive any more information in the future.

4.1.1.1 Responding to questions and follow up:

Which personal data?	<ul style="list-style-type: none"> • Identification- and tracking data • Professional data
How did we receive it ?	Directly from you.
Retention Time	2 years after the communication ended.
Purpose	We process this personal information to manage your request and contact you if required. We ask you not to disclose personal information in the open description fields. Also if we contact you by telephone, we ask you not to disclose sensitive information other than the information we require to finish your request.
Shared with non-associated companies	Processors like the supplier of our website.
Automated decision making	No
Transfer outside the EEA	No
Register code	ARX-CNSNT-0001

4.1.1.2 Subscription and sending of newsletters:

Which personal data?	<ul style="list-style-type: none"> • Identification- and contact data • Professional data
How did we receive it ?	Directly from you.
Retention Time	Until you withdraw your consent.
Purpose	We process this personal information to contact you whenever a new newsletter is available.
Shared with non-associated companies	Processors like the supplier of our website, who also sends our marketing campaigns.
Automated decision making	No
Transfer outside the EEA	No
Register code	ARX-CNSNT-0002

4.1.1.3 Downloading of cases or a paper from the website

Which personal data?	<ul style="list-style-type: none"> • Identification- and contact data • Professional data
How did we receive it ?	Directly from you.
Retention Time	Until you withdraw your consent.
Purpose	We process this personal information to contact you for prospection of products or services that were related to the case or the paper published on our website.
Shared with non-associated companies	Processors like the supplier of our website, who also sends our marketing campaigns.
Automated decision making	No
Transfer outside the EEA	No
Register code	ARX-CNSNT-0003

4.1.1.4 Subscribing for an event

Which personal data?	<ul style="list-style-type: none"> • Identification- and contact data • Professional data. • Personal preferences (e.g.: allergies when food is served)
How did we receive it ?	Directly from you or indirectly from an associated company.
Retention Time	2 years after the event.
Purpose	<ul style="list-style-type: none"> • Registering for the event. • Sending of practical information (like contents, changes, parking information, ...) • Sending of closure communication with a subscription offer for the newsletters.
Shared with non-associated companies	Processors like the supplier of our website, who also manages the subscription systems for events.
Automated decision making	No
Transfer outside the EEA	No
Register code	ARX-CNSNT-0004

4.1.1.5 Visiting our website

Which personal data?	<ul style="list-style-type: none"> • Identification data
How did we receive it ?	Directly from you.
Retention Time	14 months after the visit.
Purpose	<p>When you visit our website, we can process personal information using online techniques like cookies, tracers, scripts and similar technologies (<i>referred to as cookies</i>)</p> <p>These could be:</p> <ul style="list-style-type: none"> • (1) Required cookies • (2) Preference cookies • (3) Statistical cookies • (4) Marketing cookies <p>For more details about the specific contents of those cookies, please refer to our full cookie consent (https://www.arxus.eu/en/cookie-policy).</p>
Shared with non-associated companies	Depending on your choice in the cookie preferences, with the processors like Google Analytics.
Automated decision making	No
Transfer outside the EEA	Yes, using Standard Contract Clauses.
Register code	ARX-CNSNT-0005

4.1.2 Based on legitimate interest

4.1.2.1 Customer acquisition

Which personal data?	<ul style="list-style-type: none"> • Identification- and contact data • Professional data
How did we receive it ?	Directly from you or indirectly from a colleague in the same enterprise Or indirectly from a colleague in an associated enterprise.
Retention Time	2 years after the last communication.
Purpose	<p>We are constantly prospecting new customers, searching for lead contacts and build relations with existing customers. In regard to these goals we process your personal information (<i>e.g.: to invite you for other ways of communication, to an event, ...</i> We also use <i>LeadInfo</i> who, if you visit our website, connect your IP-address to a company name, we use this to measure interest of that company into our products.</p> <p>This processing is based on legitimate interest. You can object to this processing by enforcing your “Right to object”, further described below in the chapter “<i>Your rights and how to exercise them ?</i>”</p>
Shared with non-associated companies	No
Automated decision making	No
Transfer outside the EEA	No
Register code	ARX-LGTMT-0001

4.2 Operation of your acquired services

Processing activities we execute to configure, support and monitor your purchased services and products.

4.2.1 Performance of a contract

4.2.1.1 Building an address book of your company

Which personal data?	<ul style="list-style-type: none"> • Identification- and contact data • Professional data
How did we receive it ?	Directly from you or indirectly from a colleague in the same enterprise Or indirectly from a colleague in an associated enterprise.
Retention Time	2 years after the last the contract with your company ended.
Purpose	<p>When your company buys services or products from Arxus, we keep contact and identification information for at least 1 person. We can contact this person for any commercial, technical or privacy related notifications regarding the purchased or subscribed services.</p> <p>You could however add more contacts to the address book. This unique list creates an overview of all contacts and users (with access to the services and products) that communicate with Arxus about the following topics:</p> <ul style="list-style-type: none"> • Contractual decisions are for commercial contacts that have the authority to agree on the offers; • Technical administrator access to grant access to the configuration and security of the services in vendor portals; • Security related information (e.g.: data breached) will be send directly to the CISO (depending on the service taken); • Watchlist contact is automatically added to all cases (incidents/changes) informing them regarding all open issues. • Data Protection Officer to inform whenever a data breach occurs of data subject request is being received. <p>You can manage this list (creating, managing, revoking users and assigning rights) yourself by using the Arxus Portal. By doing this, you create a list of 'Authorized users' that can contact us to schedule changes or report incidents.</p>
Shared with non-associated companies	No
Automated decision making	No
Transfer outside the EEA	No
Register code	ARX-CNTR-0001

4.2.1.2 Purchase management for quotes and contracts

Which personal data?	<ul style="list-style-type: none"> • Identification- and contact data • Professional data
How did we receive it ?	Directly from you or indirectly from a colleague in the same enterprise Or indirectly from a colleague in an associated enterprise.
Retention Time	During the execution of the contract or 2 years after the last the contract with your company ended or 2 years after quotes that were not completed.
Purpose	You have provided us personal data required to execute the services related to your purchased products and services. By doing this you also have given clear instruction to create quote(s) with the intent to purchase those services or products. <ul style="list-style-type: none"> • Creating quotes for subscribing to products or services • Signing in a physical or digital way the quotes and contracts.
Shared with non-associated companies	Sub processors, to profit from certain discounts your data could be shared during the quoting phase with the vendor. The vendor can then assess if it can grant certain discounts or special deals, e.g.: Microsoft.
Automated decision making	No
Transfer outside the EEA	Yes, using Standard Contract Clauses.
Register code	ARX-CNTR-0002

4.2.1.3 Monitoring log-in information for company security

Which personal data?	<ul style="list-style-type: none"> • Identification data • Location data
How did we receive it ?	Directly from you
Retention Time	During the execution of the contract or 2 years after the last the contract with your company ended.
Purpose	Depending on the service your company subscribes to, the access to the service is monitored due to our commitment in the ISO/IEC 27001 and ISO/IEC 27017 programs. We keep the event logs of the login sessions and changes as audit logs to report those on request of your company.
Shared with non-associated companies	Sub processors, like suppliers of the services that have built in monitoring as part of their service and which we use to comply to the auditing requirements.
Automated decision making	No
Transfer outside the EEA	No
Register code	ARX-CNTR-0003

4.2.2 Based on compliance with legal obligation

We process your personal information to, if required, force or start execution of our rights based on applicable legislation (like starting a defence case against legal proceedings). We can also use your personal information to comply to our own obligations towards applicable legislation.

4.2.3 Based on legitimate interest

4.2.3.1 Internal trend and business analyses of the subscribed products/services

Which personal data?	<ul style="list-style-type: none"> • Identification- and contact data • Professional data
How did we receive it ?	Directly from you
Retention Time	During the execution of the contract or 2 years after the last the contract with your company ended; afterwards anonymized.
Purpose	Using internal company reporting, creating insights in products and services per company and product.
Shared with non-associated companies	No
Automated decision making	No
Transfer outside the EEA	No
Register code	ARX-LGTMT-0002

4.3 Management of our supplier relations

Activities we execute with suppliers to execute customer contracts, which are based on the purchasing of supplier products or services, in a correct and adequate fashion.

4.3.1 Performance of a contract

4.3.1.1 Creating supplier contracts

Which personal data?	<ul style="list-style-type: none"> • Identification- and contact data • Professional data
How did we receive it ?	Directly from you
Retention Time	During the execution of the contract or 2 years after the last contract ended or after non-selection during the supplier management process.
Purpose	<ul style="list-style-type: none"> • Being the subject of a risk assessment when the supplier is delivering crucial services/products during the “Supplier Management” process. • Signing of contracts for the execution of products and services we subscribe to. • Signing of “Data Protection Agreements” or “Non Disclosure Agreements”.
Shared with non-associated companies	No
Automated decision making	No
Transfer outside the EEA	Dependent on the supplier.
Register code	ARX-CNTR-0004

4.3.1.2 Product configuration and after care

Which personal data?	<ul style="list-style-type: none"> • Identification- and contact data • Professional data
How did we receive it ?	Directly from you
Retention Time	During the execution of the contract or 2 years after the last contract ended or 2 years after quotes that were not won.
Purpose	<ul style="list-style-type: none"> • During implementation or configuration of a supplier product in our organization (or with a customer) we keep your data during the project. • For the project aftercare we use your personal information to contact you regarding support, project follow-up or complaints.
Shared with non-associated companies	No
Automated decision making	No
Transfer outside the EEA	Dependent on the supplier.
Register code	ARX-CNTR-0005

4.4 Operation of our organization

For our staff, a specific privacy statement is applicable, offered to them during onboarding and consultable at all times on the internal network.

For applicants/visitors the following applies:

4.4.1 Based on legitimate interest

4.4.1.1 Open solicitations or matching profiles for open vacancies

Which personal data?	<ul style="list-style-type: none"> • Identification- and contact data; • Professional data
How did we receive it ?	<ul style="list-style-type: none"> • Directly from you (<i>either if you used our “job section” on the public website or based on information on LinkedIn</i>)
Retention Time	Until 2 years after the last contact.
Purpose	Arxus also scouts for people with specific skill profiles to match any open vacancies we have. The applicants are then personally contacted using professional networks like LinkedIn. If an application uses our job offering section on the public website or contacts us directly; then the information is added to our HR scouting process.
Shared with non-associated companies	No
Automated decision making	No
Transfer outside the EEA	No
Register code	ARX-LGTMT-0003

4.4.1.2 Registering visitors

Which personal data?	<ul style="list-style-type: none"> • Identification data; • Professional data
How did we receive it ?	<ul style="list-style-type: none"> • Directly from you
Retention Time	Until 2 years after the registration.
Purpose	Anyone visiting the Arxus offices, and has no other authentication from the Cronos group, needs to register in the Visitors kiosk due to an internal security guideline and sign-out when leaving the office.
Shared with non-associated companies	No
Automated decision making	No
Transfer outside the EEA	No
Register code	ARX-LGTMT-0004

5 Sharing personal information with third parties

When you visit our website or (as a customer) use our products and services, it is possible that we provide your personal information to third parties, like partners (associated companies) and suppliers.

These third parties assist us in the development, delivery, execution or support of our products and services and to gain insights in how the services and products are used. The third party providers offer such services as hosting, customer and technical support, marketing insights and campaigns, analyses, content delivery and/or payment services.

It is also a possibility that in case of a reorganization, restructuring, merge, sale or other transfer of company assets, your data (including personal information) is shared with third parties. We only share this information to enable these third parties to execute their services or provide support.

The activities described in the previous chapter give an insight in the categories of personal information that is shared with the third parties, other than already associated companies.

If instructed by authorities, governmental institutions or other third parties with official requests, we could pass your personal information in order to comply to a legal obligation.

Finally, if any such case should arise, to protect your vital interest, we could pass your personal information.

6 Transfer of your personal information outside the EEA

We strive to prevent the transfer of your personal information to third parties outside of the European Economic Area (EEA).

Whenever this is inevitable, we will make sure the transfer is compliant with the GDPR (by using an existing adequacy decision available for the specific country or implementing appropriate safeguards). If required, additional measures will be taken to have the same level of protection.

For the specific transfers, we refer to the chapter *“Why and how do we process personal information?”*.

7 For how long do we keep your personal information?

We only keep your personal information for our intended purposes (as described above) or if we are legally obligated to do. We refer to the chapter “*Why and how do we process personal information?*”.

8 Automated individual Decision-Making

The GDPR requires certain terms and conditions (and safeguards) when organizations use automated individual decision-making processes, like profiling, that could have legal consequences or other significant impact on the individual.

We do not use automated individual decision making.

9 Your rights and how to exercise them ?

It's important for us that you keep control regarding the processing of your own personal information. Below is an overview of the rights you have and that you can exercise regarding that processing.

Depending on the processing or the lawfulness of the processing, some requirements or restrictions can be applicable to the execution of those rights.

If you have a question or a complaint about the processing of your personal information or if you want to execute one of your rights; you can use one of the following channels:

- As a customer, you can log-in to the Arxus portal and create a ticket in which you describe your case. This is the fastest and preferred option as you will have authenticated and identified yourself using our secured system.
- You can also send an e-mail to dpo@arxus.eu or send a letter by post and direct it to
Arxus NV
To the attention of the DPO
Veldkant 35B
B-2550 Kontich, Belgium

We will also give additional information if there are more requirements regarding your request.

If we cannot verify your identity in the original request, we will ask you to provide us more proof. This ensures that we will not provide your personal information to unauthorized individuals or delete your personal information unintentionally.

We try to response without undue delay, but certainly within one month after the reception of your request and verification of your identity. If we cannot respond within one month and we would like to extend this period or we will not continue with the execution of the request, we shall inform you about this.

Below are the most important rights regarding the GDPR. We tried to make them transparent and easily readable.

9.1 Right of access to the personal information we process.

If we process your personal information, you have the right to know. And if we do, you have the right to know which personal information and also additional information regarding the processing as described in this privacy statement.

You have the right to receive a copy of the personal information that we process, on the condition it does not negatively impact the rights and freedoms of others.

The first copy of the data is provided free of charge, but when we deem the request repeatedly excessive, we may charge a fee to cover for the administrative effort.

9.2 Right to rectification when the personal information is wrong.

If the personal information we keep is incomplete or wrong, you have the right to have it updated or, depending on the purpose of the processing, to have it completed.

9.3 Right to restrict the processing

You have the right to restrict the processing of your personal information. Then, your personal information will only be processed by us and only for a specific purpose. You can exercise this right if one of the following situations arise:

- You contest the accuracy of the personal information during a period we need to verify the accuracy of the personal information;
- The processing of the personal information is unlawful but you oppose to the erasure of the personal information and requests the restriction of the processing in stead;
- We don't require your personal information for our described purposes anymore, but you require them for the establishment, exercise or defense of a legal claim; or,
- You object to a processing activity and requests us to restrict the processing pending the response on whether our legitimate grounds override your own.

Besides storing the personal information, we can still process your data only but only:

- With your consent;
- To establish, exercise or defense of a legal claim;
- To protect the rights of a natural or legal person; or
- For reasons of important public interest.

Before we lift the restriction of processing on your personal information, we will inform you.

9.4 Right to data portability

When the processing of your personal information is based on consent or for the execution of a contract and the processing is done using automated means, you have the right to request a copy of your personal information in a structured, commonly used and machine-readable format.

You also have the right to, whenever technically feasible, let us send (or transmit) your personal information directly to a third party.

However, this right is not applicable when it affects the rights and freedom of others.

9.5 Right to object

You have the right to object at any time to processing of your personal information, on grounds relating to your particular situation, when the processing is based on the following legal grounds:

- processing is necessary for the performance of a task conducted in the public interest or in the exercise of official authority vested in us;
- processing is necessary for the purposes of the legitimate interests pursued by us or by a third party.

Then we will not process your personal information anymore unless we demonstrate compelling legal grounds for the processing which override your interests, rights and freedom or for the establishment, exercise or defence of a legal claim.

When personal information is processed for:

- Direct marketing, regardless of it was the initial or further processing, you have the right to object at any time to the processing of personal information for such marketing, including profiling to the extent it is related to such direct marketing. When you object to processing for direct marketing purposes, we shall no longer process your personal information for this purpose.
- Scientific or historical research or statistical purposes, you have the right to object at any time to the processing of personal information unless the processing is necessary for the performance of a task conducted for reasons of the public interest.

Remark regarding storing your objection:

If you withdraw your consent or if you object to the processing of your personal information, and this objection is accepted and executed, we will store your preference (and specific personal information to identify the objection) to prevent any possible re-occurrence.

9.6 Right to erasure (right to be forgotten)

You have the right to request the erasure of your personal information. This means we must delete your personal information without undue delay where one of the following situations applies:

- The personal information is no longer required for the purposes for which they were collected or otherwise processed;
- You withdraw your consent on which the processing is based and there of no other legal ground to process it.;
- Your personal information is unlawfully processed;
- Your personal information must be deleted for compliance with a legal obligation regarding EU or Belgian law;

There are a few exceptions on the right to erasure to the extent that processing is necessary for:

- The exercising the right of freedom or expression and information;
- Reasons of public interest in the area of public health;
- Archiving purposes in the public interest, scientific or historical research purpose or statistical purposes;
- Compliance with a legal obligation which requires processing by EU or Belgian law; or,
- The establishment, exercise or defence of legal claims.

Remark regarding storing your erasure:

If your right to erasure is requested and this right is accepted and executed, we will store your preference (and specific personal information to identify the erasure) to prevent any possible re-occurrence.

9.7 Right to withdraw your consent

When you have given consent to process your personal information, you can withdraw that consent without motivation at any time and free of charge.

You can withdraw consent:

- by clicking “Preferences” or “Unsubscribe” in direct marketing e-mails;
- by e-mailing to marketing@arxus.eu and provide the marketing content you which to withdraw from.

The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal. You can start a right of access request.

9.8 Right to object against processing of your personal information using automated individual decision-making.

When your personal information is used for automated individual decision making and these produce legal effects or similar significant effects, you have the right not to be subjected to this processing.

However, this does not apply when:

- you have consented to this processing;
- the processing is required to enter or in execution of a contract;
- the processing is authorized by EU or Belgian law.

In the first 2 situations you have the right to request human intervention regarding the processing and to contest the decision.

10 Where can I get more information or file a complaint ?

If you have a question or a complaint about the processing of your personal information or if you want to execute one of your rights; you can use one of the following channels:

- As a customer, you can log-in to the Arxus portal and create a ticket in which you describe your case. This is the fastest and preferred option as you will have authenticated and identified yourself using our secured system.
- You can also send an e-mail to dpo@arxus.eu or send a letter by post and direct it to

Arxus NV

To the attention of the DPO
Veldkant 35B
B-2550 Kontich, Belgium

Next to that, you have the right to report remarks and complaints to the supervising authority who is responsible for data protection. This can be done in any EU-member state where you reside, the place you work or the place where the alleged infringement took place.

In Belgium, you can file a complaint with the Data Protection Authority (*):

**Gegevensbeschermingsautoriteit/
Autorité de protection des données**
Drukpersstraat 35
1000 Brussel, Belgium
+32 (0)2 274 48 00

www.gegevensbeschermingsautoriteit.be/burger/acties/klacht-indienen
www.gegevensbeschermingsautoriteit.be

(*) The Data Protection Authority only accepts complaints in Dutch (NL), French (FR) or German (DE).

As we strive for maximum customer happiness, if you have a complaint, please contact us first so we can find a solution for your current situation.

11 Changes to our privacy statement

Our organization and our websites are a dynamic and innovative environment. This means we continuously strive to offer a better service tailored to our customers. It's possible that we introduce new functionality where we collect and process your personal information in another way.

This privacy statement can be updated if our services or applicable legislation requests. Off course we will inform you when important changes occur in this privacy statement and we will request your consent when it's required.

This privacy statement was last updated on 24/10/2023.