

MODO Advocaten / Avocats

Privacy Policy

1. This privacy policy

This privacy policy contains MODO Advocaten/Avocats (“MODO”) terms in respect of processing data (hereafter “Privacy Terms”)

These Privacy Terms apply to you as customers and any visitor of the MODO website (further referred to as “You”) and relates to any processing of your personal data that takes place through the MODO website or through communications or exchanges with MODO (whether within or outside the context of the services).

MODO is a cost association of law firms (each a “Member”) as defined in our terms and conditions. Reference to MODO in this privacy policy should be understood as a reference to the relevant Member.

We reserve the right to amend these Privacy Terms and will notify You thereof.

The processing of personal data on www.modo-law.be or via communications with MODO is also subject to the provisions of the General Data Protection Regulation (GDPR) <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679&from=NL>.

The terms used shall have the meaning as defined in the GDPR.

2. Entity responsible for processing your personal data

MODO is, when it collects and processes your personal data, the controller for the processing of this data.

3. Data being processed

The following information may be collected, processed and stored by MODO:

A) Directly identifying information may be processed by MODO, if You have yourself provided MODO with this information (for example by communicating with MODO).

You are not obliged to provide MODO this information or to agree with the processing thereof. However, in certain cases such communication will need to take place to ensure proper service provision or to comply with applicable law.

In this context MODO:

A.1 will process information required for the performance of the contract

- Your surname and first name, address, nationality
- Your email address
- Your phone number
- VAT number
- Financial information

A.2 may process personal information required by law in the context of our know your customer obligations.

In case You are a natural person:

- Your surname;
- Your first name;
- Your date of birth;
- Your place of birth;
- Your address;
- Your nationality;
- A copy of your identity card or passport.

In case You are a legal person the following personal information may be processed in the context of identifying the legal person to the extent You would qualify as one of the concerned persons:

- For each member of the board of directors, the above listed personal data for natural persons;
- For each ultimate beneficiary person(s), the above listed personal data for natural persons.

B) MODO may process certain information when You visit the website or internet based services, namely:

B.1 information concerning the pages You have consulted on the website;

B.2 identification information You have given us voluntarily (for example by registering on the website, or subscribing to newsletters);

B.3 certain non-directly identifying data, such as the type of browser You are using, the operating system You are using or your IP address.

4. Purposes of the processing

MODO can process your personal data for (one of) the following purposes, based on one or more legal grounds:

a) To ensure the provision of the services ordered by You

The information under A.1 and A.2 will be used to provide the services ordered by You.

MODO processes this data based on the legitimate interest it has in providing the services in compliance with the agreement entered into with You and in developing its business.

b) To comply with know your customer obligations imposed by law

The information under A.2 may be processed with a view to performing know your customer obligations imposed by law and any related reporting obligations.

MODO processes this data based on the legitimate interest it has in complying with law.

c) To ensure the technical and functional management of the website and the provision of the services

The information under B may be processed to ensure the good functioning of the website and enhance its use and content.

MODO processes this data based on the legitimate interest it has in providing a good functioning website.

d) To inform You about our events, about developments related to subjects that might be of interest to You and about our services, or for direct marketing purposes

MODO processes the data under A and B.2 based on your explicit consent and MODO's legitimate interest to keep its clients informed of its activities and services.

e) To answer your questions and job inquiries

MODO processes the data under A or B.2 based on your explicit consent, your contractual relationship with us or your request to take steps prior to entering into a contract, your requests in relation to job opportunities.

5. Third party access to your personal data

MODO may rely on the services provided by third parties to perform certain (processing) activities such as hosting website or IT-applications etc. and they may have access to your personal data for the performance of their services.

To the extent such third parties would have access to your personal data for the performance of their services, MODO will enter into the necessary processing agreements with these third parties (if required) and will use its best efforts to ensure that they contain similar provisions on data protection

as contained in this privacy policy and that they guarantee the same level of security and confidentiality of your personal data.

MODO does not provide any personal data to other third parties, except if required by law or by an order of a competent court of regulatory authority to do so or except with your explicit prior consent.

6. Protection and storing of your personal data

MODO undertakes to implement the security measures, which can reasonably be expected in order to protect your personal data from destruction, loss, modification or any other unauthorised processing.

MODO will not store any of your personal data any longer than is necessary for the specific purposes for which it is stored, taking into account MODO's contractual and legal obligations with regard to this data and MODO's mission to correctly answer customer questions and to provide the services in compliance with the agreement entered into with You.

7. Exercise of personal rights related to your personal data

You have the following rights in respect of your personal data being processed by MODO:

- the right to request free access to the personal data processed;
- the right to request the correction or removal of your data;
- the right to request a restriction of the processing;
- the right to request the portability of your data; and
- the right to object to the processing of your personal data (in the case of direct marketing without any substantiation).

In case the processing of your personal data is based on your consent, You have the right to revoke this consent at any time.

However, such a revocation does not affect the lawfulness of any processing prior to this revocation.

If You intend to use any of your abovementioned rights, please do so by directing your request to info@modo-law.be or by a letter to MODO (see address below).

We cannot handle your request without proof of your identity and the applicable legislation may impose conditions on exercising the above rights.

MODO will request a copy of your identification document as proof that You are indeed concerned by the personal data and thus entitled to rights mentioned above.

MODO will use its best efforts to respond to your request without undue delay after receipt of your request.

You should bear in mind that MODO will not always be obliged to comply with your request for access, correction, removal or transfer. This is because of our legal obligations, for the establishment, exercise or substantiation of a legal claim or the legitimate exercise of the right of freedom of expression and / or information.

You also have the right to file a complaint with the Data Protection Authority. Such a complaint can be filed either by post directed at Rue de la Presse 35, 1000 Brussels or through an e-mail to commission@privacycommission.be.

8. Cookies

MODO may use "cookies" when You visit the website. A cookie is information sent from a web-server to your web-browser, and which is placed on your hard-drive.

Cookies permit our website to recognize future visits using your computer.

Cookies enhance the convenience and use of our website.

You may choose to decline cookies if your browser permits, but doing so may affect your use of the website and your ability to access or use certain web features.

We use cookies to personalise content and ads, to provide social media features and to analyse our traffic.

We also share information about your use of our website with our social media, advertising and analytics partners who may combine it with other information that You've provided to them or that they've collected from your use of their services.

We will use the following cookies:

a) Analytical cookies

Analytical cookies enable MODO to analyse the use that is being made of the website.

They allow us, for example, to register how frequently the website is being visited by different visitors, through which pages users access the website and which pages of the website are visited most.

The device You use to visit the website, is accorded a randomly generated identification number, which is used by Google's servers to compute the statistics.

Google will not use the generated identification number for its own purposes and will not link it to other data in its possession.

MODO shall not install tracking cookies without requesting Your prior consent.

b) Social media plug-in cookies

Social media plug-in cookies are used to enable MODO to display content of social media on the website on social media..

MODO shall not install social media cookies without requesting your prior consent.

Please consult the applicable cookie and privacy policies and settings of the respective social media providers You give consent to.

9. Contact details

Should You have any questions in respect of this privacy policy, please contact:

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