

# Privacy and Data Protection Statement

DPD (Luxemburg) sàrl – version 27/03/2018



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# Privacy and Data Protection Statement

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## 1. Personal data protection

DPD is committed to the protection of your personal data. To meet this commitment, when DPD collects and processes your data in relation to its internet portals, DPD acts in compliance with the applicable laws on data protection in Luxembourg and Europe. Your personal data were already subject to the Luxembourg legislation on the protection of privacy. Henceforth they shall also be protected in accordance with the European General Data Protection Regulation 2016/679 (GDPR). In order to comply with the new legislation, our Privacy and Data Protection Statement has been thoroughly updated.

## 2. DPD as Controller

DPD (Luxembourg) s.à.r.l., 6 ZAE Krakelshaff, L-3235 Bettembourg, LU 157 154 69, RC B 42 850, hereafter referred to as 'DPD', is controller in accordance with the GDPR. DPD determines both the purposes and means of the processing of personal data, establishes the retention periods and has control over the access to the personal data.

## 3. Co-controllers

The main shareholder and parent company of DPD will be regarded as co-controllers, especially in concern with the internet portals and applications for customers and consignees. They are:

- DPD (Belgium) NV, Egide Walschaertsstraat 20, B-2800 Mechelen
- DPDgroup International Services GmbH & Co. KG, Wailandstrasse 1, D-63741 Aschaffenburg, and
- Geopost sa, 26 Rue Guynemer, F-92130 Issy-les-Moulineaux,

## 4. Processing goal

Between DPD and her customer (the consignor) is agreed that DPD delivers the customer's parcels to its consignees. Necessary to the performance of the agreement with the consignor is, therefore, the processing of personal data of customers and consignees. DPD only collects, processes and uses personal data to the extent which is necessary to establish, maintain and terminate a contractual relationship which was established in order to supply transportation services, in accordance with the CMR convention. Additionally, with regards to the working and granting of access to the internet portals, DPD collects, processes and uses the customer's personal data to enter into and manage the relationship user/service provider and to enable the use of the services.

Furthermore, DPD collects, processes and uses personal data for internal business: to improve the quality of future shipping operations, the quality of service, direct marketing, etc. The interests and fundamental rights of those involved are always taken into account.

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## 5. Personal data

According to the GDPR, 'personal data' means: "any information relating to an identified or identifiable natural person." DPD processes both the personal data of its clients and its consignees. These personal data are made available by the consigner. DPD processes the following personal data of its customers: name and address data, place of residence, email address, phone number job title. Besides that, DPD processes the following personal data of its consignees: name and address data, place of residence, signature of delivery, consignee deposit authorisation, delivery data and points of time, cash on delivery payments, predict and used Pickup Parcel shops. Under no circumstances does DPD process personal data covered in the special categories referred to in the GDPR. For the sake of completeness should be mentioned that, when leaving a notice in case of absence of the consignee, a detailed picture of the letterbox is often taken when filing the notice. This way, in the interest of all parties, DPD acquires additional evidence of the physical presence of the driver.

## 6. Eligibility grounds

With regards to her customers (consignors), suppliers and subcontractors, DPD relies upon contractual grounds. With regards to consignees of parcels, DPD relies upon a legal obligation. Thus, DPD, on the basis of the CMR-convention, is obligated to store the confirmations of receipt of all her consignments. Furthermore, for all processing operations which go beyond what is strictly necessary in order to perform the contract with her clients or to comply with the CMR-convention, DPD relies upon her legitimate interest to process personal data in order to improve our service, to answer questions and to handle claims and complaints (for instance, DPD relies upon her legitimate interest to store a detailed photograph of the letterbox since, in doing so, DPD attempts to prevent the risk of fraud, and DPD collects certain data of consignees as part of handling complaints or responding to requests for a second offering of a parcel). Finally, DPD relies on the legal ground of the unambiguous consent of the Data Subject for her processing operations concerning (electronic) direct marketing goals.

## 7. Custody and Security

DPD stores data on highly secured servers within DPDGroup and with possible third parties with whom a processing agreement has been made. Access to these servers has been reserved for a few specially authorised persons who are responsible for the technical, commercial or editorial maintenance of the servers. Additionally, a non-disclosure agreement is concluded with every worker within DPDGroup and with possible third parties such as carriers and ICT enterprises in order to safeguard the privacy of personal data.

Your data is conscientiously protected against loss, destruction, forgery, manipulation and unauthorised access or illegal publication. Communication with internet portals is also protected by special security measures in the form of coded data transmission.

Taking into account the state of technology, the costs and purposes, and the probable risk of a breach, DPD takes appropriate technical and organisational precautions in order to safeguard a level of security appropriate to the risks.

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## 8. Retention period

DPD employs a retention period of 3 years after delivery of the parcel or after the termination of the contractual relationship for personal data which are required for the delivery of parcels, unless a longer retention period is required on the grounds of a legal obligation or for special reasons of liability (for instance, as part of a (possible) dispute). Afterwards, the personal data are extracted from the processing operation by deleting or depersonalising.

## 9. Processing method

DPD collects, processes and uses the personal data which you provided when you registered with the internet portals. Additionally, DPD collects, processes and uses personal data of consignees which you provide when registering with these internet portals. DPD collects these personal data and uses them for the purpose of giving you access to the internet portals. These personal data are not analysed further by DPD. DPD does use cookies in accordance with the legislation on electronic communication. You will find an expanded statement on cookies elsewhere on our website [www.dpd.lu](http://www.dpd.lu)

## 10. Disclosure of personal data

DPD will never submit data of consignors or consignees/recipients to third parties (that are not part of DPDGroup) without first notifying the Data Subjects. An exception to this will be made in case of processors that are enlisted by DPD on the basis of a processing agreement or in case of a legal obligation, for instance at the request of the police. The provided personal data will be solely used for these intended purposes. DPD does provide personal data to the partners within DPDGroup, carriers and ICT service providers or other processors to the benefit of the service performance.

The processing of personal data happens within the European Economic Area (EEA), unless the delivery of a parcel must take place outside of the EEA, at the request of the consignor. In such a case, the transfer of personal data to the country of destination happens on request of the client, and the transfer is necessary for the performance of the agreement with the client/consignor. If DPD makes additional use of a processor, for instance a service centre outside of the EEA, the processing of personal data will take place in an environment which is completely controlled by DPD and in compliance with the rules of the GDPR. Namely, using the standard contract for the transfer of personal data to processors in third countries, as approved by the European Commission. At this time, DPD has signed such a standard contract with its service enter in Marokko.

## 11. Direct Marketing

As far as their consent was given, DPD will inform its customers/consignors about news and product information from DPD. Their personal data – email address included – will be used for its advertising and marketing purposes. This consent (opt-in) can always be revoked (opt-out) in particular by contacting [dataprotection@dpd.lu](mailto:dataprotection@dpd.lu) .

To regular customers/consignors an exception is made towards service letters, which are necessary for the proper functioning of the DPD services and are not considered as Direct Marketing.

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## 12. Inspection of Personal Data

In case you wish to inspect your personal data, you can contact us by email or by post. You can address your request to:

**DPD (Luxembourg) s.à.r.l., 6 ZAE Krakelshaff, L-3235 Bettembourg, e-mail : [dataprotection@dpd.lu](mailto:dataprotection@dpd.lu)**

Because we wish to be certain we are providing the personal data to the right person, we ask you to make available: a copy of a valid passport, driver's licence or an ID with a crossed-out passport picture. Please mention it is a copy, date the document, cross out the national number or simply send a copy of the front of your identity card (excluding the national number). Naturally you cannot call up personal data of others. In case you have any other questions or complaints with regards to privacy and data protection, contact the aforementioned address or email address.

## 13. Rectification, erasure, restriction or transmission of data and objection

If you wish for personal data to be deleted, the processing of personal data to be limited, to transmit data, to make an objection or if personal data is incorrect, you may submit a request to the aforementioned address or email address as far as you are unable to manage the data yourself (e.g. address information of consignors DPD Web Parcel you have made an account themselves). We will always strive to answer your question as soon as possible.

## 14. Data Protection Authority

Should you, nevertheless, have not been helped sufficiently and you wish to file a complaint, you may contact the authority for Luxembourg:

Commission Nationale pour la Protection des Données,  
1, avenue du Rock 'n Roll, L-4361 Esch-sur-Alzette, Tel. (+352) 26 10 60-1,  
Site Internet : <https://cnpd.public.lu/en/commission-nationale.html>

## 15. Modification of the Privacy and Data Protection Statement

The rapid technological development of the internet and the resulting legal requirements demand that this Privacy and Data Protection Statement is regularly adjusted to new technical or legal requirements. We will keep you informed of any new developments. We advise you to regularly consult this Statement in order to remain informed of any possible changes. In that sense, DPD reserves the right to adjust its policy at all times. If this is the case, you shall be asked to take notice of the new version of the current Statement before logging into your account which can be consulted on DPD's website at that moment.