

# Personal Data Processing Policy (Privacy Policy)

## 1. General Provisions

This Personal Data Processing Policy has been drafted in accordance with the requirements of the Netherlands Act of 6 July 2000 containing rules relating to the protection of personal data (hereinafter referred to as the Personal Data Protection Act) and sets forth the procedure for processing personal data and the measures to ensure the security of personal data undertaken by the Open Affect Holdings International B.V. (Open Affect Holdings International Besloten Vennootschap, hereinafter referred to as the Operator).

1.1. The Operator considers the observance of human and civil rights and freedoms in the processing of personal data, including the protection of the right to privacy, personal and family confidentiality, to be the most important objective and condition for carrying out its activities.

1.2. This Operator's Policy regarding the processing of personal data (hereinafter referred to as the Policy) applies to all information that the Operator may obtain about visitors to the website <https://flyxe.cloud>.

## 2. Key Terms Used in the Policy

2.1. Automated processing of personal data means the processing of personal data by means of computer technology.

2.2. Blocking of personal data means the temporary suspension of processing of personal data (except in cases where processing is necessary to clarify personal data).

2.3. Website means a collection of graphic and informational materials, as well as computer programs and databases, ensuring their accessibility on the Internet at the network address <https://flyxe.cloud>.

2.4. Personal data information system means a collection of personal data contained in databases and the information technologies and technical means ensuring their processing.

2.5. Depersonalization of personal data means actions as a result of which it becomes impossible to determine, without the use of additional information, the ownership of personal data by a specific User or other personal data subject.

2.6. Processing of personal data means any action (operation) or set of actions (operations) performed with or without the use of automation tools with personal data, including collection, recording, systematization, accumulation, storage, clarification (updating, modification), extraction, use, transfer (distribution, provision, access), depersonalization, blocking, deletion, destruction of personal data.

2.7. Operator means a state authority, municipal authority, legal entity or natural person, independently or jointly with other persons organizing and/or carrying out the processing of personal data, as well as determining the purposes of processing personal data, the composition of personal data to be processed, and the actions (operations) performed with personal data.

2.8. Personal data means any information relating directly or indirectly to a specific or identifiable User of the website <https://flyxe.cloud>.

2.9. Personal data permitted by the personal data subject for dissemination means personal data to which access by an unlimited number of persons has been provided by the personal data subject by giving consent to the processing of personal data permitted by the personal data subject for dissemination in the manner prescribed by the Personal Data Protection Act (hereinafter referred to as personal data permitted for dissemination).

2.10. User means any visitor to the website <https://flyxe.cloud>.

2.11. Provision of personal data means actions aimed at disclosing personal data to a specific person or a specific group of persons.

2.12. Dissemination of personal data means any actions aimed at disclosing personal data to an indefinite number of persons (transfer of personal data) or at familiarizing an unlimited number of persons with personal data, including publication of personal data in mass media, placement in information and telecommunications networks, or provision of access to personal data by any other means.

2.13. Cross-border transfer of personal data means the transfer of personal data to the territory of a foreign state to a foreign state authority, foreign natural person, or foreign legal entity.

2.14. Destruction of personal data means any actions as a result of which personal data are destroyed irrevocably with the impossibility of further restoration of the content of personal data in the personal data information system and/or material carriers of personal data are destroyed.

### **3. Principal Rights and Obligations of the Operator**

3.1. The Operator has the right to:

- receive from the personal data subject reliable information and/or documents containing personal data;
- in the event of withdrawal by the personal data subject of consent to the processing of personal data, as well as submission of a request demanding termination of processing of personal data, the Operator shall have the right to continue processing personal data without the consent of the personal data subject if there are grounds specified in the Personal Data Protection Act;
- independently determine the composition and list of measures necessary and sufficient to ensure the fulfillment of obligations provided for by the Personal Data Protection Act and regulatory legal acts adopted in accordance therewith, unless otherwise provided by the Personal Data Protection Act or other federal laws.

3.2. The Operator is obliged to:

- provide the personal data subject, at their request, with information concerning the processing of their personal data;
- organize the processing of personal data in the manner established by the current legislation of the Netherlands;
- respond to inquiries and requests from personal data subjects and their legal representatives in accordance with the requirements of the Personal Data Protection Act;
- communicate to the authorized body for the protection of the rights of personal data subjects, upon request of this body, the necessary information within 10 days from the date of receipt of such request;
- publish or otherwise provide unrestricted access to this Policy regarding the processing of personal data;
- take legal, organizational, and technical measures to protect personal data from unlawful or accidental access thereto, destruction, modification, blocking, copying, provision, dissemination of personal data, as well as from other unlawful actions in relation to personal data;
- terminate the transfer (dissemination, provision, access) of personal data, terminate processing and destroy personal data in the manner and cases provided for by the Personal Data Protection Act;
- perform other obligations provided for by the Personal Data Protection Act.

### **4. Principal Rights and Obligations of Personal Data Subjects**

#### 4.1. Personal data subjects have the right to:

- obtain information concerning the processing of their personal data, except in cases provided for by federal laws. The information shall be provided to the personal data subject by the Operator in an accessible form, and it shall not contain personal data relating to other personal data subjects, except in cases where there are lawful grounds for disclosing such personal data. The list of information and the procedure for obtaining it are established by the Personal Data Protection Act;
- require the operator to clarify their personal data, block or destroy them if the personal data are incomplete, outdated, inaccurate, unlawfully obtained, or are not necessary for the stated purpose of processing, as well as take measures provided by law to protect their rights;
- put forward a condition of prior consent when processing personal data for the purpose of promoting goods, works, and services on the market;
- withdraw consent to the processing of personal data, as well as submit a request for termination of processing of personal data;
- appeal to the authorized body for the protection of the rights of personal data subjects or in court against unlawful actions or inaction of the Operator in processing their personal data;
- exercise other rights provided for by the legislation of the Netherlands.

#### 4.2. Personal data subjects are obliged to:

- provide the Operator with reliable information about themselves;
- inform the Operator of clarification (updating, modification) of their personal data.

4.3. Persons who have provided the Operator with false information about themselves, or information about another personal data subject without the latter's consent, shall bear liability in accordance with the legislation of the Netherlands.

### **5. Principles of Personal Data Processing**

5.1. The processing of personal data is carried out on a lawful and fair basis.

5.2. The processing of personal data is limited to the achievement of specific, predetermined, and lawful purposes. Processing of personal data incompatible with the purposes of personal data collection is not permitted.

5.3. Combining databases containing personal data, the processing of which is carried out for purposes incompatible with each other, is not permitted.

5.4. Only personal data that meet the purposes of their processing shall be subject to processing.

5.5. The content and scope of personal data processed correspond to the stated purposes of processing. Redundancy of personal data processed in relation to the stated purposes of their processing is not permitted.

5.6. When processing personal data, the accuracy of personal data, their sufficiency, and, where necessary, their relevance in relation to the purposes of personal data processing are ensured. The Operator takes necessary measures and/or ensures their adoption to remove or clarify incomplete or inaccurate data.

5.7. Storage of personal data is carried out in a form allowing identification of the personal data subject for no longer than required by the purposes of personal data processing, unless the storage period of personal data is established by federal law, by a contract to which the personal data subject is a party, beneficiary, or guarantor.

Personal data processed are destroyed or depersonalized upon achievement of the processing purposes or in case of loss of the necessity to achieve these purposes, unless otherwise provided by federal law.

## 6. Purposes of Personal Data Processing

Purpose of processing	providing the User with access to services, information and/or materials contained on the website
Personal data	<ul style="list-style-type: none"><li>• email address</li><li>• name</li></ul>
Legal grounds	Act of 6 July 2000 containing rules relating to the protection of personal data (Personal Data Protection Act)
Types of personal data processing	Collection, recording, systematization, accumulation, storage, destruction, and depersonalization of personal data

## 7. Conditions for Personal Data Processing

7.1. The processing of personal data is carried out with the consent of the personal data subject to the processing of their personal data.

7.2. The processing of personal data is necessary to achieve the purposes provided for by an international treaty of the Kingdom of the Netherlands or by law, to exercise the functions, powers, and duties imposed on the operator by the legislation of the Kingdom of the Netherlands.

7.3. The processing of personal data is necessary for the administration of justice, execution of a judicial act, an act of another body or official subject to execution in accordance with the legislation of the Kingdom of the Netherlands on enforcement proceedings.

7.4. The processing of personal data is necessary for the performance of a contract to which the personal data subject is a party or beneficiary or guarantor under which, as well as for the conclusion of a contract at the initiative of the personal data subject or a contract under which the personal data subject will be a beneficiary or guarantor.

7.5. The processing of personal data is necessary for the exercise of the rights and legitimate interests of the operator or third parties or for the achievement of socially significant purposes, provided that the rights and freedoms of the personal data subject are not violated.

7.6. Processing is carried out of personal data to which access by an unlimited number of persons has been provided by the personal data subject or at their request (hereinafter referred to as publicly accessible personal data).

7.7. Processing is carried out of personal data subject to publication or mandatory disclosure in accordance with federal law.

## 8. Procedure for Collection, Storage, Transfer, and Other Types of Personal Data Processing

The security of personal data processed by the Operator is ensured through the implementation of legal, organizational, and technical measures necessary for full compliance with the requirements of current legislation in the field of personal data protection.

8.1. The Operator ensures the preservation of personal data and takes all possible measures to prevent access to personal data by unauthorized persons.

8.2. The User's personal data shall never, under any circumstances, be transferred to third parties, except in cases related to the implementation of current legislation or if the personal data subject has given consent to the Operator to transfer data to a third party for the performance of obligations under a civil contract.

8.3. In case of detection of inaccuracies in personal data, the User may update them independently by sending the Operator a notification to the Operator's email address [hi@flyxe.cloud](mailto:hi@flyxe.cloud) with the note "Personal Data Update."

8.4. The term of personal data processing is determined by the achievement of the purposes for which the personal data were collected, unless a different term is provided for by a contract or current legislation. The User may at any time withdraw their consent to the processing of personal data by sending the Operator a notification via email to the Operator's email address [hi@flyxe.cloud](mailto:hi@flyxe.cloud) with the note "Withdrawal of Consent to Personal Data Processing."

8.5. All information collected by third-party services, including payment systems, communication facilities, and other service providers, is stored and processed by the specified persons (Operators) in accordance with their User Agreement and Privacy Policy. The personal data subject and/or with the specified documents. The Operator is not responsible for the actions of third parties, including the service providers specified in this clause.

8.6. Prohibitions established by the personal data subject on transfer (except for providing access), as well as on processing or conditions for processing (except for obtaining access) of personal data permitted for dissemination, shall not apply in cases of processing of personal data in state, public, and other public interests defined by the legislation of the Netherlands.

8.7. The Operator ensures the confidentiality of personal data when processing personal data.

8.8. The Operator carries out storage of personal data in a form allowing identification of the personal data subject for no longer than required by the purposes of personal data processing, unless the storage period of personal data is established by federal law, by a contract to which the personal data subject is a party, beneficiary, or guarantor under which.

8.9. A condition for termination of personal data processing may be the achievement of the purposes of personal data processing, expiration of the term of consent of the personal data subject, withdrawal of consent by the personal data subject, or a request to terminate processing of personal data, as well as identification of unlawful processing of personal data.

## **9. List of Actions Performed by the Operator with Obtained Personal Data**

9.1. The Operator carries out collection, recording, systematization, accumulation, storage, clarification (updating, modification), extraction, use, transfer (dissemination, provision, access), depersonalization, blocking, deletion, and destruction of personal data.

9.2. The Operator carries out automated processing of personal data with receipt and/or transmission of the obtained information via information and telecommunications networks or without such.

## **10. Cross-Border Transfer of Personal Data**

10.1. The Operator, before commencing activities on cross-border transfer of personal data, is obliged to notify the authorized body for the protection of the rights of personal data subjects of its intention to carry out cross-border transfer of personal data (such notification is sent separately from the notification of intention to process personal data).

10.2. The Operator, before submitting the aforementioned notification, is obliged to obtain from the authorities of a foreign state, foreign natural persons, foreign legal entities to whom cross-border transfer of personal data is planned, the relevant information.

## **11. Confidentiality of Personal Data**

The Operator and other persons who have gained access to personal data are obliged not to disclose to third parties and not to disseminate personal data without the consent of the personal data subject, unless otherwise provided by federal law.

## **12. Final Provisions**

12.1. The User may obtain any clarifications on matters of interest concerning the processing of their personal data by contacting the Operator via email at [hi@flyxe.cloud](mailto:hi@flyxe.cloud).

12.2. This document shall reflect any changes to the Operator's personal data processing policy. The Policy is effective indefinitely until replaced by a new version.

12.3. The current version of the Policy is freely available on the Internet at <https://flyxe.cloud/legal/privacy-policy>.

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