



# 4Days Marches Privacy Regulations

As adopted by the board on 9 January 2023

## Article 1

Terms used in these regulations are defined as follows.

1. The Act: the Act of 16 May 2018 providing Rules for the implementation of 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 (General Data Protection Regulation, Bulletin of Acts and Decrees 2018, 144).
2. The Regulation: 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 (General Data Protection Regulation, Bulletin of Acts and Decrees) (OJEU 2016, L 119).
3. Board: the board of the Stichting Internationale Vierdaagse Afstandsmarsen Nijmegen (hereinafter referred to as Stichting DE 4DAAGSE).
4. Participant: the person intending to register for participation in the 4Days Marches and whose participation is accepted or whose participation cannot be accepted due to exclusion following the draw.
5. Staff member: the natural person appointed by or on behalf of the board to be a member of the Executive Committee, or who works at the Organisational Affairs office.
6. Guest: a natural person or a representative of a legal entity who is invited to attend one or multiple activities and whose data are processed for the purpose of the organisation of the 4Days Marches or to maintain a business relationship.
7. Organisational Affairs: body of Stichting DE 4DAAGSE, made up of staff members of Stichting DE 4DAAGSE, which processes personal data or has a processor process personal data.
8. Personal Data: any information relating to an identified or directly or indirectly identifiable natural person as specified in Article 4(1) of the Regulation.
9. Processing: any operation or set of operations performed on personal data or sets of personal data as described in Article 4(2) of the Regulation.
10. Registration Number: the unique number assigned to the registered participant, which is used by Organisational Affairs to link the person to their personal data.
11. Guest Number: a number assigned to a guest that is used by or on behalf of Stichting DE 4DAAGSE to link a guest to their personal data.
12. Registration: the processing of a participant's personal data for participation in the 4Days Marches.
13. Image Rights: rights as specified in the Copyright Act of 1912.
14. File: the structured whole of personal data.

15. Data carrier: digital file storage device, printed matter, photo, film, video, CD-ROM, DVD, or any other medium used to store and transfer data that lead to personal data and/or recognition of an image of the face of a participant, staff member, and/or guest.
16. App: The official 4Days Marches app, available in the Play Store and Apple Store and developed by Sportunity, that allows the participant to be tracked on the route during his participation.

## Article 2

1. Stichting DE 4DAAGSE processes personal data in accordance with the rules of the Regulation and the Act, as well as in compliance each participant's, staff member's, and guest's right to protection of his or her privacy and in a lawful, adequate, and transparent manner.
2. Participants' personal data are processed solely for the purposes of facilitating registration for and participation in the 4Days Marches, monitoring and enforcing compliance with the rules, and future enforcement of the regulations.
3. Staff members' personal data are processed in the interest of ensuring a good employment relationship and otherwise solely for the purpose of ensuring effective organisation of the 4Days Marches.
4. Guests' personal data are processed solely for the purpose of sending invitations to one or multiple events and/or for the purpose of being a good host during the events and/or for the purpose of maintaining a business relationship.
5. Personal data shall not be processed, or processed further in a way that is incompatible with the purpose for which the data were obtained.
6. Participants, staff members, and guests all have the rights specified in Chapter III of the Regulation with respect to the processing of their personal data.

## Article 3

1. Personal data are processed only if the data subject has consented to the processing of his or her personal data for the specific purposes explained to the data subject.
2. If the data subject has not yet reached the age of 16 (or is otherwise unable to declare his or her intent), consent from his or her parent(s) or legal guardian(s)/representative(s) will be required.
3. For Stichting DE 4DAAGSE staff members, additional rules can be imposed by law or under a collective agreement for the protection of rights and obligations regarding the processing of personal data as part of the employment relationship.
4. Personal data that reveal racial or ethnic origin, political opinions, religion or philosophical beliefs, trade union membership, and the processing of genetic data, biometric data with a view to unique identification of a person, or personal data relating to a natural person's sexual behaviour or sexual orientation, shall never be requested or processed.

## Article 4

1. Processing or further processing of personal data for archiving purposes in the public interest, for historic, scientific, and/or statistical purposes, which are directly related to the 4Days Marches, and which is done fully or partially under the responsibility of the board, is permitted.
2. The processing of personal data solely for journalistic purposes and for the purposes of academic, artistic or literary expression is permitted.
3. The processing specified in the first paragraph is subject to Section 24 of the Act. The processing specified in the second paragraph is subject to Section 43 of the Act.
4. In cases referred to in this article, the board shall make an assessment as specified in Section 5 of the Act.

## Article 5

1. Stichting DE 4DAAGSE shall take measures required to ensure correct and accurate processing of personal data. For that purpose, the board may ask participants or staff members to provide authentic certificates or other supporting documents or copies of such.
2. Stichting DE 4DAAGSE shall implement appropriate technical and organisational measures to ensure personal data be adequately protected against loss or any form of unlawful processing.
3. Stichting DE 4DAAGSE shall also see to it that personal data be protected as stipulated in the previous paragraph when an external processor is involved in the processing of personal data.
4. In cases where a third party processes personal data on Stichting DE 4DAAGSE's behalf, prior to said processing Stichting DE 4DAAGSE will always enter into a data processing agreement with said third party.

## Article 6

1. Stichting DE 4DAAGSE shall see to it that personal data not be saved in a format that enables identification of the participant, staff member, and/or guest for longer than is necessary for adequate execution of the provisions of or under the terms of the Regulation, the Act, or the regulations, and/or to implement the provisions of article 4.

## Article 7

1. Personal data can be accessed only by appropriately authorised persons.

2. These persons shall observe confidentiality when accessing personal data, with the exception of cases in which the law requires disclosure.

## **Article 8**

1. Participants, staff members, and guests will be asked to give unambiguous consent for the processing of the submitted personal data in compliance with the purpose of the processing operation.
2. Participants give consent by registering, staff members upon commencement of employment, and guests upon creation of a business relationship.
3. Consent is subject to the conditions of Article 7 of the Regulation.
4. Participants, staff members, and guests can, notwithstanding earlier consent, lodge a reasoned objection with the board to object to the processing of their personal data.

## **Article 9**

1. Personal data concerning a participant's health can be processed only if the purpose of such processing is to provide medical assistance, to the extent that processing is necessary with a view to effective treatment or care of the participant or staff member in question.
2. Personal data concerning a staff member's health will be processed only to the extent that it is needed for the (medical) assessment of the staff member's ability to perform the work, or to protect the employee's vital health interests.
3. The processing of personal data concerning the health of Organisational Affairs staff members is subject to Section 30 of the Act.
4. Personal data concerning a participant's health will be processed only with the data subject's consent and exclusively to the extent that it is needed for the assessment of a request for dispensation on medical grounds.
5. The processing of personal data of a participant based on the Regulations Governing Disqualification and Doping Regulations is permitted, insofar as this ensues from the purpose of both sets of regulations (including execution of possible disciplinary sanctions and/or measures).
6. The processing of personal data concerning a participant's health is permitted if such processing is intended for the handling of a complaint based on the 4Days Marches Medical Service's Complaints and Disputes Scheme.

## **Article 10**

1. Personal data linked to guest numbers and/or registration numbers will not be transferred to third parties, unless Stichting DE 4DAAGSE is required by law to do so or in the event of a contingency of such a magnitude that a participant, staff

member, and/or guest needs to be tracked down urgently during the 4Days Marches.

2. Stichting DE 4DAAGSE will not transfer personal data of participants, staff members, and/or guests to third parties, unless it is required by law to do so, and in particular under Section 41 of the Act.

## **Article 11**

1. The head of Organisational Affairs has been appointed the controller.
2. The head of Organisational Affairs will appoint a data protection officer.

## **Article 12**

1. Data carriers produced by order of or under the responsibility of Stichting DE 4DAAGSE and insofar as these involve the image rights of a participant, staff member, and/or guest as specified in the 1912 Copyright Act, shall be used by the board only for promotional and information purposes in relation to the 4Days Marches.
2. The data carriers referred to in the previous paragraph shall be duly and meticulously produced and compiled in compliance with the Act and under observance of every participant's or staff member's right to protection of his or her privacy.
3. Stichting DE 4DAAGSE specifically guarantees meticulous handling of data carriers from which participants, staff members, and/or guests can derive full or partial image rights, and demonstrates that they have adequately considered the interests of right holders, in compliance with the provisions of Section 21 of the 1912 Copyright Act (in part) and based (in part) on relevant rulings by Dutch regular courts.
4. A participant, staff member, and/or guest can, notwithstanding earlier consent, lodge a reasoned objection to the use of his or her image.

## **Article 13**

1. The provisions of Article 23 of the Regulation and Section 41 of the Act apply to military participants from the Dutch armed forces.
2. The provisions of the Regulation apply in full to military participants from the armed forces of another EU member state that is subject to EU law.
3. Other military participants are subject to relevant legislation, insofar as this legislation has been given extra-national effect and insofar as this legislation does not contravene legislation and treaties that apply in the Netherlands.

## **Article 14**

1. Stichting DE 4DAAGSE shall have the possibility to make information available to the press about special participants.

2. Stichting DE 4DAAGSE shall, prior to the 4Days Marches, contact the special participant, or their (legal) representative, to obtain his or her consent and to see to what degree the person in question wants their personal data and/or image rights protected and how Stichting DE 4DAAGSE can reasonably see to that.

## **Article 15**

1. After the registration period closes, the participant data is made available to the provider of the official 4Days Marches app, Sportunity. A data processing agreement for this purpose is signed between Stichting DE 4DAAGSE and Sportunity.
2. The participant can make his participation details available in the app by setting up a user profile.
3. The participant's data only becomes available to third parties if and when the participant explicitly agrees to this in the app. When permission is not given, the participant's data will remain hidden for third parties. Stichting DE 4DAAGSE applies the 'privacy by default' principle.

## **Article 16**

4. Objections based on these regulations must be submitted in writing and shall be handled by the board.
5. Objections are subject to Article 21 of the Regulation.

## **Article 17**

1. The board shall make a judgement in any cases not covered by these regulations.
2. These regulations may be referred to as the 4Day Marches Privacy Regulations [*Privacyreglement 4Daagse*].