

Subject: Privacy statement Translink

Date: 14 August 2023

Version: 1.0

This privacy statement has been adjusted at 14 August 2023 and replaces any earlier versions. We may amend this privacy statement over time. We will notify data subjects about any changes before these take place by posting an updated version of this statement at our website. In this privacy statement we explain how we process your personal data and gives insight which data we process and what you can do about it.

Did you travel with Dutch public transport or do you have any intentions to do so? We then like to refer you to our detailed privacy statements regarding OV-chipkaart at [OV-chipkaart](#) and [uitcheckgemist](#), regarding OVpay at [OVpay](#) and [Zelfregelen](#) and regarding OVpay app at [OVpay app](#).

If you like to apply for a job at Translink, we like to refer you to our privacy statement for job applicants at [werken bij](#) (in Dutch only) at our website.

1. What are personal data?

As soon as data can be traced directly or indirectly to a person, these data are referred to as personal data. Examples of personal data include your name, email address, date of birth and bank account number, but also your username in the OVpay app.

2. Which personal data does Translink process, how and for which purposes?

Translink does not process more personal data than is necessary. The general rule is that Translink stores personal data as long we require these.

If you are at a Translink premise, we are to register some data of you to provide you access to our premises. At our premises, we apply CCTV to protect the safety and belongings of us, our employees and any visitors. If you are using our WIFI-network, we register some data of you equipment. The legal ground for these processes is our legitimate interest as a company.

If you have business contacts as (an employee of) a supplier or customer with (an employee of) Translink, we are to process personal data such as name, contact details, role, organisation and login details. We do this for authorisation and/ or authentication for applications; managing requests, changes and/ or complaints; maintaining our contacts and contracts databases; keeping financial records; executing (by third parties) of audits; and/ or communicating via video conferencing. The legal ground for these processes is our legitimate interest as a company, while the legal ground is a legal obligation regarding certain audits and keeping of financial records.

Furthermore, Translink processes personal data for

- Fraud management. Translink monitors its OV-chipkaart, barcode and EMV-services to combat fraud and to detect and take measures to prevent fraud as well as to take actions against fraud being committed. The legal ground is our legitimate interest as a company. By doing so, we serve the interest of both Translink and travellers, since fraud causes financial damages, to others to Translink and raises the costs for the total public transport network.
- Managing data breaches and data subject requests based on a legal obligation we have.
- Via website and social media we answer questions and communicate with travellers and other ones interested about amongst others the OV-chipkaart and OVpay. We do not use social media for customer care, including questions regarding, for example, past travels. All questions can be asked at both OV-chipkaart and OVpay customer care. The legal ground for these processes is our legitimate interest as a company.
- Monitoring and guarding our IT-infrastructure, services and applications. The legal ground is our legitimate interest as a company. It is in the interest of both Translink and data subjects, since it supports the sound functioning of Translink and OV-payment systems.

3. We protect your data

Translink handles your data carefully and process and secure it according to the requirements of the General Data Protection Regulation (GDPR). We have appropriate technical and organisational measures in place to safeguard that personal data are well protected against unauthorised or unlawful usage, alteration, unauthorised access or disclosure, accidental or unlawful destruction and loss.

Every employee who has access to your data is bound to contractual confidentiality. All data therefore has to be treated confidentially. An employee also has only access to the data needed for his/ her role.

4. Sharing your data with third parties

What we not do

Translink does not sell your data to third parties for marketing, sales and other business activities. Translink also does not make you offers for products or services.

What we do

Translink appoints third parties to carry out certain services, such as for the management of systems. Insofar as these third parties have access to your data when performing the relevant services, Translink has taken the required contractual and organisational measures to ensure that your data is only processed for the above purposes.

In certain circumstances, Translink also provides your personal data to third parties who process personal data at the request and on behalf of Translink. Translink makes written agreements with these processors, to ensure that they guarantee confidentiality and only use your personal data to carry out the specific task they were given by Translink. These processors are not permitted to make independent use of your personal data or pass this on to third parties. This applies to amongst others cloud and hosting companies and IT service providers.

Provision of data to competent authorities

Translink is obliged to provide your data to third parties in some cases, on the basis of the law. Translink provides information to the police and judiciary in relation to missing persons, as Translink believes that this is in the public interest. Like all other companies in the Netherlands, Translink is also legally required to provide information in, amongst others, the case of criminal proceedings. We only provide this information in the event of a formal request and only if the request meets the regulations and laws.

5. Your rights based op privacy legislation

The GDPR allows you the following rights to exercise:

Right of access - you have the right to obtain from us which of your personal data have been processed and to access these. You can request an overview of your personal data at Translink. We will inform you amongst others on the purposes for processing personal data, how long we store these and any third parties we share Personal data with.

Right to rectify - If the personal data we process is inaccurate or incomplete, you are entitled to have these corrected of completed.

Right to be forgotten - In some cases, you have a right to request for the deletion of your personal data. We are obliged to do so, unless we are bound by e.g. a legal obligation or a contractual agreement to store the data for a set period of time, preventing us from deleting the personal data.

Right to restrict - In some cases, you have a right to obtain restriction of processing of your personal data. We will end the processing temporarily.

Right to object - You can object to (further) processing of your personal data on grounds relating to your particular situation. You can for example object to use of your personal data for statistical and academic research purposes.

An objection is only feasible if the legal ground of the processing is legitimate interest (GDPR, art. 6.1.f). We will balance your privacy interests and our interest to (further) process your personal data. If we honour your objection, we will not process your personal data for this purpose anymore.

Right to data portability - You can request to have handed over to you your personal data. You can obtain such copy yourself or request us to hand it over to another party. This right only exists if the processing is based on the legal ground consent or contractual agreement.

Right not to be subject to automated individual decision-making - You have a right not to be subject to a decision based solely on automated individual decision-making having a legal effect on you or being similarly significantly affected. In those cases it is not a human but a computer taking the decision. You can request a new decision which includes a human assessing your data.

Exercising of your rights

If you want to exercise any of your privacy rights, please contact the privacy department via FG@translink.nl. If you provide us with specific details (such as what you would like access to) we will be able to handle your request quicker and more efficiently.

To ascertain us that we only provide your personal data to you and not to someone else, we may ask you additional questions to be able to identify you.

If relevant we will notify any third parties we have provided your personal data to of you are exercising any of your rights.

You will receive a response to your request within four weeks of the request. If you would like to receive a response by post, please state your address clearly.

Submitting complaint at Dutch Data Protection Authority (AP) - If you are of the opinion that we are violating your privacy rights or not conducting in line with these, you have the right to submit complaint at the AP. Any further information is available at www.autoriteitpersoonsgegevens.nl.

6. Contact

If you have further questions regarding data protection after reading this privacy statement, please contact us at FG@translink.nl. We will be happy to help you!

Are you of the opinion that Translink is not following the rules correctly? Or is there any other reason you want to file a complaint? Please notify us via FG@translink.nl or send a letter to P.P box 1808, 3800BV Amersfoort at the attention of the Privacy department.

At Translink the Data protection officer (DPO) is amongst others monitoring the compliance of data protection. The DPO can be reached via FG@translink.nl.