

PRIVACY STATEMENT

INTRODUCTION

This notice contains information relating to the processing of personal data that is carried out by the Belgian Defence when the Drone Service Application is used in the frame of a drone/UAS operation request inside a military used airspace.

Each data that may lead to identify a natural person directly or indirectly shall be processed by Defence lawfully, fairly and in a transparent manner. It means that the treatment of personal data will be conducted in accordance with the legislation in force, being the General Data Protection Regulation as well as the law of 30st July 2018 on protection of individuals with regard to the processing of personal data.

IDENTITY OF THE DATA SUBJECT AND THE CONTROLLER

The data subject is the identified or the identifiable natural person which personal data are related to. In this statement, the term "data subject" is associated to the user of the Drone Service Application.

Belgian Defence, as controller, is responsible for the processing of the personal data in the frame of any UAS flight request inside a military used airspace introduced into the Drone Service Application. More precisely, at the local level, it is the geozone managers that process the personal data in order to answer the request.

PURPOSES OF THE PROCESSING OF PERSONAL DATA

The personal data are collected and processed for the following purposes, in respect of all users:

- Promotion of air traffic safety;
- Raising awareness of air safety and other issues;
- Understanding of air traffic situations;
- Support in the preparation and execution of an operation with an Unmanned Aircraft System inside a military used airspace;
- Manage flight authorization requests for UAS operation in military UAS geographical zones;
- Enable coordination and communication with the relevant controlling unit.

No personal data are treated for automated decision-making process.

In view of the air safety only and under specific circumstances, some data linked to the log files of the planned UAS operations (only) can.

E.g. if the flight altitude exceeds 2500ft AGL, the request will be automatically rejected.

In case of questions or complaints, the user is invited to first consult the page "Frequently Asked Questions" under the submenu "Support". In a second time, if needed, he can submit a request by clicking on the button "Submit a Request".

LEGAL BASIS FOR THE PROCESSING OF PERSONAL DATA

Personal data generated by the use of the application

Since the section 'Air Operations Support' of the Air Component has been designated as the military aviation authority¹, its processing of the subject's personal data generated by the use of the application is necessary for the exercise of its public authority.

Geo-location data

The geo-location data is only used to provide the feature "Focus on my location". However, the collection and processing of these data are based on the user's consent.

RETENTION PERIOD

In general, in respect of all users:

The personal data related to a flight authorization request will be stored in the system for at most 30 (thirty) days after the termination and/or cancellation of the operation, in order to allow subsequent investigation. After this period, the operational details will remain available in the system, however, the personal data will be removed.

The personal data generated by the Use of the application are stored for as long as necessary to fulfil the purposes pursued by the processing, in particular those relating to the regulations of flights of Unmanned Aircraft Systems.

TYPE OF PERSONAL DATA PROCESSED

The principles of data protection should apply to any information concerning an identified or identifiable natural person. Personal data which have undergone pseudonymisation, which could be attributed to a natural person by the use of additional information should be considered to be information on an identifiable natural person².

The following user data will be collected for the abovementioned purposes:

- Name, first name, telephone number, mobile phone number, and e-mail address;
- Certain user settings (preferred language, coordinates and units of measurement);
- Log files of UAS operations (name of UAS operator, name of pilot(s), name of observers, type of UAS operation, characteristics of UAS used, 3D volume of the UAS operation, location(s) of take-off and landing, time(s) of take-off and landing);
- Geo-location of users (based on the location facilities of the web browser used).

RECIPIENTS OF THE PERSONAL DATA

The user himself and the controller have access to the personal data. The latter can access them if and only if their processing is necessary to the execution of the mission.

Personal data are processed and stored within the territory of the European Union and there is no connection and no exchange of data with any social media.

¹ Website consulted on 23AUG2022: [eAIP Belgium and Luxembourg \(skeyes.be\)](https://skeyes.be)

² Website consulted on 10MAY2022: [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 \(General Data Protection Regulation\) \(europa.eu\)](https://eur-lex.europa.eu/eli/reg/2016/679/oj)

RIGHTS OF DATA SUBJECT

In accordance with the applicable regulations and subject to legal derogations, you have various rights, in particular:

- Right of access: you can obtain information on the processing of your personal data and obtain a copy of this personal data;
- Right to rectification: if you believe that your personal data is incorrect or incomplete, you can request that this personal data be rectified;
- Right to erasure: you can request the erasure of your personal data, except when the processing is imposed by law or in the context of a public interest mission or still to allow the implementation of the freedom of expression and information, when the processing is necessary for scientific, statistical or historical archiving and taking into account, however, the rules on the retention period established according to objective criteria;
- Right to restriction of processing: you may request the restriction of the processing of your personal data if you exercise your right to object, if you contest the accuracy of the data, if the processing is unlawful or if you need the data for the establishment, exercise or substantiation of your legal claims. This means that the processing of your data will be somewhat "suspended", subject to exceptions.
- Right to object: you may object to the processing of your personal data for reasons relating to your specific situation.
- Right to withdraw your consent: if the processing of your personal data is based solely on your consent, you have the right to withdraw this consent at any time.

Rmk : note that these rights can be applied on the data subject's personal data only.

CONTACT DETAILS FOR THE DATA PROTECTION OFFICERS

To exercise the above-mentioned rights, as well as for any question, observation or request relating to the processing of his/her personal data, the user may contact the Data Protection Officer of Defence (DPO Def) by e-mail : DPO@mil.be

In order to protect his/her personal data by avoiding someone else to access them, the user's identity will be checked.

In case the user doesn't agree with the controller's processing, he is advised to contact the control authority, meaning the data protection authority via www.dataprotectionauthority.be .