

PRIVACY POLICY

1) WHO IS RESPONSIBLE FOR PROCESSING?

In accordance with Article 13, §1, a) of Regulation (EU) 2016/679 (GDPR), the data controller is:

STUDIO MORA

- AmJane SRL, whose registered office is located at Clos du Paradis 1, 1300 Wavre, registered with the Crossroads Bank for Enterprises under number BE0765.728.985 and validly represented by Ms. Jeanne Cassiers in her capacity as administrator
- Mei Capron in her capacity as a self-employed person, registered at 5 Place Wiertz 5000 Namur and registered with the Crossroads Bank for Enterprises under number BE1020645183.
- Address: 19, rue de Londres 1050 Ixelles
- Email: hello@studiomorabxl.com

2) WHAT DATA DO WE COLLECT?

In accordance with the principle of minimization (Article 5, §1, c) of the GDPR), we only process the necessary data, in particular:

A) IDENTIFICATION AND CONTACT DETAILS

Surname, first name, email address, telephone number (Article 4, 1) GDPR: “personal data”).

B) DATA RELATED TO APPOINTMENTS AND SERVICES

Information necessary for managing requests and appointments (Article 6, §1 GDPR: lawfulness of processing).

C) BILLING DATA/SUPPORTING DOCUMENTS

Data necessary for accounting and billing. In accordance with Article III.86, para. 4 of the Belgian Economic Law Code, “supporting documents must be kept (...) for seven years.” (ibr-ire.be)

D) PHOTOS/IMAGES (PORTFOLIO, SOCIAL MEDIA, PREPARATORY WORK)

We may process:

- photos of completed tattoos, which may include part of the body;
- photos of clients taken in the studio;
- photos provided by clients to prepare a project (e.g., area to be tattooed, scar, old tattoo to be covered).

These images may constitute personal data if a person is identifiable (Article 4(1) GDPR).

E) POTENTIALLY SENSITIVE DATA (HEALTH)

In some cases, you may provide us with health information (allergies, contraindications, scarring). In accordance with Article 9, §1 of the GDPR, this data is considered “special categories of data” and benefits from enhanced protection.

3) WHY DO WE USE YOUR DATA?

In accordance with Article 13, §1, c) of the GDPR, we process your data for the following purposes:

- to manage your requests and appointments;
- to perform the tattooing service;
- to follow up and communicate with you;
- to comply with our accounting obligations;
- to prepare projects (including via reference photos);
- to communicate our work (website and social media) only when you consent to it.

4) WHAT ARE THE LEGAL GROUNDS FOR THIS PROCESSING?

In accordance with Article 6, §1 of the GDPR (lawfulness of processing):

- Contract/pre-contractual measures: making appointments, exchanges, and performing services (Article 6, §1, b) GDPR).
- Legal obligation: retention of accounting supporting documents (Article 6, §1, c) GDPR + Article III.86, para. 4 Belgian CDE). (ibr-ire.be)
- Legitimate interest: internal organization, management of requests, security (Article 6, §1, f) GDPR). In accordance with Article 13, §1, d) of the GDPR, you may request information on the balancing of this legitimate interest.
- Consent: publication of photos on the website/social networks (Article 6, §1, a) GDPR), under the conditions of consent (Article 4, 11) and Article 7 GDPR).

HEALTH DATA

In accordance with Article 9, §2, a) of the GDPR, the processing of health data is based on your explicit consent, when this information is necessary.

5) PHOTOS: TAKING, PUBLISHING, AND REMOVAL

- In accordance with Article 7, §3 of the GDPR, you may withdraw your consent at any time for the use of your photos (website/social media).
- In accordance with Article 17 of the GDPR, you may request the deletion of a photo when the conditions for this right are met.
- In accordance with Article 21 of the GDPR, you may object to certain processing based on legitimate interest.

/!\ Image rights/privacy (general framework)

Privacy is protected by Article 8 of the European Convention on Human Rights (ECHR) and Articles 7 (privacy) and 8 (data protection) of the Charter of Fundamental Rights of the European Union. The practical implementation of the “right to image” in Belgium also depends on national case law; I am not citing any specific Belgian judgments here as I have not checked each case individually (I do not know).

6) HOW LONG DO WE KEEP YOUR DATA?

In accordance with the principle of storage limitation (Article 5, §1, e) of the GDPR), we only keep data for as long as necessary:

- Accounting documents (invoices, etc.): 7 years, in accordance with Article III.86, paragraph 4 of the Belgian Economic Law Code. (ibr-ire.be)
- Appointments/exchanges: for the duration necessary for administrative management.
- Reference photos (to prepare a project): for the duration strictly necessary for the project, unless a request for deletion is made (Article 5, §1, e) GDPR).
- Published photos (website/social media): until consent is withdrawn (Article 7, §3 GDPR) or a request for erasure is made (Article 17 GDPR), where applicable.

7) WHO DO WE SHARE YOUR DATA WITH?

In accordance with Article 13, §1, e) of the GDPR, the data may be accessible to:

- studio staff;
- technical service providers (hosting, booking tools, etc.), only if necessary.

8) TRANSFERS OUTSIDE THE EUROPEAN UNION

In accordance with Articles 44 to 46 of the GDPR, a transfer outside the EU only takes place if your tools do so and only with adequate safeguards (e.g., standard contractual clauses). Without knowing your tools: I do not know if transfers take place.

9) YOUR RIGHTS

In accordance with Articles 12 to 22 of the GDPR, you have, in particular:

- the right of access (Article 15);
- the right to rectification (Article 16);
- the right to erasure (Article 17);
- the right to restriction (Article 18);
- the right to object (Article 21);
- the right to data portability (Article 20);
- the right to withdraw your consent (Article 7, §3).

To exercise your rights: hello@studiomorabxl.com.

10) SECURITY

In accordance with Article 32 of the GDPR, we implement appropriate technical and organizational measures to protect your data.

11) COMPLAINTS

In accordance with Article 77 of the GDPR, you may lodge a complaint with the Data Protection Authority (Belgium): <https://www.autoriteprotectiondonnees.be>.