

**subject:** [www.ov-chipkaart.nl](http://www.ov-chipkaart.nl) website privacy statement

**date:** 10 August 2021

**version/status:** Version 1.99

At Translink, we want all passengers to be able to move freely and choose the way in which they travel themselves. We can help you to fulfil this need, but sometimes we need to know something about you. We believe that privacy is all about freedom and the ability to decide yourself how your personal data is used and who by.

In this privacy statement, we have set out how we handle your personal data for you. You can read here which of your details we process and what influence you can exert over this. This privacy statement is made up of various sections.

### **1. What is personal data?**

As soon as data can be traced directly to a person, it is referred to as personal data. Examples of personal data are your name, (email) address, date of birth and bank account number. Your OV-chipkaart number or username can also be considered personal data.

### **2. Why does Translink process personal data?**

Translink processes data in order to provide the following services:

- Production, distribution, termination and replacement of the OV-chipkaart.
- Responding to requests through OV-chipkaart Customer Services, such as blocking a personal OV-chipkaart after loss or theft.
- Offering the possibility to use the public-transport travel history, for example, through My OV-chip.
- Loading credit and managing the credit that is loaded onto the OV-chipkaarts.
- Processing transactions, such as checking in and out.
- Returning your remaining credit to your last known bank account after your OV-chipkaart has expired.
- Storage, for a maximum of 5 years after expiry of an OV-chipkaart, of the minimum data set after you have requested a refund of your remaining credit, in order to be able to demonstrate that we have paid out the remaining credit on an expired OV-chipkaart.
- Debtor management, in order to collect payment for transactions made.

N.B.: Translink does not process any more personal data than necessary. Translink does not process your data for marketing purposes and will not send you any offers of products or services.

- Translink also processes data for fraud management, including prevention, detection and measures to combat fraud. We do this on the basis of our legitimate interest as a company.

N.B.: If you would like to object to the use of your data for this purpose, please send an email to: [privacy@ov-chipkaart.nl](mailto:privacy@ov-chipkaart.nl).

### **3. What do we use your data for?**

#### **Personal OV-chipkaart**

A personal OV-chipkaart is registered in your name. This means that, when you apply for this card, you need to enter a number of personal details. Translink is the Controller for the data that you have provided to Translink directly. This could be via the [www.ov-chipkaart.nl](http://www.ov-chipkaart.nl) website and via an application form. For a personal OV-chipkaart, the following data is stored in the Translink systems. Not all of this data is found on your card.

- Name
- Address
- Postcode and town or city

- Passport photo
- Gender (optional)
- Telephone number
- Date of birth
- Bank account number
- OV-chipkaart card number (16 digits)
- Username (if you apply for My OV-chip at [www.ov-chipkaart.nl](http://www.ov-chipkaart.nl))
- Email address

### Card details

A personal OV-chipkaart includes a passport photo and your name. A date of birth can also be found on personal cards issued before 1 January 2020 and personal cards supplied before 1 January 2017 include the gender. The following information is also stored on the chip in the card:

- Chip number (internal number)
- Credit
- The last ten travel transactions and last two loading transactions
- Automatic reloading amount (if applicable)
- Travel products (if applicable)
- Date of birth (only for a personal OV-chipkaart, for automatic calculation of age discount)

### Anonymous OV-chipkaart

This card is anonymous. Your personal data is not known to us. An anonymous OV-chipkaart cannot be purchased directly from Translink by a consumer. Translink does not know who is buying an anonymous card and also does not know who is using the anonymous card to travel. The card can be used by more than one person (not at the same time).

If you are using an anonymous OV-chipkaart, you can pay and travel on public transport without your identity being known. You can also consult your public transport travel history and view the credit on your card anonymously at [www.ov-chipkaart.nl](http://www.ov-chipkaart.nl).

For a number of service processes, it is necessary to temporarily record data for an anonymous card as well. This includes:

- Requesting a credit refund for an expired card: the OV-chipkaart number and the bank account number to which the credit can be returned are required for this process. If you request a credit refund using a form, we will also ask for your name, address, town or city and telephone number, so that we can send you a confirmation and contact you if we have any questions.
- After payment of the credit on an expired card at your request, we hold this data for a maximum of 5 years in order to demonstrate that we have paid out the remaining credit.
- Customer Services: customer contact with anonymous cardholders is registered by the telephonic Customer Services, without name and address details. Only the question about which you called is registered. It may be that you need to be phoned back or emailed. In this case and for this specific purpose, your contact details will be temporarily recorded.

### Transaction and location data

When you travel with the OV-chipkaart, the operator you travel with is the Controller for the transaction and location data. Translink processes this data on behalf of the operators in the role of Processor. On behalf of the operators, Translink makes this data available via the [www.ov-chipkaart.nl](http://www.ov-chipkaart.nl) website. If you have created an account for the [www.ov-chipkaart.nl](http://www.ov-chipkaart.nl) website and/or the OV-chipkaart app, you can view your transactions and location data there, among other data. You will find the contact details for the operators at [www.ov-chipkaart.nl/vervoerders](http://www.ov-chipkaart.nl/vervoerders).

### Processing of data on this website and My OV-chip

You can apply for My OV-chip on this website. You do this with a username and password. With an OV-chipkaart account, you will be able to view your journeys. You can also create a declaration overview, view your card details, change details and use a number of services.

This website uses analytical cookies in order to offer an optimal user experience, and we use functional cookies in order to save your preferences. We also place cookies from third parties, in order to display personalised advertisements. We want to place these to ensure that you are shown relevant OV-chipkaart advertisements on other websites. These third parties will be able to monitor your internet behaviour. You will need to explicitly accept placement of this marketing cookie (opt-in). We will not place a marketing cookie or marketing cookies without your consent.

**For more information, please see our cookie statement.**

#### **Recording of telephone calls**

Telephone calls are recorded for quality purposes when you phone us or when our Customer Services phone you. The recordings are stored for a period of 3 months.

#### **Anonymised processing of personal data**

We process your personal data in an anonymised form for test purposes. We do this prior to developing new services and making improvements to existing services. Translink has a legitimate interest in doing this. We will of course ensure that this data is as difficult as possible to trace back to an individual. If, as a passenger, you do not wish for your data, anonymised as far as possible, to be used for this purpose, you can object to this. Please do this using our email address: [privacy@ov-chipkaart.nl](mailto:privacy@ov-chipkaart.nl).

#### **4. Information management**

The public transport companies want to ensure that public transport is as efficient and effective as possible. The public transport companies therefore have an interest in obtaining insight into passengers' travel patterns. This information is also interesting to third parties, such as government institutions with a remit involving (public) transport and working to improve the service provided to passengers.

They obtain this insight through statistical research. The public transport companies have decided together which personal data may be used to obtain insight and in what way the personal data may be used. We call this Information Management. This is defined in a cooperation agreement between Translink and the public transport companies.

#### **What personal data do the operators use?**

The public transport companies have agreed that, in order to carry out statistical research into passengers' travel patterns, use can only be made of what is termed 'transaction data' and that customer data, such as your name or date of birth, cannot be used.

Transaction data is created when you check in and out with your OV-chipkaart and it can be read using the chip ID in your card. The data is used to handle your travel transactions. This is carried out by Translink. You can find the transaction data in the transaction overview for your OV-chipkaart

In accordance with privacy laws, the operators can also use transaction data for statistical research for the reasons that they have listed in their privacy statement.

The operators store the transaction data in a separate database at Translink, for statistical research. Before storing the data here, they first anonymise the data. This anonymisation encrypts the identifiable characteristics in the data. This means that the data cannot be traced back to an individual without additional information. Once the data has been anonymised, Translink creates research databases. These result in a statistical data set. With these aggregated, statistical research databases, we or other specialised companies can create information products. The research databases and information products do not contain any personal data.

### Central contact point

The operators have set up a central contact point, which you can use for any questions about processing of your personal data for the creation of research databases and information products. You can contact Translink via [privacy@ov-chipkaart.nl](mailto:privacy@ov-chipkaart.nl). You can also submit a request here in order to exercise your rights. If you do not want the public transport companies to use your transaction data for statistical research into travel patterns, you can let us know. Please send an email to [privacy@ov-chipkaart.nl](mailto:privacy@ov-chipkaart.nl). State your card number in the email and indicate clearly that you object to the use of the transaction data linked to the card provided for statistical purposes.

### Who do we share data with?

We process your data on behalf of the public transport companies. We have signed a data processing agreement in relation to this and it includes agreements about the protection and separate storage of your data.

We employ a third party for the anonymisation of the transaction data. The anonymisation makes it more difficult for your data to be linked to an individual. Translink then creates aggregated statistical research databases, which can no longer be traced back to an individual.

We, or other specialised companies, can create information products on the basis of these research databases. This allows us to identify trends in passenger flows, for example, which can be used to determine where new public transport routes need to be introduced. We can pass these kinds of information products on to government institutions and third parties with a remit involving (public) transport and improvement of the service provided to passengers. The information products do not contain any personal data.

- To operators and authorities, on the basis of execution of the agreement with the passenger;
- To researchers, on the basis of legitimate interest;
- To knowledge institutions, on the basis of legitimate interest;
- To parties with commercial objectives, on the basis of legitimate interest;
- To the public, on the basis of legitimate interest.

We will not pass your personal data on to any other person or legal entity outside the European Economic Area for these purposes.

### How long do we store your data for?

We store the transaction data and the anonymised transaction data for a maximum of 18 months after your journey.

## 5. Valys Travel Pass

The Valys Travel Pass allows you to travel both on public transport and using the Valys taxi. The Valys Travel Pass is a combined card intended for use by passengers who are entitled to travel with Valys but also wish to travel by public transport. When you apply for the Valys Travel Pass, two separate agreements are created. You enter into an agreement with Transvision B.V. for the Valys travel entitlement, so you can travel with Valys. You also enter into an agreement with Translink for the personal OV-chipkaart, so you can travel on public transport. When you apply for the Valys Travel Pass, Transvision B.V. will provide Translink with the following personal data relating to you:

- Valys pass number
- Name
- Address
- Gender (optional)
- Postcode and town or city
- Passport photo
- Date of birth
- Phone number

- Email address

The provision of this personal data to Translink by Transvision B.V. is necessary to produce a Valys Travel Pass in the form of a personal OV-chipkaart. Translink is responsible for the production, issuing and function of the OV-chipkaart as well as processing of travel transactions. Translink is the data controller when this personal data is processed for the OV-chipkaart.

The provision of personal data by Transvision B.V. to Translink for the Valys Travel Pass takes place on the basis of the underlying implementation agreement.

When you apply for the Valys Travel Pass, you accept the Transvision B.V. General Terms and Conditions and the OV-chipkaart General Terms and Conditions.

## **6. We protect your data**

Your data is your property. We therefore handle your data carefully and process and secure it according to the requirements of the General Data Protection Regulation (GDPR). Translink carries out regular audits to guarantee passengers' privacy.

## **7. Sharing of your data with third parties**

### **What we do not do**

Translink does not sell your data to third parties for marketing, sales and other business activities.

### **What we do**

Translink appoints third parties to carry out certain services, such as for the processing of forms and 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 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 providers of payment services, debt collection agencies, cloud and hosting companies, IT service providers, agencies that support Translink campaigns and research and consultancy firms.

Three organisations located outside the European Economic Area (EEA) process data on behalf of Translink. One of these organisations is located in Surinam and the other is located in Hong Kong. One of our suppliers with 'Binding Corporate Rules' also occasionally uses a subsidiary in India. Translink has made all agreements necessary with all three organisations, in order to protect your data correctly in accordance with Article 46 of the GDPR. If you would like further information about the agreements that Translink has made with these organisations, please contact Translink using the email address [privacy@ov-chipkaart.nl](mailto:privacy@ov-chipkaart.nl).

### **Processing of your data for use of OV-chipkaart as a form of identification**

If a participant in the OV-chipkaart system, such as an operator, uses the OV-chipkaart as a form of identification, we will only provide your internal chip number if you give consent for this. An example of an additional service is a subscription for the OV-fiets (bicycle).

### **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 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.

## 8. Your rights on the basis of privacy legislation

The GDPR allows you to exercise the following rights in relation to personal data:

- \* Right of access
- \* Right to rectification
- \* Right to erasure of data
- \* Right to restrict processing
- \* Right to data portability
- \* Right to object

The right of access to your personal data allows you to ask us which of your personal details have been registered and for which purposes these details are used. There are various ways to do this. If you would like access to your travel history, your travel products and the personal data you have provided, such as your name and address, we refer you in the first instance to the My OV-chip environment on this website and the OV-chipkaart app.

If you cannot find the information you are looking for on our website or our app, or you would like to exercise one of the other rights (as listed above) you can submit a request by post or email to Customer Services. If you provide Customer Services with specific details (such as what you would like access to) Customer Services will be able to handle your request quicker and more efficiently. You can find the contact details for our Customers Services department at the end of this document.

In order to identify you, we will ask you to send the following information to Customer Services.

- Your name
- Your date of birth
- Your OV-chipkaart number (the external number you can find on your OV-chipkaart)
- A screenshot of your My OV-chip environment

If you do not have a My OV-chip environment (and therefore cannot provide a screenshot for identification), we will ask you to identify yourself by sending a copy of your passport or ID card, on which your Citizen Service Number (Burgerservicenummer - BSN), photograph and signature have been made illegible.

We may also ask you to provide identification in the form of a copy of your passport or ID card if you submit a non-specific request (for access) to Customer Services. 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 in the letter. After handling of the request, we will destroy the copy of your passport or ID card (if this was provided).

### Correction of your data

You are entitled to have your personal data corrected if this is not accurate. To do this, you can contact Customer Services via [privacy@ov-chipkaart.nl](mailto:privacy@ov-chipkaart.nl). You will receive an answer in writing within four weeks.

### Objection to processing of your personal data by Translink

You can object to processing of your personal data by Translink if your personal data is used for purposes other than those necessary to perform an agreement or necessary to meet a legal requirement. You can object to use of your personal data for analytical, statistical and academic purposes, for example. To do this, you can contact Customer Services via [privacy@ov-chipkaart.nl](mailto:privacy@ov-chipkaart.nl).

### Right to be forgotten

In some cases, you have a right to deletion of your personal data. This right means that, in a number of cases, Translink must delete personal data if you request this. E.g. if you previously gave (express) permission to Translink for the use of your data, but you are now withdrawing this permission. Translink will then delete this data.



### **Right to data portability**

You have the right to receive the personal data that Translink holds for you. So you can easily pass this data on to another organisation that provides the same type of service. You can also ask Translink to transfer the data to another organisation directly.

### **9. How long is your data stored for?**

Translink stores data relating to transactions that you make using your OV-chipkaart for a maximum of 18 months. After this period, transactions, such as check-in and check-out data, can no longer be viewed in the public-transport travel history. OV-chipkaart Customer Services are also unable to answer questions relating to transactions more than 18 months old.

If your card expires or is terminated, the data linked to this card, such as the passport photo and other personal data, will be removed from Translink's systems within three months. The transactions will be deleted 18 months after termination of the card.

### **10. Complaints Procedure**

You can submit complaints to Customer Services at any time. If you are not satisfied with the handling of your complaint, you can appeal to the Public Transport Disputes Commission: Postbus 90600, 2509 LP, The Hague.

You also have the right to submit your complaint directly to the Dutch Data Protection Authority: Postbus 93374, 2509 AJ, The Hague.

### **11. Contact**

If you have further questions after reading this privacy statement, please contact us at [privacy@ov-chipkaart.nl](mailto:privacy@ov-chipkaart.nl). We will be happy to help you!

The Data Protection Officer at Translink is Ms A. Beugeling. She works with a privacy team to ensure that the privacy regulations are observed correctly. You can contact her using the following details:

- email: [FG@translink.nl](mailto:FG@translink.nl)
- telephone: +31 33 467 20 00
- Trans Link Systems B.V. attn. Ms A. Beugeling  
Postbus 1808  
NL - 3800 BV AMERSFOORT

### **Specific Translink privacy statements**

Privacy Statement <https://www.uitcheckgemist.nl/privacy>

Privacy Statement [www.ovpay.nl/nl/privacy](http://www.ovpay.nl/nl/privacy)