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Data Protection Policy

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Introduction

In its everyday business operations [The Competition Project, Inc. makes use of a variety of data about identifiable individuals, including data about:

- Current, past and prospective employees
- Customers
- Users of its websites
- Subscribers
- Other stakeholders

In collecting and using this data, the organization is subject to a variety of legislation controlling how such activities may be carried out and the safeguards that must be put in place to protect it.

The purpose of this policy is to set out the relevant legislation and to describe the steps The Competition Project, Inc. is taking to ensure that it complies with it.

This control applies to all systems, people and processes that constitute the organization's information systems, including board members, directors, employees,

suppliers and other third parties who have access to “COMPETITIONS” (The Competition Project, Inc.)

The following policies and procedures are relevant to this document:

- Data Protection Impact Assessment Process
- Personal Data Analysis Procedure
- Legitimate Interest Assessment Procedure
- Information Security Incident Response Procedure
- GDPR Roles and Responsibilities
- Records Retention and Protection Policy

Data Protection Policy

The General Data Protection Regulation 2016 (GDPR) is one of the most significant pieces of legislation affecting the way that carries out its information processing activities. Significant fines are applicable if a breach is deemed to have occurred under the GDPR, which is designed to protect the personal data of citizens of the European Union. It is The Competition Project, Inc.'s policy to ensure that our compliance with the GDPR and other relevant legislation is clear and demonstrable at all times.

Definitions

There are a total of 26 definitions listed within the GDPR and it is not appropriate to reproduce them all here. However, the most fundamental definitions with respect to this policy are as follows:

Personal data is defined as:

any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;

'processing' means:

any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;

'controller' means:

the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law;

Principles Relating to Processing of Personal Data

There are a number of fundamental principles upon which the GDPR is based.

These are as follows:

1. Personal data shall be:

- (a) processed lawfully, fairly and in a transparent manner in relation to the data subject ('lawfulness, fairness and transparency');
- (b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall, in accordance with Article 89(1), not be considered to be incompatible with the initial purposes ('purpose limitation');
- (c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed ('data minimization');
- (d) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay ('accuracy');
- (e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) subject to implementation of the appropriate technical and organizational measures required by this Regulation in order to safeguard the rights and freedoms of the data subject ('storage limitation');
- (f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorized or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organizational measures ('integrity and confidentiality').

2. The controller shall be responsible for, and be able to demonstrate compliance with, paragraph 1 ('accountability'). The Competition Project, Inc. will ensure that it complies with all of these principles both in the processing it currently carries out and as part of the introduction of new methods of processing such as new IT systems.

Rights of the Individual

The data subject also has rights under the GDPR. These consist of:

- a. The right to be informed
- b. The right of access
- c. The right to rectification
- d. The right to erasure
- e. The right to restrict processing
- f. The right to data portability
- g. The right to object
- h. Rights in relation to automated decision making and profiling.

Each of these rights are supported by appropriate procedures within The Competition Project, Inc. that allow the required action to be taken within the timescales stated in the GDPR.

These timescales are:

1. The right to be informed	When data is collected (if supplied by data subject) or within one month (if not supplied by data subject)
2. The right of access:	One month
3. The right to rectification:	One month
4. The right to erasure:	Without undue delay
5. The right to restrict processing:	Without undue delay
7. The right to object:	On receipt of objection
8. Rights in relation to automated decision making and profiling.	Not specified

Lawfulness of Processing

There are six alternative ways in which the lawfulness of a specific case of processing of personal data may be established under the GDPR. It is the policy of The Competition Project, Inc. to identify the appropriate basis for processing and to document it, in accordance with the Regulation. The options are described in brief in the following sections.

Consent

Unless it is necessary for a reason allowable in the GDPR, The Competition Project, Inc. will always obtain explicit consent from a data subject to collect and process their data. In case of children below the age of 16 (a lower age may be allowable in specific EU member states) parental consent will be obtained. Transparent information about our usage of their personal data will be provided to data subjects at the time that consent is obtained and their rights with regard to their data explained, such as the right to withdraw consent. This information will be provided in an accessible form, written in clear language and free of charge. If the personal data are not obtained directly from the data subject then this information will be provided to the data subject within a reasonable period after the data are obtained and definitely within one month.

Performance of a Contract

Where the personal data collected and processed are required to fulfill a contract with the data subject, explicit consent is not required. This will often be the case where the contract cannot be completed without the personal data in question e.g. a delivery cannot be made without a valid address for delivery purposes.

Legal Obligation

If the personal data is required to be collected and processed in order to comply with the law, then explicit consent is not required. This may be the case for some data related to employment and taxation for example, and for many areas addressed by the public sector

Vital Interests of the Data Subject

In a case where the personal data are required to protect the vital interests of the data subject or of another natural person, then this may be used as the lawful basis of the

processing. The Competition Project, Inc. will retain reasonable documented evidence that this is the case, whenever this reason is used as the lawful basis of the processing of personal data. As an example, this may be used in aspects of social care, particularly in the public sector.

Task Carried Out in the Public Interest

Where The Competition Project, Inc. needs to perform a task that it believes is in the public interest, or as part of an official duty, then the data subject's consent will not be requested. The assessment of the public interest or official duty will be documented and made available as evidence where required.

Legitimate Interests

If the processing of specific personal data is in the legitimate interests of The Competition Project, Inc. and is judged not to affect the rights and freedoms of the data subject in a significant way, then this may be defined as the lawful reason for the processing. Again, the reasoning behind this view will be documented.

Privacy by Design

The Competition Project, Inc. has adopted the principle of privacy by design and will ensure that the definition and planning of all new or significantly changed systems that collect or process personal data will be subject to due consideration of privacy issues, including the completion of one or more data protection impact assessments.

The data protection impact assessment will include:

- Consideration of how personal data will be processed and for what purposes
- Assessment of whether the proposed processing of personal data is both necessary and proportionate to the purpose(s)
- Assessment of the risks to individuals in processing the personal data
- What controls are necessary to address the identified risks and demonstrate compliance with legislation
- Use of techniques such as data minimization and pseudonymization will be considered where applicable and appropriate.

Contracts Involving the Processing of Personal Data

The Competition Project, Inc. will ensure that all relationships it enters into that involve the processing of personal data are subject to a documented contract that includes the specific information and terms required by the GDPR. For more information, see the *GDPR Controller-Processor Agreement Policy*

International Transfers of Personal Data

Transfers of personal data outside the European Union will be carefully reviewed prior to the transfer taking place to ensure that they fall within the limits imposed

by the GDPR. This depends partly on the European Commission's judgment as to the adequacy of the safeguards for personal data applicable in the receiving country and this may change over time.

Intra-group international data transfers will be subject to legally binding agreements referred to as Binding Corporate Rules(BCR) which provide enforceable rights for data subjects.

Data Protection Officer

A defined role of Data Protection Officer (DPO) is required under the GDPR if an organization is a public authority, if it performs large scale monitoring or if it processes particularly sensitive types of data on a large scale. The DPO is required to have an appropriate level of knowledge and can either be an in-house resource or outsourced to an appropriate service provider. Based on these criteria, The Competition Project, Inc. does not require a Data Protection Officer to be appointed.

Breach Notification

It is the policy of The Competition Project, Inc. to be fair and proportionate when considering the actions to be taken to inform affected parties regarding breaches of personal data. In line with the GDPR, where a breach is known to have occurred, which is likely to result in a risk to the rights and freedoms of individuals, the relevant supervisory authority will be informed within 72 hours. This will be managed in accordance with our Information Security Incident Response Procedure, which sets out the overall process of handling information security incidents.

Under the GDPR the relevant DPA has the authority to impose a range of fines of up to four percent of annual worldwide turnover or twenty million Euros, whichever is the higher, for infringements of the regulations.

Addressing Compliance to the GDPR

The following actions are undertaken to ensure that The Competition Project, Inc. complies at all times with the accountability principle of the GDPR:

- The legal basis for processing personal data is clear and unambiguous
- A Data Protection Officer is appointed with specific responsibility for data protection in the organization (if required)
- All staff involved in handling personal data understand their responsibilities for following good data protection practice
- Training in data protection has been provided to all staff
- Rules regarding consent are followed
- Routes are available to data subjects wishing to exercise their rights regarding personal data and such enquiries are handled effectively
- Regular reviews of procedures involving personal data are carried out
- Privacy by design is adopted for all new or changed systems and processes

The following documentation of processing activities is recorded:

- Organization name and relevant details
- Purposes of the personal data processing
- Categories of individuals and personal data processed
- Categories of personal data recipients
- Agreements and mechanisms for transfers of personal data to non-EU countries including details of controls in place
- Personal data retention schedules
- Relevant technical and organisational controls in place

These actions are reviewed on a regular basis as part of the management process concerned with data protection

Website Privacy Policy applicable to <https://competitions.org> – 25 May 2018

This privacy notice tells you about the information we collect from you when you use our website. In collecting this information, we are acting as a data controller and, by law, we are required to provide you with information about us, about why and how we use your data, and about the rights you have over your data.

Who are we?

We are

The Competition Project, Inc. (or commonly known as “COMPETITIONS”)

Our mailing address is:

1731 Fernwood Avenue

Louisville, KY 40205

U.S.A.

Our mailing address for subscriptions is:

COMPETITIONS

PO BOX 20445

Louisville, KY 40250-0445

You may also reach us by email at:

hotline@competitions.org

We are not required to have a data protection officer, so any enquiries about our use of your personal data should be addressed to the contact details above.

How we use your information

When you use our website

When you use our website to browse our products and services and view the information we make available, a number of cookies are used by us and by third parties to allow the website to function, to collect useful information about visitors and to help to make your user experience better. The cookies we use are strictly necessary for our website to function, and we don't ask for your consent to place these on your computer. You should know that you will encounter the use of cookies if you are a subscriber and

have a password to access blocked areas of our website. Also buying any product in our “store” will required the use of cookies. For all those just viewing competitions.org and not logging in as a subscriber or making a purchase, there should not be any use of cookies.

When you submit an enquiry via our website

When you submit an enquiry via our website, we ask you for your name, contact information and email address. We use this information to respond to your query, including providing you with any requested information about our products and services. We may also email you several times after your enquiry in order to follow up on your interest and ensure that we have answered it to your satisfaction. We will do this based on our legitimate interest in providing accurate information prior to a sale. Your enquiry is stored and processed as an email by us, which is hosted by [1&1 E-Mail and Online storage](#). Because of our website’s limited storage capacity on 1&1 E-mail, important communications are deleted based on our priorities, but usually are held no longer than six months.

When you purchase a product from our website store

When you purchase products from us online via authorize.net, you are asked for your name, address, email address and credit card information. Your information will be used to verify your credit card details for your purchase, process your order and to send you your products. You should also receive a receipt via email. In cas you have purchased a subscription, you will be entered into our subscriber database for the purpose of sending you our weekly Ezines and newsletters. We keep your order information for the duration of our contractual relationship.

Your rights as a data subject

By law, you can ask us what information we hold about you, and you can ask us to correct it if it is inaccurate. If we have asked for your consent to process your personal data, you may withdraw that consent at any time. If we are processing your personal data for reasons of consent or legitimate interest, you can request that your data be erased.

You have the right to ask us to stop using your information for a period of time if you believe we are not doing so lawfully. Finally, in some circumstances you can ask us not to reach decisions affecting you using automated processing or profiling.

To submit a request regarding your personal data by email, post or telephone, please use the contact information provided above in the Who Are We section of this policy.

Your right to complain

If you have a complaint about our use of your information, we would prefer you to contact us directly in the first instance so that we can address your complaint. However, you can also contact the Information Commissioner’s Office via their website at www.ico.org.uk/concerns or write to them at:
Information Commissioner's Office

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Updates to this privacy policy

We regularly review and, if appropriate, update this privacy policy from time to time, and as our services and use of personal data evolves. If we want to make use of your personal data in a way that we haven't previously identified, we will contact you to provide information about this and, if necessary, to ask for your consent.

We will update the version number and date of this document each time it is changed.