

Please read through this important legal information before installing and using the camera and/or the Home & Care services

Proximus public limited company of Belgian public law, hereafter referred to as "Proximus" draws your attention to the fact that the installation and use of cameras and/or the Home & Care services may require you to meet a number of important obligations arising from the privacy laws and the law on alarm systems applicable in Belgium.

You are informed of the contents of this leaflet in order to make you aware that you must do what is necessary to comply with these obligations. It is not this leaflet's aim to be comprehensive: only some pointers and examples are given here. Proximus cannot be held liable for the contents of this leaflet. You can find more information about your obligations on the website of the Commission for the Protection of Privacy (<http://www.privacycommission.be/nl/bewakingscameras>) and on the website of the Federal Government service for Interior Affairs (www.Vigilis.ibz.be).

Applicable legislation

If you install a camera to prevent or record criminal actions, the law concerning surveillance cameras will apply (Law of 21 March 2007 governing the installation and use of surveillance cameras).

If you install a camera for another purpose, such as to monitor children or an elderly family member, the general privacy law will apply (Law of 8 December 1992 on the protection of privacy with respect to the processing of personal data).

If you install a camera to monitor an employee such as maintenance staff, CLA No. 68 may apply (Collective Labor Agreement number 68 of 16 June 1998 on the protection of privacy of employees with respect to camera surveillance in the workplace) as well as the general privacy law.

Declaration of cameras to the Privacy Commission and the police

Depending on the type of location in which the camera is installed and the purpose for which the camera is used, you may be required to declare the camera to the commission on the protection of privacy. If you must make a declaration, you can do so online on "e-loket" (e-counter) which is available for that purpose at the Privacy Commission (see <http://www.privacycommission.be/nl/faq-themas/bewakingscamera/aangifte> or <http://www.privacycommission.be/fr/themes-des-faq/cameras-de-surveillance/declaration>). This declaration also serves as a report to the police superintendent. A declaration must be made no later than the day before the camera is due to be installed. A number of different scenarios are outlined below by way of example.

If you install a camera inside your home for household use (i.e. not to record a criminal activity) in a room that is not accessible to the public, you do not need to make a declaration. If you install a camera in an enclosed location that is accessible to the public, such as a doctor's home which is also accessible to patients, you are required to make a declaration.

A declaration must always be made if you place a surveillance camera on an outer wall of your home.

If the camera is used to monitor employees such as a babysitter or a nurse coming to your home, a declaration must also be made.

Installation and pictogram

A surveillance camera may only be pointed at a place for which you are responsible. The law prohibits you from using a surveillance camera to capture images of public places for which you are not responsible. If, for example, you wish to install an external camera to monitor the entrance to your home, the camera must be pointed at the entrance of your home and not at the pavement or your neighbors' home.

A surveillance camera must not be used to produce images which breach a person's privacy. A surveillance camera must not be used for the purpose of obtaining information about a person's philosophical, religious, political or union-related convictions, ethnic or social origin, sexual life or state of health.

A surveillance camera may never be used surreptitiously or secretly. Camera surveillance must be indicated with a pictogram (see Royal Decree of 10 February 2008 determining the manner in which camera surveillance should be indicated). The model of the pictogram is laid down by the law. Accessing a place in which the pictogram hangs is considered prior authorization. Please find herewith a sticker with the pictogram that you must put up at the entrance of an enclosed place where a surveillance camera is used. An enclosed place is a place which is visually or spatially demarcated with an enclosure. If you use the surveillance camera in a non-enclosed place which is freely accessible to the public or in an enclosed place which is accessible to the public but is not demarcated by an immovable structure, the sticker cannot be used and an aluminum plate must be put up with the pictogram.

Storage period

Once the storage space is full, the oldest stored images are automatically destroyed to make room for the new images. Under the law, the storage period for images captured by a surveillance camera may not exceed one month, unless the images can help prove a criminal action or damage or can identify a perpetrator, witness or victim.

Legislation on alarm systems

Besides the privacy laws, the legislation on alarm systems also applies to the Home & Care services (Royal Decree of 25 April 2007 establishing the conditions for installation, maintenance and use of alarm systems and management of alarm centers).

Under these regulations the use of Home & Care services must be reported to the government's "alarm systems" reporting center via the website www.policeonweb.be. Access to the reporting center is free of charge.

In addition, an annual maintenance service is required, among other things to make sure that no false alarm signals are generated.