

## Information obligation pursuant to Art. 13 and 14 GDPR Data protection information for patients in dolphin therapy

We take the protection of your data very seriously. We treat your personal data confidentially and in accordance with relevant data protection regulations and with this privacy statement. When you peruse this website, various kinds of personal data are collected. Personal data are data you can be identified with personally. The present privacy statement illustrates which data we collect and how we use them. It also illustrates how and for which purpose this happens. We would like for you to take note that data transmission on the internet (e.g. by communication via E-Mail) can be subject to security gaps. Complete protection of data from third party access is not possible.

### 1. Note on the responsible authority

Responsible authority for data processing is:

**delfine therapieren menschen e. V.**

**Angermunder Straße 9**

**D-40489 Düsseldorf**

Telephone: +49 (0)2 03 / 74 62 80

E-Mail: [info@delfine-therapieren-menschen.de](mailto:info@delfine-therapieren-menschen.de)

The responsible authority is the natural person or legal entity deciding alone or in conjunction with others about the purposes and means of personal data processing (e.g. names, E-Mail addresses etc.).

### 2. Processing of personal data

The responsible authorities have established a register of processing activities.

#### a. Categories of personal data processed:

Personal data are information relating to an identified or identifiable natural person. An identifiable 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. This includes among others basic data like your name, address, telephone number, flight-specific data e.g. your frequent flyer number, your language, country/location, date of birth, E-Mail address, payment information.

To realize a dolphin therapy as well as to organize your travels: information such as your identity card number, information on your medical history and medical data such as medication.

We do not process genetic or biometric data for definitive identification of a natural person or data on the gender orientation or the sexual activities of a natural person.

#### b. Data sources

We generally only process personal data we receive from you in the framework of your application for a dolphin therapy via the completed forms "Questionnaire for Parents/Care givers/Patient (Application Form - Part 1)" and "Travel Assistance - Request for Help".

#### c. Duration of storage

At the end of the dolphin therapy we will check whether we still need your data. Should the data not be needed anymore and statutory storage obligations (e.g. from the German Commercial Code, the German Criminal Code or the German Tax Code) not apply anymore, the data will be erased. Periodic erasure: Further personal data will be erased regularly, as soon as the statutory storage regulations have expired or these data will not be needed for the potential assertion of our interests. To this end, the responsible authority as stated in 1. have established an erasure concept.

#### d. Purposes of and legal basis for data processing

We process personal data in performance of our statutory mandate, on the basis of your declaration of consent, based on a legal basis for authorization or based on a legitimate interest in accordance

with Art. 6 GDPR. In those cases where data processing is based on a legal basis for authorization or on a legitimate interest according to Art. 6 1. lit. f) GDPR, legal or economic interests on the part of the responsible authority exist.

**e. Automated decision-making**

Automated decision-making pursuant to Art. 22 GDPR is not employed to establish and perform the contract.

### 3. Transfer and cross-border implications

Data recipients:

With regard to the recipients of your data, we differentiate between a transfer to public and non-public bodies. Your personal data are transferred to

**a. Public bodies (e.g. administrative bodies, courts of law)**

- inasmuch we are legally obliged
- inasmuch it is necessary for the fulfillment of our tasks or the tasks of the requesting public body or a legal basis exists

**b. Non-public bodies**

- inasmuch we are legally obliged or you have given prior consent to data transfer
- Processor: We transmit your personal data to:

Curaçao Dolphin Therapy Center, Bapor Kibra z/n Willemstad, Curaçao  
reiseart GmbH & Co. KG, Salzstraße 36, 48143 Münster

to enable the realization of a dolphin therapy.

Hereby we advise that we solely transmit those data to processors that are absolutely indispensable for fulfilling the specific contract (e.g. organization of travels, dolphin therapy). Apart from this, generally we will not transfer your data to third parties.

**c. Transfer to third countries**

Personal data are transferred to third countries since, in part, our processors reside in third countries. In the course of processing the contract, personal data will be transmitted to Curaçao.

**d. Adequacy decision**

For Curaçao, where the aforementioned therapy center is based and where the personal data are processed, currently no adequacy decision by the EU-commission exists pursuant to Art. 45 (1,3) GDPR. That means that, so far, the EU-Commission has not positively asserted that the country-specific level of data protection in Curaçao corresponds to that of the European Union based on the GDPR.

**e. Appropriate safeguards**

The GDPR requires so-called appropriate safeguards for the transmission of data to a third country or to international organizations, Art. 46 (2) GDPR. As an example, binding corporate rules for data protection approved by a supervisory authority, standard data protection clauses adopted by the EU have not currently been implemented by the therapy center.

However, we as the responsible body have entered into an individual contract with the processor that takes the stipulated requirements into account („Contract on commissioned processing of personal data: controller-processor agreement“). The respective authorization by the responsible supervisory authority has not yet been granted.

**f. Potential risks**

Potential risks that cannot be excluded currently are in particular:

- The therapy center could potentially transfer your personal data, beyond the scope of fulfilling the contract, to third parties using those data e.g. for marketing purposes
- You may not be able to sustainably assert or enforce your right to information against the therapy center.
- There may potentially be a higher likelihood that data may not be processed correctly since the technical and organizational measures the therapy center has available for the protection of personal data do not in full correspond to the requirements of the GDPR quantitatively or qualitatively.

Once the supervisory authority grants the pending authorization for the individual concluded contract, which provides a high level of data protection, the risks listed in 5. will be prevented to the fullest extent possible.

#### **4. Revocation of your consent for data processing**

Many data processing operations are only possible with your explicit consent. You can revoke an already given consent at any time. An informal notification via E-Mail will suffice. The lawfulness of any data processing that occurred prior to your revocation remains unaffected by the revocation.

#### **5. Right to object to the responsible supervising authority**

In case of infringements against GDPR regulations, the parties concerned have the right to object to a supervisory authority, in particular in the member state of their habitual residence, their work place or the place of the alleged infringement. The right to object remains, without prejudice to any other administrative or judicial remedies.

#### **6. Right to data portability**

You have the right to receive or have a third party receive data that we process automatically based on your consent or during the fulfillment of a contract, in a commonly used, machine-readable format. Inasmuch you demand a direct transmission of the data to another responsible authority, this will be done only where technically feasible.

#### **7. Information, blocking, erasure and rectification**

Within the framework of the applicable legal regulations, you have the right, at any time, to receive information without payment about your stored personal data, their origin and recipient and the purpose of data processing, and, where applicable, the right to rectification, blocking or erasure of those data. Concerning this or further questions, you can contact us at any time at the address given in the masthead.

#### **8. Right to restriction of data processing**

You have the right to demand restriction of the processing of your personal data. To this end, you can contact us at any time at the address given in 1. The right to restrict data processing applies in the following cases:

- If you contest the accuracy of the personal data stored with us, we generally need time to verify the accuracy of your claim. For the duration of the verification, you have the right to demand restriction of the processing of your personal data.
- If your personal data was/is processed in an unlawful manner, you can demand restriction of data processing instead of erasure.
- If we do not require your personal data anymore, but you require them for the establishment, exercise or defense of legal claims, you have the right to demand the restriction of your personal data instead of erasure.
- If you have objected pursuant to Art. 21 (1) GDPR, your interests must be weighed against ours. While it is being determined whose interests prevail, you have the right to demand restriction of the processing of your personal data.

In case you have restricted the processing of your personal data, these data may only be processed with your consent, or for the assertion, exercise or defense of legal claims, or for the protection of rights of another natural person or legal entity, or for reasons of public interest of the European Union or of a member state.



## 9. Right to object against the processing of data in specific cases as well as against direct marketing (Art. 21 GDPR)

If data are processed pursuant to Art. 6 (1) lit. e or f GDPR, you have the right to object against the processing of your personal data at any time on grounds of your particular situation; including profiling based on those provisions. The legal basis for processing data can be found in this privacy statement. If you object, we will no longer process your respective personal data, unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or the processing serves the assertion, exercise or defense of legal claims (objection pursuant to Art. 21 (1) GDPR).

Where your personal data are processed for direct marketing purposes, you have the right to object at any time to processing of your personal data for such marketing, which includes profiling to the extent that it is related to such marketing. If you object, your personal data will subsequently no longer be processed for the purposes of direct marketing (objection pursuant to Art. 21 (2) GDPR). Your objection may be sent in an informal manner and preferably via E-Mail to:

[info@delfine-therapieren-menschen.de](mailto:info@delfine-therapieren-menschen.de)