

Philadelphia Convention and Visitors Bureau EU Data Subject Rights Policy

1. Scope of Policy

This Data Subject Rights Policy explains the policies and procedures that the Philadelphia Convention & Visitors Bureau (“PHLCVB,” “we,” “us,” or “our”) applies in response to requests from individuals who are in the European Union to exercise their rights under the EU General Data Protection Regulation (EU) 2016/679 (the “GDPR”) in connection with the Personal Data (as defined below) that PHLCVB collects, handles, and processes and to the Personal Data that is collected, handled, or processed on behalf of PHLCVB by third-party agents, vendors, and service providers.

2. Definitions

As used in this Policy, the following terms shall have the meanings indicated.

- a. “Data” is information which is stored electronically or in paper-based filing systems.
- b. “Data Subject” includes living individuals that reside in the EU about whom PHLCVB holds Personal Data. An individual is treated as a Data Subject if he or she is located in the EU when he or she first engages with PHLCVB or if he or she subsequently provides to PHLCVB a residential address located in the EU. A Data Subject can be an identified or identifiable natural person; 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. Data Subjects include employees, customers, job applicants, prospective customers, users of PHLCVB’s websites, agents, and the employees of service providers, vendors, agents, and suppliers.
- c. “European Union” or “EU” means the political and economic union of member states listed here: https://europa.eu/european-union/about-eu/countries_en.
- d. “Personal Data” includes any Data relating to a Data Subject that enables identification of the Data Subject. Examples of Personal Data include but are not limited to names, dates of birth, identity card or driver’s license numbers, contact details, health information, financial information, and Data relating to the time, place, and manner of use by individuals of any of PHLCVB’s systems and websites.
- e. “Processing” (and its variants, including Process, Processed, Processes) is any activity that involves use or retention of Personal Data. Processing includes obtaining, recording or holding the Personal Data, or carrying out any operation or set of operations on the Personal Data including organizing, amending, retrieving, using, disclosing, erasing, or destroying the Personal Data. Processing also includes transferring or making available Personal Data to third parties.

3. Policy Standards and Procedures

- a. Data Subjects have the following rights under the GDPR regarding the Processing of their Personal Data:
 - i. Request access to or certain information about any Personal Data held by PHLCVB about the applicable Data Subject (“right of access”);
 - ii. Request to have inaccurate Personal Data rectified (“right of rectification”);

- iii. Request the erasure of their Personal Data (“right to be forgotten”);
- iv. Restrict the Processing of their Personal Data in certain circumstances (“right to restrict processing”)
- v. Request that their Personal Data be transferred to another Data Controller or provided in a format that will permit this transfer (“right to data portability”);
- vi. To object to Processing of their Personal Data in certain circumstances (“right to object”); and
- vii. To not be subject to decision making based solely on automated Processing, including profiling, in certain circumstances.

b. Responding to requests from Data Subjects

i. Deadline to respond:

- 1. If you receive a request from a Data Subject to exercise his or her GDPR rights, please contact DPO@discoverphl.com immediately because PHLCVB must respond to the request within mandatory time limits.
- 2. PHLCVB is required to respond to requests from Data Subjects to exercise their GDPR rights without undue delay, and at the latest within one month of receipt of the Data Subject’s request. This period may be extended by two further months where requests are numerous or complex.

ii. Verification of Data Subject identities:

- 1. Data Subjects may request to exercise their GDPR rights in writing or orally.
- 2. PHLCVB will take reasonable steps to verify the identity of a Data Subject before responding to that Data Subject’s request. These steps may include:
 - a. Asking the data subject to verify any user identification and/or password that he or she created in connection with the use of the PHLCVB website;
 - b. Sending a link to the email address PHLCVB possesses for the data subject so that the data subject can confirm the address; or
 - c. Asking the data subject to verify certain Personal Data PHLCVB possesses for the data subject, such as an address, email address, or phone number.
- 3. If PHLCVB is unable to verify the identity of the Data Subject, PHLCVB will deny the request and inform the Data Subject promptly of such denial. If, in response to being informed of such denial, the Data Subject confirms his or her identity using the means selected by PHLCVB, PHLCVB will reinstate the request and respond to it consistent with this Policy.

- iii. Personal Data possessed by third parties: In addition to applying to Personal Data that is possessed by PHLCVB, Data Subject requests also apply to Personal Data that is controlled by PHLCVB but in the custody or possession of third-party agents, vendors, or service providers that are Processing the Personal Data on behalf of PHLCVB.
- iv. Responding to requests for access:
 - 1. PHLCVB will provide to the Data Subject confirmation whether it is processing a Data Subject's Personal Data, and if asked, will provide the Data Subject with a copy of that Personal Data as well as a copy of the PHLCVB Privacy Policy which contains the following information:
 - a. The purposes of the Processing;
 - b. The categories of the Personal Data concerned;
 - c. The recipients or categories of recipients to whom the Personal Data has been or will be disclosed;
 - d. The data retention period or criteria used to determine same;
 - e. The existence of the right to request rectification or erasure of Personal Data or restriction of Processing of Personal Data concerning that Data Subject or to object to such Processing;
 - f. The right to lodge a complaint with the relevant data protection regulator;
 - g. When Personal Data was not collected from the Data Subject, any available information as to the Personal Data's source;
 - h. The existence of automated decision-making, including profiling, the logic involved, and the anticipated consequences of such Processing for the Data Subject; and
 - i. If Personal Data of a Data Subject is transferred out of the EU, the Data Subject must be informed of the appropriate safeguards in place.
 - 2. PHLCVB will provide one copy of the Personal Data free of charge but may charge a reasonable fee, based on administrative costs, for any further copy the Data Subject requests.
 - 3. Where the Data Subject makes the request by electronic means, and unless otherwise requested by the Data Subject, the information will be provided in a commonly-used electronic form.
- v. Responding to requests to rectify inaccurate Personal Data:
 - 1. PHLCVB will take reasonable steps to confirm that Personal Data that relates to the Data Subject is accurate and to correct the data if necessary. Taking into account the purposes of the processing, PHLCVB will also complete any incomplete Personal Data.

2. If rectification or completion is necessary, PHLCVB will inform recipients to whom that Personal Data have been disclosed, unless this proves impossible or involves disproportionate effort. PHLCVB also will inform the Data Subject about the recipients to whom his or her Personal Data has been disclosed if he or she requests it.
- vi. Responding to requests for erasure:
1. PHLCVB will erase the Personal Data of the Data Subject when one of the following grounds applies, unless one of the exceptions in paragraph 2 applies:
 - a. The Personal Data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
 - b. Where the legal basis for the Processing was consent, and the Data Subject withdraws consent and there is no other legal basis for the Processing;
 - c. Where the legal basis for the Processing was that it was necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in PHLCVB, or for the legitimate interests pursued by PHLCVB, and the Data Subject has objected to the Processing, and there are no overriding legitimate grounds for the Processing;
 - d. Where the Personal Data was Processed for direct marketing purposes, and the Data Subject objects to the Processing;
 - e. The Personal Data has been unlawfully Processed; or
 - f. The Personal Data has to be erased for compliance with a legal obligation in EU law.
 2. PHLCVB shall not erase Personal Data to the extent that Processing is necessary:
 - a. For exercising the right of freedom of expression and information;
 - b. For compliance with a legal obligation which requires Processing by EU law or for the performance of a task carried out in the public interest or in the exercise of official authority vested in PHLCVB;
 - c. For reasons of public interest in the area of public health;
 - d. For archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in so far as any erasure is likely to render impossible or seriously impair the achievement of the objectives of that processing; or
 - e. For the establishment, exercise, or defense of legal claims.

3. PHLCVB will inform recipients to whom that Personal Data has been disclosed of the request for erasure, unless this proves impossible or involves disproportionate effort. PHLCVB also will inform the Data Subject about the recipients to whom his or her Personal Data has been disclosed if he or she requests it.
- vii. Responding to requests for restriction of processing:
1. PHLCVB will restrict the Processing of Personal Data where one of the following applies:
 - a. The accuracy of the Personal Data is contested by the Data Subject, for a period enabling PHLCVB to verify the accuracy of the Personal Data;
 - b. The Processing is unlawful and the Data Subject opposes the erasure of the Personal Data and requests the restriction of their use instead;
 - c. PHLCVB no longer needs the Personal Data for the purposes of the Processing, but they are required by the Data Subject for the establishment, exercise, or defense of legal claims;
 - d. The data subject has objected to Processing pending the verification whether the legitimate grounds of PHLCVB override those of the Data Subject.
 2. When a Data Subject has exercised his or her right to restrict Processing of his or her Personal Data, PHLCVB is permitted to store the Personal Data but not further Process the Personal Data. PHLCVB can only continue to Process the Personal Data where:
 - a. The Data Subject consents;
 - b. The Processing is necessary for the establishment, exercise, or defense of legal claims;
 - c. The Processing is necessary for the protection of the rights of other individuals or legal persons; or
 - d. The Processing is necessary for public interest reasons.
 3. A Data Subject who has obtained restriction of Processing pursuant to paragraph 1 shall be informed by PHLCVB before the restriction of processing is lifted.
 4. The following methods may be used to restrict Processing the Personal Data:
 - a. Temporarily moving the selected Personal Data to another processing system;
 - b. Making the selected Personal Data unavailable to other users; or
 - c. Anonymizing or encrypting Personal Data.

5. With respect to Personal Data contained in automated filing systems, PHLCVB will assess whether and how to achieve the restriction of Processing by technical means as needed.
- viii. Responding to requests for data portability:
1. PHLCVB shall provide to the Data Subject any Personal Data concerning him or her that was provided by the Data Subject to PHLCVB.
 2. The Personal Data shall be provided in a structured, commonly used and machine-readable (i.e., electronic) format.
 3. When requested, PHLCVB shall transmit that Personal Data to another controller without hindrance from the controller.
 4. This right to portability only applies when (i) the lawful basis for the Processing was consent of the Data Subject or because Processing was necessary for the entry into or performance of a contract to which the Data Subject is a party; and (ii) the Processing is carried out by automated means.
 5. This right does not extend to Personal Data generated by PHLCVB or provided to PHLCVB from a source other than the Data Subject.
- ix. Responding to objections to Processing:
1. When the Data Subject objects to Processing of Personal Data concerning him or her which is based on (i) being necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in PHLCVB or (ii) being necessary for the purposes of the legitimate interests pursued by PHLCVB, PHLCVB shall no longer process the personal data unless PHLCVB demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the Data Subject or for the establishment, exercise, or defense of legal claims.
 2. Where Personal Data is Processed for direct marketing purposes, the Data Subject shall have the right to object at any time to Processing of Personal Data concerning him or her for such marketing, which includes profiling to the extent that it is related to such direct marketing.
 3. Where Personal Data is Processed for scientific or historical research purposes or statistical purposes, the Data Subject shall have the right to object to Processing of Personal Data concerning him or her, unless the Processing is necessary for the performance of a task carried out for reasons of public interest.
- x. Automated decision-making:
1. PHLCVB may use automated processing of Personal Data (including profiling) if it is:
 - a. Necessary to enter into, or to perform, a contract between a Data Subject and PHLCVB;

- b. Authorized by EU law; or
- c. Based on the Data Subject's explicit consent.

2. In the case of contract performance and explicit consent, PHLCVB must implement suitable measures to safeguard the Data Subject. At a minimum, the safeguard must include a means for the Data Subject to obtain human intervention to express his or her point of view and to contest the decision.

c. Record keeping

- i. PHLCVB shall retain a log of Data Subject requests to exercise their GDPR rights (including requests made orally) and PHLCVB's responses to those requests, including the following:
 - 1. Date and time of request
 - 2. Name of Data Subject
 - 3. Nature of request
 - 4. PHLCVB's response (including if PHLCVB denied the request and its basis for doing so)
- ii. PHLCVB shall delete entries in the log that are older than five years, unless PHLCVB is otherwise required by law to retain those entries or if other legal or compliance purposes justify the continued retention of those entries.

4. Policy Review

PHLCVB will review this Data Subject Rights Policy once per year.

5. Revision History

Date of Change	Responsible	Summary of Change