

PREAMBLE

This document is intended to be a practical tool at the service of people, businesses and organizations that operate a website using personal data. The recommendations set out in this text - which is not comprehensive - are developed from the provisions of the law 09-08 relating to the protection of natural persons with regard to the processing of personal data and its application texts.

1 Affected websites

This guide is intended for natural and legal persons who operate websites using personal data (for example: surname, first name, address, email, telephone number, CNJ number, bank card number, photo, video deco...).

2 Obligation to notify the processing to the CNDP

Any website manager who collects and processes personal data is required by Law 09-08 to notify the CNDP of the processing operations implemented on said site.

3 Method of notification

Before implementing personal data processing on site web, it should be notified to the CNDP by means of:

a request for authorization if the data processed relate to the

number of the national identity card or on data sensitive (racial or ethnic origins, political opinions, religious or philosophical beliefs, trade union membership, genetic or health-related data); or

a prior declaration in other cases;

a request for transfer abroad in the event of accommodation and storage of personal data on servers located abroad.

NB

The formalities and forms for prior declaration, request authorization and transfer request are available on the website CNDP web ([www.cndp.ma](#)).

The CNDP only examines a request for a transfer abroad after have authorized the basic processing (obtaining by the person responsible for processing of the declaration receipt or authorization).

4 data collection

When collecting personal data on a website (using for example of a form) on the occasion of a registration, an opening account, an online purchase, a reservation, or any other transaction, it is imperative of:

inform internet users of the characteristics of the processing: identity of the data controller who operates the site, the purposes of the ment, the recipients of the data, the mandatory or optional nature answers to questions, the existence of a right of access, rectification and - for legitimate reasons - a right of opposition, the service with from which these rights are exercised, the receipt number of the declaration or the authorization issued by the CNDP;

request the consent of Internet users to the processing of their data personal births.

Notes:

The acceptance box must not be pre-checked in order to allow the Internet user to read and take cognizance of the relative legal notices to the processing of his personal data by the site.

"The general conditions of use" (or any equivalent link: men- legal notices, charter of use, general conditions of sale, etc.) must contain a notice relating to the protection of personal data.

IDENTITY OF WEBSITES

Sample data collection form personal

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5 Standard clause and reference on data protection personal

5.1- Standard clause (to be provided for in the "general conditions" section, "Legal notices" or equivalent)

..... (Indicate the identity of the controller who uses the site)

The information collected on the www site is subject to a processing intended for (specify the purpose)

The recipients of the data are: (specify)

In accordance with the law n° 09-08 promulgated by the Dahir 1-09-15 of February 18, 2009, relating to the protection of individuals with regard to the processing of personal data, you have the right to access and rectify information which concern you, which you can exercise by contacting to: (specify an address, an email or a service...).

You can also, for legitimate reasons, oppose that the data concerning you are processed - is lying.

This processing has been notified and authorized by the CNDP in accordance with the passed / of authorization n° of.../.../....

5.2- Standard mention (to be included in the data collection form for example)

In accordance with law 09-08, you have the right to access, rectify and opposition to the processing of your personal data. This treatment has been authorized by the CNDP under the number....

6 Proportionality of the data collected

In accordance with the principle of proportionality, it is not necessary to collect and process that the data strictly necessary for the achievement of the purposes of the fully pursued by the website manager.

7 Security and confidentiality measures

Measures must be implemented to ensure confidentiality and the security of the personal data recorded to prevent them from being destroyed, distorted, damaged or accessible to unauthorized third parties, in particular by making employees aware of their obligations and by the restriction of access according to the attributions and responsibilities of each employee, the use of secure IT systems and possibly the use of encryption of certain data during their storage and / or transmission.

When the website manager calls on a subcontractor to process personal data, he is required to choose a subcontractor who provides sufficient guarantees with regard to technical security measures and organizational. On the other hand, carrying out sub-processing contracting must be governed by a contract or legal act that binds the subcontractor dealing with the website manager.

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8 Data retention period

When a site is called upon to process personal data, it must not be kept only as long as necessary to achieve the purpose of the transaction, definitely.

9 Direct prospecting

Personal data processed by a website cannot be used for the purpose of direct prospecting for a product or service, unless the Internet user:

expresses their prior consent at the time of collection; or

has previously benefited from a similar product or service provided by the same site manager.

In all cases, an Internet user has the right to oppose, free of charge, that he prospecting messages are sent. For this purpose, the person in charge of processing must provide - on the occasion of any prospecting message - a telephone number, an email address or any other means allowing to unsubscribe from the list of prospects

10 Cookies

A website that uses cookies calling on personal data nelles must obtain the consent of the Internet user before submitting these Cookies. Likewise, it must specify the purpose of the use of cookies and explain to the Internet user the means to oppose it.

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