

ING Belgium convicted for misuse of customer data

BRUSSELS – The court of appeal in Brussels has found ING Belgium guilty of violations of the law on privacy and dishonest commercial practices. The bank used customer data to monitor independent bank agents, *De Tijd* writes. A financial penalty of 10,000 euro per violation has been attached to the conviction.

ING Belgium had discovered in two independent bank offices that the figures were declining. As the bank directors could give no good explanation, ING themselves went looking for an answer. After a radioscapy of the payment data it was proven that the two agents sold products of competitive financial institutions, which is incompatible with the exclusive contract. ING immediately discontinued cooperation with the agents.

In May 2003 however, ING was summoned before the commercial court in Brussels by the Professional Association of Independent Bank Agents (Beroepsvereniging voor Zelfstandige Bankagenten, BZB) and the Federation of Insurance and Financial Intermediaries (Federatie voor Verzekerings- en Financiële Tussenpersonen).

According to them, ING could not use customer data as evidence in disputes with independent bank agents. In October 2003, they the judge found in favour of them, but ING Belgium lodged an appeal against the sentence.

In a judgment on 15 February, the court of appeal in Brussels upheld the conviction.

According to the court, the bank may use the payment data of customers for commercial purposes, the central administration of customers or for the control of operations, but not for the control of its agents and employees.