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## 1. Lexicon

**H.Essers:** H.Essers en Zonen Internationaal Transport N.V.

## 2. Purpose

This document describes H.Essers' policies on user data collection and usage in accordance with the GDPR requirements.

## 3. Scope

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Applicable for ISMS Annex A18.

## 4. Responsibility

The GDPR Steerco Team is responsible for this procedure and responsible for executing this procedure when needed.

## 5. References

N/A

## 6. Process

### 6.1. General

### 6.2. Introduction

This privacy policy tells you what you can expect from H.Essers regarding your personal data when you contact us or use any of our services. In what follows we will tell you why we process your data, for what purpose we process it, why you need to provide it to us and how long we store it. We will also mention whether there are other recipients of your personal data, whether we intend to transfer it to another country, and whether we make automated decisions or use profiling.

In collecting and using this data, the organization is subject to a variety of laws that control how such activities can be carried out and what safeguards must be in place to protect them.

The purpose of this policy is to set out the relevant legislation and describe the steps H.Essers takes to ensure compliance with this legislation.

This control applies to all systems, people and processes that constitute the organization's information systems, including board members, employees, suppliers and other third parties who have access to H.Essers' systems.

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### 6.3. Identity

H.Essers & Zonen Internationaal Transport NV, with registered office at Transportlaan 4 3600 in Belgium, registered in the Register of Legal Persons, with VAT-number 0401.296.720, hereby legally represented by Alro bv, represented by Gert Bervoets, CEO H.Essers.

### 6.4. GDPR (General Data Protection Regulation)

The General Data Protection Regulation (GDPR) is one of the most important pieces of legislation that affects the way H.Essers carries out processing activities.

GDPR was transposed in Belgium by the 'Data Protection Act' of 30 July 2018.

Significant fines can be imposed if there is a breach under GDPR, which is designed to protect the personal data of citizens of the European Union. This policy of H.Essers ensures that our compliance with GDPR and other relevant legislation is clear and demonstrable at all times.

### 6.5. Definitions

#### 6.5.1. Personal Data

Any information relating to an identified or identifiable natural person ('data subject'); 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;

#### 6.5.2. Processing

Any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;

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### 6.5.3. Controller

The natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law;

### 6.5.4. Principles

Personal Data shall be:

- (a) processed lawfully, fairly and in a transparent manner in relation to the data subject ('lawfulness, fairness and transparency');
- (b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall, in accordance with Article 89(1), not be considered to be incompatible with the initial purposes ('purpose limitation');
- (c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed ('data minimisation');
- (d) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay ('accuracy');
- (e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) subject to implementation of the appropriate technical and organisational measures required by this Regulation in order to safeguard the rights and freedoms of the data subject ('storage limitation');

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(f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures ('integrity and confidentiality').

The controller shall be responsible for, and be able to demonstrate compliance with, paragraph 1 ('accountability').

## 6.6. Statement

H.Essers will ensure that it complies with all of these principles both in the processing it currently carries out and as part of the introduction of new methods of processing such as new IT systems.

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## 6.7. Data Transparency

### 6.7.1. What personal data do we collect?

We process various types of personal data relating to you that you provide to us yourself through our website or other communication channels.

When you visit our website, we collect and process:

- Technical information related to the device you are using, such as your IP address, browser type, geographical location and operating system.
- Information related to your browsing habits, such as the time you spend on a page, which links you click, which pages you visit and how often you visit a particular page.

When you fill out our contact form or contact us, we collect and process:

- The personal identification data you provide us, such as your name, email address, phone number, organization.
- The content of the message and its technical details (with whom of us you are communicating, the date, time, etc.);
- Any other personal data you provide to us.

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When you sign up for our newsletter, we collect and process:

- Personal identification data such as name and email address

When you negotiate, conclude and perform a contract with us, we collect and process:

- Your personal identification information, such as your name, email address, employer and position;
- Your signature;
- Any other personal data you provide to us during the term of the contract.

When we deliver certain services to you, we collect and process:

- Your contact and billing information

When you apply for a job on our job website, we collect and process:

- The personal identification data you provide us, such as your name, email address, phone number, organization.
- CV with all relevant information such as education, work experience, interests, etc....
- Any other personal data you provide to us through the cover letter or CV.

### 6.7.2. Why do we process your personal data?

We process your personal data for a number of reasons, including to enable you to visit our websites and to communicate with us. In this article we provide you with an overview of all the reasons why we process your personal data.

We process your personal data for the following reasons:

- a) To provide you with the requested information and services in a personalized and efficient manner;
- b) To carry out statistical analyses and to be able to improve our websites and services;
- c) To be able to process and perform the contract to which you or your company or employer is a party, including the administration thereof;
- d) To be able to defend ourselves and our interests in legal proceedings;
- e) For security reasons and to be able to detect, prevent and report abuse;
- f) To notify any third party in the context of a possible merger with, acquisition of/by or spin-off by that third party, even if that third party is located outside the EU;

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g) To comply with our legal obligations and any valid request from police, judicial or governmental authorities.

### 6.7.3. Lawful processing of your personal data

The law requires us to clarify which legal ground we rely on to process your personal data (e.g. your consent). In this article, we indicate for each purpose, as mentioned above, which legal ground we use.

Data protection legislation requires us to tell you precisely which legal ground we are relying on to make the processing of your personal data lawful. We must do this for each of the purposes listed in the previous section.

For the purpose under (a), we rely on your consent. For sending newsletters, advertising, promotions and offers, we will always ask you for your express prior consent, which you can withdraw at any time. You can unsubscribe in the e-mails we send you.

For the purpose under (g) we need to process your personal data to comply with our legal obligations.

For the purposes under (b) to (f), we process your personal data because it is necessary for the protection of our legitimate interests, which in this case relate to:

- monitoring the quality level of our websites and services;
- Being able to conduct our administration and services in a normal and professional manner;
- Obtaining insight into the way in which the websites are used;
- our commercial interests to improve and expand our customer relationships, activities and services;
- our interest in the context of safety and security;

### 6.7.4. Who receives your personal data?

We do not sell or disclose to third parties the personal data we have collected, except as described in this Privacy Policy or as disclosed to you at the time of collection.

We may share personal information with affiliated entities or with third party data processors on our behalf. When these service providers act as data processors on our behalf, we do not permit them to use or disclose this information in a way that is inconsistent with the cases described in this Privacy Policy. We require these data processors to ensure the privacy and security of the personal data they process on our behalf.

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We may also disclose your personal data:

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- When certain legislation or legal proceedings require us to do so;
- When government agencies require us to do so;
- when we believe that disclosure is necessary and appropriate to prevent physical integrity or any financial loss, or in connection with an investigation of suspected or actual fraudulent and illegal activities.

We reserve the right to transfer personal data in the event that we sell part or all of our business or assets. If such a sale occurs, we will take all reasonable steps to encourage the transferee to process the personal data provided to us properly and in a manner consistent with our Privacy Policy.

#### 6.7.5. How long do we keep your personal data?

We will retain your personal data only to the extent and for as long as necessary to achieve the purposes set out in the previous section.

Your personal data will only be processed for as long as necessary to achieve the purposes listed above or until you withdraw your consent to processing. We will de-identify your personal data when it is no longer needed for these purposes, unless:

- There is a prevailing interest of H.Essers or third parties in keeping your personal data identifiable;
- A legal or regulatory obligation or a court or administrative order prevents us from de-identifying the data.

#### 6.7.6. Security and Confidentiality

H.Essers guarantees that the processing of your personal data is performed in an adequate, correct and secure manner. Appropriate technical and organizational measures have been taken to prevent any loss, falsification or unlawful alteration of, as well as unlawful access to, the personal data.

### 6.8. Data Management

#### 6.8.1. Rights of the Data Subject

The data subject also has rights under GDPR. These consist of:

- the right to information
- the right of access
- the right to rectification

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- the right to erasure
- the right to restrict processing
- the right to data portability
- the right to object
- rights related to automated decision-making and profiling.

Each of these rights is supported by appropriate procedures within the client's company that allow for the necessary action to be taken within the timeframes set out in the GDPR.

These timelines are outlined below.

Request data subject	Term
The right to information	When data is collected (if provided by data subject) or within one month (if not provided by data subject)
The right of access	1 month
The right to rectification	1 month
The right to erasure	Without any reasonable delay
the right to restrict processing	Without any reasonable delay
The right to data portability	1 month
The right to object	Upon receipt of the objection
Rights related to automated decision-making and profiling	Not specified

### 6.8.2. Right of access, correction, deletion and portability

Under the law, you can ask us what information we hold about you and you can ask us to correct it if it is incorrect. If we have requested your consent to process your personal data, you can withdraw that consent at any time.

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If we process your personal data for reasons of consent or to perform a contract, you can ask us to give you a copy of the information in machine-readable form so that you can pass it on to another provider.

If we process your personal data for reasons of consent or legitimate interest, you may request that we delete your data.

### 6.8.3. Right to restrict or object

The data subject has the right to object to processing based on the following legal grounds:

- For the performance of a task of public interest or in the exercise of public authority entrusted to the data controller
- In the context of the legitimate interests of the controller

After an objection has been made, H.Essers must justify the grounds on which the processing is based and suspend the processing until this has been done. If personal data is used for direct marketing, we have no choice but to stop processing the data.

### 6.8.4. Consent

The data subject has the right to withdraw consent where the legal basis for the processing of their personal data is that of consent (i.e. the processing is not based on any other justification permitted by the GDPR, such as contractual or legal obligation).

Before excluding the data subject's personal data from processing, it must be confirmed that consent is indeed the basis of the processing. If not, the request may be rejected on the basis that the processing does not require the consent of the data subject. Otherwise, the request must be granted.

In many cases, giving and withdrawing consent will be available electronically, i.e. online, and this procedure is not required.

When the consent relates to a child (defined in Belgium by the age of - 13 years)) the giving or withdrawal of consent must be approved by the person who has parental responsibility for the child.

### 6.8.5. Automatic decision-making and profiling

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The data subject has the right not to be subjected to automated decision-making when the decision has a significant effect on him, and can insist on human intervention where necessary. The data subject also has the right to express their views and challenge decisions.

There are exceptions to this right, namely if the decision is:

- necessary for a contract
- permitted by law
- based on the explicit consent of the data subject.

When evaluating this type of request, it must be assessed whether the above exceptions apply in the specific case in question.

#### 6.8.6. Request

To submit a request regarding your personal data by email, please use the following email address [privacy@essers.com](mailto:privacy@essers.com).

### 6.9. Data Governance

#### 6.9.1. Compliance

We have in place effective technical, organizational and physical safeguards to protect your personal data against accidental or unlawful destruction, accidental loss, unauthorized alteration, disclosure or access, against misuse and any other unlawful processing of the personal data in our possession.

The security measures taken vary depending on the type of data processed and how it was collected and/or stored. When you provide certain personal data online, we use Secure Socket Layer (SSL) technology that meets the industry standard for encryption on the Internet. This technology protects the personal information you provide by making all data sent from your computer to our server inaccessible. We also use digital certificates to assure you that you are connected to secure channels.

#### 6.9.2. Complaints

Have you read our privacy policy in full, but haven't found an answer to your question yet? Please ask your question about your privacy at [privacy@essers.com](mailto:privacy@essers.com). There we will answer your question as soon as possible.

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In addition, H.Essers also has a GDPR Steerco Team. These people watch over the protection of your data at H.Essers. Our team will be happy to answer your questions at [privacy@essers.com](mailto:privacy@essers.com).

If you do not receive an answer or you are not satisfied with the answer received, you have the right to file a complaint with the supervisory authority.

In Belgium, this is the "Data Protection Authority (GBA)". You can find more information about this on their website.

### 6.9.3. Adjustments

This policy was updated on 01/04/2022.

This privacy policy may be modified, if our services or applicable legislation require it. This means that we are constantly looking for a better service your size. It is possible that there will be new applications in which we will collect or want to use your data in a different way. Of course, we will let you know when there are important changes, and ask for your permission if necessary.

## 7. Records

N/A