



DATA PROTECTION NOTICE

Smet Group

1. INTRODUCTION

Smet Group¹, hereinafter referred to as the "**Company**", attaches great importance to the safe, transparent and confidential collection and processing of your personal data. In particular, we want to protect the data of our customers, subcontractors and suppliers against, among other things, loss, leaks, errors, unauthorised access or unlawful processing.

By means of this Data Protection Notice, we want to inform you about the collection and processing of your personal data.

We ask that you read this Data Protection Notice carefully, as it contains essential information about how your personal data are processed and for what purpose.

By submitting your personal data, you expressly acknowledge and agree to be bound by this Data Protection Notice and the processing itself.

This Data Protection Notice has been drawn up in cooperation with Confederatie Bouw.

2. SCOPE

This Data Protection Notice applies to all services provided by us and, in general, to all activities we carry out.

3. CONTROLLER AND ITS COMMITMENTS

The Company is the controller of your personal data.

When collecting and processing your personal data, we comply with the Belgian regulations on the protection of personal data, as well as with the General Data Protection Regulation ("**GDPR**") as from its entry into force on 25 May 2018.

4. PERSONAL DATA

Depending on your activities and your relationship with our company, you will provide us with the following personal data: your identity and contact details (name, title, address, e-mail address, telephone and mobile phone number). For certain specific legal obligations (electronic attendance registration, 30bis declaration of works), you may be required to provide us with additional data to register your attendances (such as E-ID details, Limosa number).

We kindly point out that you are responsible for all the information you provide to us and that we rely on its accuracy. If your details are no longer up-to-date, we ask you to inform us immediately.

¹ Smet Group is the umbrella term for the following Smet companies: Smet-Boring nv, Smet-Tunnelling nv, Smet GWT Europe nv, Smet Group Overseas nv, Smet-F&C nv, Smet Pile nv, Smet Group Nederland bv, Smet Techniques Spéciales sarl and Smet-Keller Funderingstechnieken vof



You are not obliged to provide your personal data, but you will appreciate that the provision of certain services or cooperation becomes impossible if you do not consent to the collection and processing thereof.

5. **PROCESSING PURPOSES AND LEGAL BASIS**

5.1 Customer data

As part of our services and activities, we collect and process the identity and contact details of our customers and clients, their staff, employees, appointees and other useful contact persons. The reason for these processing operations is for the purposes of the implementation of the agreements with our customers, customer management, accounting, legally required reports and registrations, as well as direct marketing activities, such as the sending of promotional or commercial information. The legal grounds are the execution of the contract, the fulfilment of legal and regulatory obligations (such as, for example, the 30bis declaration of works) and/or our legitimate interest.

5.2 Details of suppliers and subcontractors

We collect and process the identity and contact details of our suppliers and subcontractors, as well as their (sub)subcontractor(s), their personnel, employees, appointees and other useful contacts. The reason for these processing operations is for the purposes of the execution of this agreement, the management of the suppliers/subcontractors, the accounting, the legally imposed notifications and registrations and direct marketing activities such as the sending of promotional or commercial information. The legal grounds are the execution of the agreement, the fulfilment of legal and regulatory obligations (such as, for example, the compulsory electronic attendance registration, the 30bis declaration of works, the attendance list or other obligations at public contracts, etc.) and/or our justified interest (such as for direct marketing). For the electronic registration of attendance, the E-ID data or the Limosa number are also processed as the case may be. For direct marketing activities by e-mail (such as a newsletter or invitation to events), permission will always be requested and can also be withdrawn at any time.

5.3 Personnel data

We process the personal data of our employees as part of our personnel management and payroll administration. In view of its specific nature, this processing is regulated in more detail in an Employee Data Protection Policy.

5.4 Other data

In addition to customer, supplier/subcontractor and personnel data, we also process personal data of others, such as possible new customers/prospects, useful contacts within our sector, network contacts, expert contacts, etc. The purposes of these processing operations are in the interest of our activities, direct marketing and public relations. The legal basis is our legitimate interest or, in some cases, the implementation of a contract.

6. **DURATION OF PROCESSING**

The personal data will be stored and processed by us for a period of time that is necessary in relation to the purposes of the processing and the (contractual or otherwise) relationship that we have with you.

In any event, customer data and data from suppliers or subcontractors will be deleted from our systems after a period of ten years from the end of the year in which the agreement was terminated or the project is removed, except in respect of such personal data which we are required to retain for a longer period under specific legislation or in the event of an ongoing dispute for which the personal data are still required.



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7. RIGHTS

In accordance with, and subject to, the terms of the Belgian privacy legislation and the provisions of the General Data Protection Ordinance, we inform you that you have the following rights:

- Right of access and perusal: you have the right to consult, free of charge, the data that we have about you and to find out for what purpose they are used.
- Right to rectification: you have the right to obtain rectification (correction) of your incorrect personal data, as well as to complete incomplete personal data.
- Right to data erasure or restriction: You have the right to ask us to erase your personal data or to limit their processing under the circumstances and under the conditions laid down by the General Data Protection Ordinance. We may refuse the deletion or limitation of any personal data that are necessary for us to carry out a legal obligation, the performance of the contract or our legitimate interest, for as long as these data are necessary for the purposes for which they were collected.
- Right to transferability of data: you have the right to obtain the personal data you have provided to us in a structured, common and machine-readable form. You have the right to transfer these data to another data controller.
- Right to objection: you have the right to object to the processing of your personal data for serious and legitimate reasons. Please note, however, that you cannot oppose the processing of personal data that are necessary for us to carry out a legal obligation, the execution of the agreement or our justified interest, as long as these data are necessary for the purposes for which they were collected.
- Right of withdrawal of consent: If the processing of personal data is based on prior consent, you have the right to revoke this consent. These personal data will only be processed if we have another legal basis for doing so.
- Automatic decisions and profiling: we confirm that the processing of personal data does not include profiling and that you will not be subjected to fully automated decisions.

You can exercise the aforementioned rights by contacting the responsible GDPR of the Company on +32 (0)14/38.96.96.

We make every effort to handle your personal data in a careful and legitimate manner in accordance with the applicable regulations. Nevertheless, if you believe that your rights have been violated and you have not been heard by our company for your concerns, you are welcome to lodge a complaint with us, the Commission for the Protection of Privacy:

Commissie voor de Bescherming van de Persoonlijke Levenssfeer
Drukpersstraat 35, 1000 Brussel
Tel. 02 274 48 00
Fax. 02 274 48 35
E-mail: commission@privacycommission.be

You may also apply to a court of law if you believe that you would suffer damage as a result of the processing of your personal data.



8. **TRANSFER TO THIRD PARTIES**

Certain personal data collected by us will be passed on to, and possibly processed, by third-party service providers, such as our IT supplier, accountant, auditor, insurance broker, insurer, as well as by the government (e.g. in the case of the 30bis declaration of works, the electronic attendance registration or calls for public tender).

It is possible that one or more of the aforementioned third parties are located outside the European Economic Area ("**EEA**"). However, only personal data will be transferred to third countries with an adequate level of protection.

The employees, managers and/or representatives of the above-mentioned service providers or institutions and the specialised service providers appointed by them must respect the confidential nature of your personal data and may only use these data for the purposes for which they were provided.

If necessary, your personal data may be passed on to other third parties. This may be the case, for example, if we were to be fully or partially reorganised, if our activities were to be transferred or if we were to be declared bankrupt. It is also possible that personal data may have to be transferred following a court order or in order to comply with a certain legal obligation. We will then make reasonable efforts to inform you in advance of this communication to other third parties. However, you will acknowledge and understand that under certain circumstances, this may not always be technically or commercially feasible or that legal restrictions may apply.

Under no circumstances will we sell your personal data or make them commercially available to direct marketing agencies or similar service providers, except with your prior consent.

9. **TECHNICAL AND ORGANISATIONAL MEASURES**

We take the necessary technical and organisational measures to process your personal data to an adequate level of security and to protect them against destruction, loss, falsification, alteration, unauthorised access or accidental notification to third parties, as well as any other unauthorised processing of these data.

Under no circumstances can the Company be held liable for any direct or indirect damage resulting from an incorrect or unlawful use of personal data by a third party.

10. **ACCESS BY THIRD PARTIES**

For the purpose of processing your personal data, we provide access to your personal data to our employees and appointees. We guarantee a similar level of protection by making contractual obligations enforceable on those employees and appointees who are similar to this Data Protection Notice.

11. **ANY QUESTIONS?**

If, after reading this Data Protection Notice, you have any further questions or comments regarding the collection and processing of your personal data, you can contact the responsible GDPR of the Company at 014/38.96.96 or by mail at the address Kastelsedijk 64, 2480 Dessel or by e-mail at the address info@smetgroup.be.



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