

# G&V Energy Group Privacy Policy

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# GENERAL

G&V ENERGY GROUP NV (hereinafter "G&V Energy Group", "us", "our") attaches the utmost importance to protecting your privacy. We want, as far as possible, to inform you, respect you and give you control over what happens with your personal data.

You will find below information about the data we collect, why we collect them, how long we keep them, your privacy rights and how you can exercise them.

We process your personal data in compliance with Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data, or any modifying European regulation (including the General Data Protection Legislation), as well as the applicable national implementing (collectively the "Data Protection Legislation"), and this privacy policy.

## 1. Who is protected under this privacy policy?

This privacy policy applies only to personal data that we process as controller (see section 2B of this privacy policy).

It applies to the processing of personal data of all our customers in the framework of refueling and all related services and products provided by G&V Energy Group and/or its affiliated companies, as well as to personal data of end-users who – in the framework of their relationship with our customer (for example: employees, collaborators, agents, etc.) – use the services and products of G&V Energy Group.

This privacy policy also applies when you visit our offices, shops, service stations, or websites; you use our mobile applications; participate to market researches, contests, actions or events; or you use otherwise our products and services. The personal data of former customers and prospects are also processed and protected with the utmost care in accordance with this privacy policy.

## 2. What does "personal data" mean?

### A. Definition.

By "personal data", we mean any data enabling an individual to be identified. To find out exactly to what data this refers, please read section 3 of this privacy policy. The term "processing" is broad and covers, among others, the collection, recording, organization, storage, updating, modification, retrieval, consultation, use, distribution or making available in any manner whatsoever, combination, archiving, deletion or final destruction of such data.

For the avoidance of doubt, the processing of personal data of business customer falls within the scope of this privacy policy only if the business customer is an individual, or – if the business customer is a legal person – the privacy policy applies only to personal data of individuals that we process in the framework of their relationship with the business customer (such as representatives, contact persons and/or end-users).

## B. Controller.

G&V Energy Group NV and/or its affiliated companies – a company incorporated under the laws of Belgium, registered with the Crossroads Bank for Enterprises under company number 0838.523.626, and with registered offices at 8520 Kuurne (Belgium), Harelbeeksestraat 120 – is the controller of your personal data in the framework of this privacy policy. This means that G&V Energy Group determines the purposes and the means of the processing of your personal data.

You however have a number of obligations with regard to the processing of personal data of end-users that you allow to use G&V Energy Group products and services (see section 2C of this privacy policy).

## C. Your responsibility with respect to end-users.

If you, as a customer, end-user, employee, agent, etc.... use the products and/or services offered by G&V Energy Group that are covered by this privacy policy (including, but not limited to, the CAPScard and CAPS Online services), you have the following responsibilities:

- you must adequately inform end-users that, by using the products and/or services offered by G&V Energy Group, G&V Energy Group will process their personal data (including, but not limited to, the CAPScard General Terms and Conditions of Use);
- you must obtain the legally required consent of the end-users to the processing of their personal data, in connection with the provision of the G&V Energy Group products and/or services that you permit them to use, prior to the communication of said personal data to G&V Energy Group;
- you may not use G&V Energy Group products and/or services to collect personal data in violation of applicable privacy laws or to illegally access to end-user personal data;
- you must take all reasonable steps to ensure the reliability of end-users who have access to personal data;
- you must not do, cause or authorize anything that is likely to infringe the Data Protection Legislation.

## D. Your responsibility with respect to third-party services.

Through G&V Energy Group products and services, you can also use third-party services such as chat, third-party websites, forums, Facebook, Twitter, newsgroups and/or applications. G&V Energy Group has no control over the information you provide when using these third-party services or how this information is processed. G&V Energy Group assumes no liability in this regard. This is your responsibility and it is up to you to carefully read the privacy policies applicable to these third-party services.

## 3. What personal data can we process?

### A. Personal data that you share with us.

We process personal data that you provide. This may happen through telephone, in writing (for example, when you fill in a (online) purchase order, you send us a text message or an email, you subscribe to a contest or download a G&V Energy Group application), electronically (for example, when you use your e-ID to sign a contract) or verbally (for example, in one of the service stations of G&V Energy Group).

B. Personal data that our system collects.

We process your personal data in relation to the use of our products and services (for example, a fuel card number, email address, IP-address, telephone number, customer number, login code(s) and password(s)). In addition, our systems also record personal data that are generated in the course of the use of our products and services (for example, the refueling you make or the video images associated therewith).

C. Personal data that we receive from third-parties.

We receive creditworthiness analyses from credit auditors or data from partner networks in order to correctly invoice transactions and monitor purchases and sales.

D. Categories of personal data.

Personal data collected and processed by G&V Energy Group include the following information:

- Identification data: these are the personal data relating to and as provided by you, or generated by G&V Energy Group when you use our services and products: for example you first and last names, professional email address, fax and telephone numbers, choice of language, company to which you belong, login, password, access rights, log files in connection with the online services, copy of the front side of your ID card and, as the case may be, your invoicing and payment data (including the data related to your solvency) and the information necessary for the provision of the specific services that you use.
- Using data: these are the personal data that relate to the use of G&V Energy Group services and products:
  - Service station with CAPScard: vehicle type, vehicle license plate number, tank capacity, fuel type, frequency, dates and locations of refueling, etc. For the avoidance of doubt, you acknowledge that using data constitutes personal data processed by G&V Energy Group only when you – as customer of G&V Energy Group – are the individual who personally uses the CAPScard.

In all other cases, the data related to the use and the fleet, in connection with the CAPScards that you ordered, are not personal data processed by G&V Energy Group. Each CAPScard has a unique reference number. G&V Energy Group links the Using Data to the corresponding CAPScard (vehicle type, fuel type, license plate number, frequency, dates and locations of refueling, etc.). The customer can then link the reference number to the CAPScard (and the associated Using Data) to the identified member of the customer's personnel that uses the CAPScard. In view of the above, G&V is not responsible for the manner the customer processes Using Data, nor for the purposes of such processing.

- Service station without CAPScard: fuel type, date and location of refueling, quantity and price of purchased fuel.
- Shops and carwash: information related to the articles and/or services that you purchase and possible advantages/reductions.
- Online contact data: these are the personal data you provide when you wish to ask G&V Energy Group a question via the online contact form or in any other way: first and last names, email address, telephone number and content of your message.
- Location data: the data that are collected may also include location data, defined as data processed in an electronic communications network or by an electronic communications service and indicating the geographical location of the device of an end-user using a publicly accessible electronic communications service. The processed location data indicate to which transmitting mast or WIFI access point your mobile device or tablet is connected. By downloading and installing our application Fuelfinder App, you consent to the processing of your location data for the purposes of performing the G&V Energy Group services, such as verifying the location of the user in order to identify the closest service station. The location data will not be processed (i) for longer than necessary to achieve the determined purposes, nor (ii) for other purposes than those identified in this privacy policy. You have the right to withdraw, at any time, your consent to the processing of your location data by disabling the geolocation function on your device. G&V Energy Group however informs you that this may affect the correct provision of the services and/or the efficiency of the application Fuelfinder App with respect to certain functionalities based on location.

#### 4. For what purposes do we process your personal data?

##### A. Proportionality of the processing.

We process personal data for various purposes, each time to the extent necessary to achieve said purposes.

For example, we use the personal data when it is necessary:

- in the framework of the preparation, performance and termination of our contract;
- to comply with the legal and regulatory provisions to which we are subject – for example, the video images in connection with the use of red diesel;
- for the protection of our legitimate interests. In such case, we always strive to respect the balance between our interests and your privacy.

##### B. Our processing activities.

We process your personal data for the following purposes.

- To process your request for our products and services. Any information we receive about you in this pre-contractual phase will only be used to provide you with the information you have requested, in the manner you wish.
- To offer you the best service and to inform you about the opportunities of use at your disposal.
- We use your data for the provision, maintenance and support of your products and services, as well as for customer administration and dispute management. In addition, G&V Energy Group may process personal data in order to monitor the use of services and products, analyze their use, develop new functionalities likely to improve services and products and carry out market researches.
- If you consent to the use of your personal data for commercial communications and advertising purposes, G&V Energy Group will use your data for the purposes for which you have granted consent until you revoke such consent. Provided that you gave your consent, G&V Energy Group can send commercial and advertising communications in relation to G&V Energy Group, its affiliated companies and its products/services, to the email address that you communicated to G&V Energy Group. If you wish that your personal data be no longer processed for commercial communications and advertising purposes, you have the right to withdraw, at any time, your consent to such processing, free of charge and without having to provide a justification. The procedure for doing so is outlined in section 7 of this Privacy Policy.

- Fighting fraud and offences.

Depending on the G&V Energy Group products and/or services you choose, we will also verify your creditworthiness. We perform this verification to ensure that you do not enter into any obligations with us that you are unable to meet financially. We also want to prevent G&V Energy Group accounts from remaining unpaid. To this end, we may request information from internal and external databases, as explained in section 3 of this privacy policy.

- To ensure the safety of all.

You can be filmed or photographed in and around our offices, shops and service stations. These images are recorded solely for the purposes of security of property and individuals and to prevent abuse, fraud and other offences of which we and our customers may be the victims (we announce the presence of cameras with pictograms indicating our contact details).

- To comply with our legal obligations.

In many cases, we are required by law to keep certain personal data related to you and/or disclose them to governmental authorities. We may be required to disclose certain data, on a confidential basis, to the relevant authorities in the course of police or judicial investigations.

### C. Automated decision-making.

G&V Energy Group does take automated decision – based or not on profiling – that might have legal effects on you or significantly affect you, except if:

- this is necessary for the conclusion or performance of your contract (for example, creditworthiness control or blocking of services in the event of non-payment);
- it is required by law (for example, for the purpose of establishing tax fraud); or
- we have obtained your express consent in this regard.

## 5. How do we process your personal data?

### A. Our technical and organizational measures.

We work hard to protect your personal data and privacy, both in our offices and service stations. Our collaborators are trained to handle confidential data correctly. In the framework of any project involving the processing of personal data, an assessment is carried out, beforehand, in terms of personal data security and protection, your interests being primordial.

We call upon specialists that are in charge of the security of our network, infrastructure and information system. In addition, we use a variety of technical measures to protect your personal data against unauthorized access, unauthorized use and loss or theft, such as: password protection, hard disk encryption software, firewall, antivirus and employee access controls. In case of data breach having a negative impact on your personal data, you will be informed personally, as a customer, in the situations provided in the Data Protection Legislation.

The software of our products is constantly updated. In addition, we offer a number of security settings that you can manage yourself, such as: password or un PIN code to access your data.

The number of employees in our company with access to your personal data is limited and our employees are carefully selected. They will only have access to your personal data to the extent that they need them to do perform their tasks properly.

## 6. Do we sell your data to third-parties or do we transfer them?

### A. Transfer of data.

We do not sell your personal data to third-parties without your consent. We do not disclose them to third-parties without your consent, unless:

- This is necessary for the provision of our services. We make some of our databases available to third-parties that work on our behalf and help us deliver our products and services. Think, for example, of our sales agents, independent technicians that maintain our network, and (external) staff of our customer service that assist our customers on a daily basis. The transfer of your data only takes place for the purposes for which G&V Energy Group processes your data itself, and is limited to the data that the abovementioned recipients need to perform their tasks on our behalf. We make sure that they manage your data securely, with respect and as reasonable prudent persons, like we do. We provided adequate contractual guarantees in this regard.
- In case of a legal obligation. We refer in this regard to section 4 of this privacy policy.

- There is a legitimate interest on the part of G&V Energy Group or the relevant third-party. For example, your personal data may be communicated to credit auditors, debt collection agencies and legal service providers, as well as to partners with which we cooperate as part of a specific action (for example, with a partner network). In any case, G&V Energy Group takes steps to maintain the confidentiality of your personal data and protect them from unauthorized disclosure. G&V Energy Group will not make your personal data publicly available.

You also consent to the transfer of your personal data by G&V Energy Group (i) to its affiliated companies for the above described purposes, and (ii) in the event G&V Energy Group sells or transfers all or a portion of its business or assets to a third-party.

To the extent that this involves the transfer of personal data to countries outside of the European Economic Area in countries not considered by the European Commission as ensuring an adequate level of personal data protection, G&V Energy Group shall ensure that measures are put in place in accordance with the Personal Data Legislation.

## 7. How do you determine what personal data we can use for commercial purposes?

- Direct marketing opt-out.

You do not wish to receive commercial communication in any form whatsoever? You always have the right, without having to provide any justification, to object to the use of your personal data for direct marketing purposes. In this regard, you can always contact G&V Energy Group customer service at the following email address [privacy@g-v.be](mailto:privacy@g-v.be) and deactivate our faculty to send you promotions and/or actions by telephone, mail, text message or email.

Please note that the fact that you no longer wish to receive commercial communications from us obviously does not affect our right to contact you electronically in connection with the performance of your contract or if required by law.

## 8. What are your privacy rights and how can you exercise them?

### A. Overview of your privacy rights.

- Your right of access

You have the right to obtain from G&V Energy Group, at any time, confirmation as to whether or not personal data related to you are being processed, and, if so, access to the personal data and the following information

- the purposes of the processing;
- the categories of personal data concerned;
- the recipients or categories of recipients (in particular recipients in third countries);
- where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
- the right to lodge a complaint with a supervisory authority;



- when we did not collect the personal data from you, any available information as to their source;
- the existence of automated decision-making.

You also have the right to obtain a copy of the personal data processed, in a intelligible form. G&V Energy Group may charge a reasonable fee to cover the administrative costs for any further copies requested.

- Your right to the rectification of your personal data

You have the right to obtain the rectification of your personal data that are incomplete, inaccurate, disproportionate or out-of-date.

In order to keep your data up-to-date, please inform us of any change, such as any moving or change of your email address. You have the right to obtain the erasure of your data ("right to be forgotten").

- You have the right to obtain the erasure of your personal data in the following cases:

- the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed by G&V Energy Group;
- you withdraw your consent on which the processing is based, and G&V Energy Group cannot invoke another legal ground to justify (further) processing;
- you object to the processing and there are no overriding legitimate and justified grounds for (further) processing by G&V Energy Group;
- your personal data have been unlawfully processed;
- your personal data must be erased for compliance with a legal obligation;
- your personal data were collected when you were a minor.

Please note that we cannot always erase all requested personal data. For example, if the processing is necessary for the establishment, exercise or defense of a legal claim, or if we are obliged to keep data for judicial authorities and state security (for example: obligations to keep our customers transactions for 12 months). We will provide you with more information in our response to your request.

- Your right to the restriction of processing

You have the right to obtain the restriction of the processing of your personal data when one of the elements below applies:

- you dispute the accuracy of the personal data: the use of those is restricted for a period enabling G&V Energy Group to verify the accuracy of the data;
- the processing of your personal data is unlawful: instead of the erasure of your data, you request the restriction of their use.

With respect to your right to object to the processing of your personal data for direct marketing purposes, see section 7 of this privacy policy.

## B. In practice.

How can you exercise your privacy rights? To exercise your right of access to your personal data and in order to prevent any unauthorized disclosure thereof, we must verify your identity. In case of doubt or uncertainty, we will ask you for additional information (preferably a copy of the front side of your ID card).

Are there any costs? You may exercise your privacy rights, free of charge, unless your request is manifestly unfounded or excessive, in particular because of its repetitive nature. In such a case, we have the right – in accordance with the Data Protection Legislation – to (i) charge you a reasonable fee (taking into account the administrative costs of providing the information or communication or taking the action requested), or (ii) refuse to act on your request.

In what format do you receive a response? When you submit request electronically, the information requested will, to the extent possible, be transmitted to you electronically, unless you specify another form. In any case, we will provide you with a concise, transparent, intelligible and easily accessible response.

When do you receive a response? We react as quickly as possible to your request and, in any case, within the month of the receipt thereof . Taking into account the complexity and number of requests, the one month delay may be extended by two further months. In such case, we will inform you within one month from the receipt of your request.

What happens if G&V Energy Group does not respond to your request? We will inform you, in our response, of your right to lodge a complaint with a supervisory authority and/or a judge.

## 9. How long to we keep your personal data?

We may not keep personal data for longer than what is necessary to achieve the purposes for which we collect them. Sometimes this period can be long. For example, in order to comply with our legal obligations (to comply with our accounting and tax obligations, we are required to retain your billing data for at least 7 years) or in case of legal necessity justifying the retention of certain data (in particular your contract, your invoices and correspondence relating to complaints) as evidence in the event of disputes, during maximum 10 years after termination of your contract. Of course, these archived data are only accessible to a limited extent.

Some data from former customers may be used for administrative purposes during the abovementioned legal periods after termination of the contract.

## 10. Our websites and applications.

When you visit our websites or use our applications, we process the following personal data related to you:

- Your IP address, browser type and language, software, operating system, type and brand of the device you use when you connect to our websites and applications, the time you visit the website or use the application and the web address from which you access our website, the pages you visit, the links you click on and other actions

you undertake on our websites and applications. The above data are collected by means of cookies. Further information on cookies is provided in section 11 of this privacy policy.

- If our applications make use your location, we will provide you with information in that respect, as well as the choice to enable or disable these location services as described in section 3 of this privacy policy.

The personal data we collect through our websites and applications are used for the following purposes: to provide you with our online services (for example, to request new fuel cards) and to communicate with you, answer your questions, contact you about offers and information about other G&V Energy Group products or services.

## 11. Cookies policy.

### A. What are cookies?

We use cookies when you open our emails and/or when you visit our websites or use our applications. Cookies are pieces of information that are stored on your own computer or mobile device and are generally used to optimize the use of websites and applications.

There are different types of cookies, classified according to their source, function and validity period. For a complete overview, you can visit websites such as [www.allaboutcookies.org](http://www.allaboutcookies.org).

G&V Energy Group makes use of the following cookies to:

- Improve the use and functionality of our websites and applications;
- Analyze how users use our websites and applications and compile statistics.

### B. What types of cookies do we use?

- Necessary cookies: these cookies allow you to browse our websites and applications and use their features (such as your confidentiality settings).
- Functional cookies: this type of cookies facilitates the operation of our websites and applications and offers a personalized browsing experience, for example, by memorizing identifiers, passwords and preferences such as language settings.

Please note that changing the settings may cause the G&V Energy Group websites and other websites to malfunction. The same applies to mobile applications.

## 12. How can you contact G&V Energy Group?

In the event that you wish to contact the customer service of G&V Energy Group, in connection with this privacy policy (for example, to change your privacy settings), this can only be done in writing. You will find further information on G&V Energy Group customer service and shops at: <https://www.g-v.be>.

For further information on this privacy policy or complaints over your personal data, you can send an email at [privacy@g-v.be](mailto:privacy@g-v.be).

### 13. Stay informed over amendments.

G&V Energy Group may amend this privacy policy from time to time, for example, as a result of market evolution and new processing activities on the part of G&V Energy Group. The latest version can be consulted, at any time, on our websites [www.g-v.be](http://www.g-v.be) and [www.caps.be](http://www.caps.be).

In the event of a conflict, our terms and conditions and the special conditions applicable to specific G&V Energy Group products and services prevail over this privacy policy.

### 14. Escalation to a supervisory authority.

In the event that you consider that the processing of your personal data infringes the Data Protection Legislation, you have the right to lodge a complaint with a supervisory authority, in particular in the Member State of the European Union of your usual place of residence, place of work or the place where the infringement occurred. The Belgian supervisory authority is the Data Protection Authority – Rue de la Presse, 35, 1000 Brussels /+32 (0)2 274 48 00/ [contact@apd-gba.be](mailto:contact@apd-gba.be) / <https://www.autoriteprotectiondonnees.be/>.