

Electric by D'leteren - Privacy policy

Date of last revision: 04/01/2021

Dit privacybeleid is, net als onze algemene voorwaarden, opgesteld in het Engels. Als u het Engels niet begrijpt, neem dan contact op met Electric by D'leteren (via info@edi.be) voordat u de toepassing van onze algemene voorwaarden accepteert, om een vertaling of uitleg in het Nederlands te ontvangen van zowel de algemene voorwaarden als van dit privacybeleid. Door de toepassing van onze algemene voorwaarden te aanvaarden, verklaart u dat u de Engelse taal en dus ook de inhoud van dit privacybeleid begrijpt.

La présente politique de confidentialité est, comme nos conditions générales, établie en anglais. Si vous ne comprenez pas l'anglais, veuillez prendre contact avec Electric by D'leteren (via info@edi.be) avant d'accepter l'application de nos conditions générales pour recevoir une traduction ou une explication en français tant des conditions générales que de la présente politique de confidentialité. En acceptant l'application de nos conditions générales, vous déclarez comprendre l'anglais et donc le contenu de cette politique de confidentialité également.

Electric by D'leteren SA/NV is committed to protect your privacy and takes its responsibilities regarding the security of customer personal data very seriously. For more detailed information about privacy legislation, please do not hesitate to read the General Data Protection Regulation (Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC) (the "**GDPR**").

Data controller

Your personal data are handled by:

Electric by D'leteren SA/NV (hereafter: "**EDI**")

Rue du Mail/Maliestraat 50 - 1050 Ixelles/Elsene

Enterprise number: BE 0734538339 (RLE Brussels)

To contact us: privacy@edi.be

To have access to our policies: <https://www.edi.be> (the "**Website**") or on the menu of EDI mobile application (the "**Application**").

1. Scope of application

As used in this privacy policy (the "**Policy**"), the terms "using" and "processing" of Personal Data (as defined below) include subjecting the personal information to statistical or other analysis and using or handling personal information in any way, including, but not limited to collecting, storing, evaluating, modifying, deleting, using, combining, disclosing and transferring as detailed in this Privacy.

EDI ("**we**" or "**us**") provides this Policy to inform you of our procedures regarding the collection, use and disclosure of Personal Data of any person who uses the services provided by EDI, the Website and/or the Application (the "**Users**" or "**you**").

2. What information do we collect?

EDI collects and processes several types of information: (i) information you provide to us, (ii) information that are collected by third parties and provided to us and (iii) information relating to the User's use of the Website and/or the Application (collectively the "**Personal Data**"). Personal Data shall have the meaning as ascribed to it in applicable Belgian and European law.

Please note that we do not process so-called "sensitive" Personal Data such as data relating to, for example, your racial or ethnic origin, your political, religious or philosophical beliefs, your life and/or sexual orientation and your health. Should we ever be obliged to process such Personal Data, we will

only do so with your explicit consent and for purposes that have been previously communicated to you, or if their processing is necessary to comply with legal obligations.

2.1. Information you or your employer provide to us:

Account:

When you decide to sign up to our Website and/or the Application, proceed to a purchase or a request for EDI services, you are voluntarily providing us with certain individually identifiable information that we collect and process.

Such Personal Data may include but is not limited to your name, date of birth, gender, physical address, email address, telephone number, national register number, billing information, bank account or other payment details, hobbies, technical data about your vehicle or the load of your vehicle.

We may also process additional information you may choose to provide to us on your account (*i.e.* personal data which must not compulsorily be given through the subscription process).

Location data:

EDI may offer features designed to help you to use the services on the Website and on the Application, such as to locate available charging stations. You will be given the opportunity to opt-in to location-based services. If you do not opt-in to location-based services, you will not have access to the features necessary to use the services. In case of opt-in, we collect and process location data when you sign up and use our services.

The geolocation history is not stored, and you can always deactivate geolocation.

Correspondence:

When you contact our customer service or anyone of the EDI staff, by email or by telephone call, we may keep a record of that correspondence and collect the necessary information to classify your question, respond to it and, if applicable, investigate any breach of our Terms and Conditions or this Policy. Moreover, your contact details might be used to notify you about changes in our Terms and Conditions or this Policy.

Contests, promotions and feedback:

When you participate in a contest or promotion organised by EDI, we will ask you for the necessary Personal Data to manage the concerned contest or promotion such as a name, email address, phone number, age or place of residence. When you take a survey or give us feedback on the use of the Application and/or the Website, we may ask for some Personal Data to perform a follow-up of your feedback.

2.2. Information that we learn about you but that were not collected by EDI:

When you buy, rent or lease a vehicle and request for more information about EDI services or about any electric device sold by EDI, your car dealer may collect some of your Personal Data to transfer them to EDI in order for us to contact you.

Such Personal Data may include but is not limited to your name, gender, physical address, email address, telephone number or technical data about your vehicle or the load of your vehicle.

2.3. Information we learn about you from your use of the Website and/or the Application:

We may process your IP address and certain non-personal information or aggregated data about how and when you use the Website and/or the Application. This information is usually of a technical nature (device settings and information, including but not limited to the type of browser, operating system, keyboard language, screen resolution, IP address, location, etc.) and of a behavioral nature (the actions taken by you on the Website and/or the Application, including but not limited to access times, pages

requested, actions executed, etc.) and is used to compile statistical data about the use of our Website and/or our Application.

3. Purposes of collecting information

EDI only processes Personal Data for the following purposes:

3.1. Execution of a contract (art. 6, §1, b) of the GDPR):

We process certain Personal Data (e.g. gender, name, phone number, email address, date of birth, national register number, billing information, bank account or other payment details, technical data about your vehicle, location data or geolocation if you want to benefit from such service) to execute the contract between you and us allowing us and the concerned service providers to process your interests in our products & services offering or to confirm purchases, to inform you in case of problem, to treat your requests through our customer service or troubleshoot any problems, to show you charging stations near your location, to inform you of the completion of the work requested on the charging station installation or to schedule a meeting.

For the execution of our services, we rely on third parties' providers:

- **Data processors:** we may rely on third party service providers to offer our products and services. Only to the extent required (*i.e.* to perform specific tasks on our behalf such as the storage of data, the transfer of data, targeted communication on the Website and/or the Application), such third-party service providers will have access to your Personal Data. Once such third-party service provider has completed its specific task and their legal relationship with EDI, they will no longer have access to your Personal Data except as required by law.

Our subcontractors are listed in a register of processing activities (kept internally). We ensure that all our subcontractors provide the same level of protection for your Personal Data as we do (including subcontractors located outside the European Economic Area).

- **Joint controllers:** other parties may rely on the Website and/or the Application. In that case, such third parties act as controllers or joint controllers along with EDI and are responsible for the processing operations of your Personal Data that they do and you should refer, along with this Privacy Policy, to their specific privacy policy in this respect. For example, Threeforce BV (Last Mile Solutions) will process some of your Personal Data as you register on the Website and/or Application (their privacy policy is available on this [link](#)).

In such a case, EDI may transfer your Personal Data to the third party that offered the services you used (such as your email address, name or phone number) in the extent it is necessary to enable you to use the services provided by the concerned third party (split-billing, etc.) and/or in case of illegal use of the third-party services.

Should you wish to know in more details to which third parties your Personal Data and which Personal Data have been disclosed, please refer to section 6 below on your rights.

3.2. Compliance with legal obligations (art. 6, §1, c) of the GDPR):

We may also process your Personal Data in order to comply with the law, to complete all legally obligated paperwork in each country/region in which either the User or EDI is active, in case of illegal use of our services or when we receive orders from legal authorities.

3.3. Legitimate interests (art. 6, §1, f) of the GDPR):

Beyond the collection of your Personal Data to provide our services to you or to comply with legal obligations, we may collect and use your Personal Data for the following purposes:

a. Improve user experience:

Tracking your use of the Website and/or the Application will allow us to personalize our services to your needs and process uploaded data related to your profile. It will allow you to correctly use the Website and/or the Application. This will also allow us to learn more about User preferences and general trends on the Website and/or the Application in order to improve the quality of the Website and/or the Application.

b. Provide customer service:

We may collect additional Personal Data to perform general customer administration of your account by providing you with specific information on available services and by sending you communications about our products and services and respond to your questions, treat your requests or troubleshoot any problems. We may also verify the respect of your obligations set out in our Terms & Conditions and our Policy and investigate fraud and infringements on all applicable rules and regulations.

c. Perform marketing actions:

We may process your Personal Data to contact you with newsletters, tailored suggestions and information exclusively about EDI, such as events, app updates or information about our services and products, our Website and/or our Application. We will not contact you regarding third parties and we will not provide your data to third parties for marketing purposes.

You can always choose to opt-out, at any time, of marketing promotions from EDI and/or email correspondence from EDI if you do not want your Personal Data to be used anymore for any of the aforementioned marketing purposes. If you do not want to receive commercial communications from us anymore, you can choose to unsubscribe from such commercial communications at any time by sending us an email at privacy@edi.be or simply by following this link: [Unsubscribe](#).

Moreover, some of your Personal Data might be anonymized to perform marketing actions; those data cannot be linked to your person.

d. Generate statistics and perform statistical analysis:

We may generate anonymous statistics about the (use and Users of the) Website and/or the Application in order to improve the Website and/or the Application and to perform statistical analysis.

e. Fight against fraud:

We may process your Personal Data to fight fraud while maintaining a balance between this interest and respect for privacy.

f. Sharing information with third parties:

Some of your Personal Data could be disclosed to other companies of our companies group to improve our services (for example to our start-up studio Lab Box SA/NV, to the other start-ups of our start-up studio, to D'Ieteren Automotive SA/NV or to other companies of the same companies' group).

Anonymous visitor information about our Users and the Use of our Website and/or our Application can be disclosed to third parties for marketing, advertising and promotional purposes as well as for statistical purposes for mobility trends.

3.4. Other processing activities:

We will ask for your consent before using any Personal Data for a purpose other than those that are set out in this Policy. However, if you decide to add or provide additional Personal Data to your personal settings which must not compulsorily be given through the subscription process, by doing so, you give EDI your explicit consent to process this additional Personal Data in accordance with this Policy.

4. Security of your Personal Data

In order to prevent the loss, misuse and alteration of your Personal Data, EDI has implemented a variety of appropriate technical and organizational security measures conform with or exceeding industry standard technologies, in order to safeguard the confidentiality of your Personal Data and ensure your online safety. However, EDI cannot guarantee that unauthorized access will never occur. EDI uses its best efforts to protect the confidentiality and security of your Personal Data.

In case of violation of your Personal Data, EDI undertakes to notify the Belgian Data Protection Authority without delay and, if possible, not later than 72 hours after becoming aware of such violation.

EDI shall in no event be liable for any direct or indirect damages that result from a wrong or illegal handling by third parties.

5. Data retention period

We do not process or store your Personal Data any longer than is necessary for the purposes set forth in this Policy.

Your Personal Data are kept maximum (7) years for documents drawn up in an accounting/tax framework.

Your Personal Data are deleted or anonymized maximum seven (7) years after the end of contractual relationship or three (3) years after a commercial action which has been left without any answer.

Sometimes, the delay can be longer, especially to meet our legal obligations or in case of litigation. At the end of the retention period, Personal Data will be made anonymous, deleted, or rendered unusable.

6. Your rights

Exercise of your rights is free of charge and can be done at any time if it is authorized by law. You may review, update, modify or delete your Personal Data at any time. Please promptly update your Personal Data if it changes. If you wish to delete your account or, more generally, exercise your right to be forgotten, you can send us an email at privacy@edi.be and we will process your request. Please however note that some of your Personal Data are necessary for the execution of the contract. If and to the extent provided under applicable Belgian and European law, you shall have the right:

- a) to obtain from EDI confirmation as to whether or not your Personal Data is being processed and, where that is the case, you shall have the right to access such Personal Data being processed;
- b) to obtain from EDI, without undue delay, the rectification of inaccurate or incomplete Personal Data;
- c) to obtain from EDI the erasure of Personal Data;
- d) to obtain from EDI the restriction of processing of your Personal Data;
- e) to receive your Personal Data in a structured and commonly used, machine-readable format and have such Personal Data transmitted;
- f) to object to processing of your Personal Data and **to object at any time and without any justification to the processing of your Personal Data and/or to the transmission of your Personal Data to third parties.**

These rights can be exercised by sending an email to privacy@edi.be or by sending a letter to Electric by D'leteren SA/NV, Maliestraat/rue du Mail 50, 1050 Elsene/Ixelles, Belgium. You can also send this request through your employer with whom EDI is always in touch.

You have the right to lodge a complaint with the authorized supervisory authority (the Belgian Data Protection Authority) should you consider that the processing of your Personal Data infringes applicable law by sending an email to contact@apd-gba.be or any other email address provided by the Belgian Data Protection Authority (<https://www.dataprotectionauthority.be/contact-us>).

7. Modifications to this Policy

We reserve the right to modify this Policy at any time. Any changes to the Policy will be published on the Website. In case of significant changes to the Policy that results in EDI using your Personal Data in a manner materially different from that stated at the time of the collection of your Personal Data, we will provide you with a notice on the Website and/or Application and/or send you an email notification.

8. Legislation and competent courts

This Policy is governed by and construed in accordance with the Belgian legislation that is exclusively applicable to any potential dispute. Any dispute arising under, or in connection with, this Policy shall be settled exclusively by the competent courts of Brussels, Belgium.

9. Questions

If you have any further questions about this Policy or its implementation, please contact via privacy@edi.be.