

Befimmo SA, incorporated at Chaussée de Wavre 1945, 1160 Brussels , with company number 455.835.167 and its subsidiaries (hereinafter “**Befimmo**”, the “**Company**”, “**we**”, “**us**”, “**our**”, “**ours**”) are committed to protecting and respecting your privacy.

This Privacy Policy sets out the basis on which any personal data Befimmo collects from you, or that you provide, will be processed by Befimmo.

Personal data is any information relating to an identified or identifiable natural person who, alone or in combination with other information, identifies a specific person (eg a name, an identification number, location data, a identifier online, or to one or more specific elements specific to its physical, physiological, genetic, psychic, economic, cultural or social identity).

Data processing means 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.

Befimmo makes every effort to protect the confidentiality, integrity and availability of such data, as the data are likely to be sensitive by their nature and are subject to strict data protection laws in the countries in which Befimmo is active.

Befimmo may amend this Privacy Policy from time to time. Any changes to this Privacy Policy in the future will be posted on this page. Please check back frequently to see any updates or changes to the Privacy Policy.

This Privacy Policy was most recently updated on November 16<sup>th</sup> 2018.

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### Table of content:

1. Scope
  2. Information Befimmo collects and uses made of the information
  3. Legal basis
  4. Disclosure of your information
  5. Transfer of your information
  6. Your rights
  7. Retention of your information
  8. What happens if you do not provide Befimmo with the information requested or ask that Befimmo stops processing your information?
  9. Contact details
-

## 1. Scope

This Policy applies to all of Befimmo's activities, including its prospecting activities, the conclusion of lease contracts or all types of contracts for the provision of all or part of buildings and services to its clients and/or in the context of the conclusion and management of contracts with suppliers, business/financial partners and/or subcontractors and/or in the context of its relations with its team and candidates, shareholders, (potential) investors, analysts, authorities, etc.

## 2. Information Befimmo collects and uses made of the information

In the context of the activities under Section 1, Befimmo may collect and process of the following data : identification and contact details (eg name, first name, title, address, e-mail, phone number, ...), administrative data (eg matrimonial regime in the context of relations with shareholders), academic track, professional experiences, miscellaneous (in the context of recruitment) images/photos, license plate, time of visit of buildings.

These data are processed within the framework of the aforementioned activities, particularly in the context of the administration of the Company, the management of the real estate portfolio (such as eg the management of prospects, the following up of contracts, for invoicing), the management of suppliers (such as eg for the management of the orders, the recording of business contacts, invoicing, etc.), the management of shareholders, (potential) investors (eg to keep a register of shareholders, in order to answer any questions,. ..), with a view to personnel management (eg for recruitment - follow-up of candidacies, etc.) and with a view to ensuring the safety, in particular by access control.

Information Befimmo collects from you will be recorded, used and protected in accordance with:

- the Belgian Act of 30 July 2018 on the protection of individuals with regard to the processing of personal data ; and
- the Regulation 2016/679 of the European Parliament and of the Council 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 (General Data Protection Regulation) (GDPR), and any corresponding or equivalent national laws or regulations in Belgium;

in each case, as in force and applicable, and as may be amended, supplemented or replaced from time to time (hereafter collectively referred to as the **Data Protection Legislation**).

## 3. Legal basis

Your information is being collected and processed on the following legal bases:

- if it is necessary for performing the contract Befimmo has with you (eg. lease agreement with tenants, with a view to concluding an employment contract, ...);
- if it is necessary for complying with a legal obligation that applies to Befimmo (eg Befimmo is obliged to process some data from its shareholders in order to maintain a register of shareholders);
- if it is necessary for pursuing Befimmo's legitimate interests, considering these interests are not overridden by your fundamental rights and freedoms (e.g. if

Befimmo needs your information for ensuring for safety matters or to prevent fraud);

- when you consented to this (eg. when you give your business card, when you contact Befimmo);
- when processing is necessary to safeguard the vital interests of the data subject or other natural person.

#### 4. Disclosure of your information

Befimmo does not share your personal data with third parties except with the following parties and only to the extent necessary for the purposes defined in this Policy:

- o affiliated companies/other entities of the Befimmo group;
- o Befimmo's business partners, professional advisors or suppliers (eg lawyers, banks, IT service providers, etc.);
- o public authorities (eg the Financial Services and Markets Authority (FSMA), the Data Protection Authority, etc.);
- o suppliers in recruitment services.

Befimmo may also disclose your information to third parties:

- o if Befimmo is under a duty to disclose or share your information in order to comply with any legal obligation or to protect its rights, property, or safety, its customers or others. This includes exchanging information with public authorities (including judicial and police authorities) in the event of, for example, a cyber-security incident.
- o in the event that Befimmo sells or buys any business or assets, in which case Befimmo may disclose your information to the prospective seller or buyer of such business or assets;

#### 5. Transfer of your information

Befimmo may transfer your information to destinations outside the European Economic Area (the **EEA**), if that is appropriate (i) to achieve any of the purposes set out under section 2 and/or (ii) in accordance with section 4 of this Privacy Policy.

In case your information is transferred outside of the EEA, Befimmo will make sure that your information is protected by one of the following safeguards:

- o the transfer is based on an approved data transfer agreement (Article 46.3 GDPR) or data protection clauses adopted by the Belgian Data Protection Authority (Article 46.2 GDPR); or
- o the laws of the country to which your information is transferred ensure an adequate level of data protection (Article 45 GDPR); or
- o the transfer is subject to data protection clauses approved by the European Commission (Article 46.2 GDPR) or is subject to the EU-US Privacy Shield; or
- o the transfer is based on an approved Code of Conduct (Article 40 GDPR) or an approved certification mechanism (Article 42 GDPR);

If you wish to receive more information relating to the transfers of your information outside the EEA and/or the safeguards that have been implemented, you can contact Befimmo through the contact details set out in section 9 below.

## 6. Your rights

You have certain rights regarding the information Befimmo holds about you. These rights can be exercised by contacting Befimmo as set out in section 9 below:

- you have the right to access the information Befimmo keeps about you – this is because Befimmo wants you to be aware of the information it has about you and to enable you to verify whether Befimmo processes your information in accordance with the applicable Data Protection Legislation;
- you have the right, under certain circumstances, to block further use of your information;
- if your information is inaccurate or incomplete, you have the right to request the rectification of your information;
- you have the right, under certain circumstances, to request the deletion or removal of your information from our systems;
- you have the right to lodge a complaint about the way Befimmo handles or processes your information with the Belgian Data Protection Authority (Rue de la Presse 35, 1000 Brussels or [commission@privacycommission.be](mailto:commission@privacycommission.be));
- if the processing of your personal information is based specifically on your consent, you have the right to withdraw that consent at any time;
- you have the right to obtain, under certain circumstances, your information in a structured, commonly used and machine readable form so you can reuse it for your own purposes across different services.

For all requests set out above, please send an email with “data privacy request” in the subject line. You can also contact Befimmo by using one of the means mentioned in section 9 of the current Policy. Your request will be handled to as soon as practically possible. If Befimmo needs more than one month (from receipt of your request) to respond to your request, it will come back to you and let you know.

## 7. Retention of your information

The information Befimmo holds about you will be retained in a manner consistent with the applicable Data Protection Legislation. In any event, your information shall not be kept longer than is necessary to achieve the purposes stated in this Privacy Policy, unless:

- the processing of your information is necessary in connection with any actual or potential dispute (eg Befimmo needs this information to establish or defend legal claims), in which case Befimmo will keep your information until the end of such dispute and/or the limitation period and/or;
- the retention is necessary for Befimmo to comply with any legal or regulatory obligation (eg tax purposes), in which case Befimmo will keep your information for as long as required by that obligation.

## 8. What happens if you do not provide Befimmo with the information requested or ask that Befimmo stops processing your information?

The ability for Befimmo to perform its obligations with regard to:

- the contract Befimmo has with you; or

- legal obligations applicable to Befimmo,

sometimes depends on Befimmo having access to and being able to use certain information about you. Therefore, and depending on the circumstances, if you do not provide Befimmo with the information requested or if you ask that Befimmo stops processing your information, this may result in Befimmo being in breach of one or more applicable legal or contractual obligations or in the fact that Befimmo being unable to provide a quality service.

## 9. Contact details

Questions, comments and requests regarding this Privacy Policy (including with respect of your privacy rights above) must be addressed to our Point of Contact for data protection matters : Denis Van de Wiele to the following address Befimmo SA, Chaussée de Wavre 1945, 1160 Auderghem, or by mail to [gdpr@befimmo.be](mailto:gdpr@befimmo.be) or by phone at : +32(0) 2 679 38 65

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