

## CONDITIONS OF USE OF THE WEBSITE (DISCLAIMER)

The use of the [www.jansenbuilding.com](http://www.jansenbuilding.com) website (hereinafter referred to as the "**Website**") is subject to the following conditions of use. The use of the website shall constitute automatic acceptance of these conditions. The said conditions may be amended: the conditions that are in force each time that the connection is established, shall apply. The Website is owned by Jansen the Building Company B.V.B.A., having its registered office at 3520 Zonhoven, Eikenenweg 58 and with enterprise number BE 0474.818.463 and its affiliated companies.

- Building Group Jansen N.V., enterprise number BE 0412.003.045, having its Registered office at 3670 Oudsbergen, Fabriekstraat 2;
- Jansen Cleanrooms N.V., enterprise number BE 0463.984.850, having its registered office at 3670 Oudsbergen, Fabriekstraat 2;
- Jansen Building Products N.V., enterprise number BE 0446.390.931, having its Registered office at 3670 Oudsbergen, Fabriekstraat 2A;
- Maars Jansen Living Walls N.V., enterprise number BE 0466.510.810, having its registered office at 3670 Oudsbergen, Fabriekstraat 2;
- Kay N.V., enterprise number BE 0652.779.415, having its registered office at 3520 Zonhoven, Eikenenweg 58;
- Jansen Services N.V., enterprise number BE 0836.989.145, having its registered office at 3520 Zonhoven, Eikenenweg 58/1-2;

(hereinafter referred to as: the "**Company**").

### USE OF THE WEBSITE

We devote a considerable amount of attention to our Website. However, in spite of our best efforts, we cannot guarantee that the information on the Website is totally correct, accurate and up-to-date. The information on the Website may therefore only be used as general information. We may also not be held liable for direct or indirect damage arising due to the use of the Website, or based on information provided via the Website. The Website may contain third-party files or hyperlinks or other references to third-party websites. Our Company cannot be held liable in respect of the same under any circumstances. We also reserve the right to modify, change or supplement the content of the Website at any time.

### INTELLECTUAL PROPERTY

The use of the Website shall not confer any intellectual property rights on the user. The content of the Website and the information provided are the exclusive intellectual property of the Company.

The information that can be consulted on the Website, the design, texts, drawings, photographs, data, logos, trademarks and other elements that are displayed are protected under trademark law and/or copyright and/or other applicable regulations, and may not be reproduced in any form or by any means whatsoever. Any breach shall give ground to legal proceedings.

#### **PROTECTION OF PERSONAL DATA**

Our Company attaches the greatest importance to fulfilling its privacy and data protection obligations. For more information, please consult our Data Protection Notice. See below.

#### **COOKIES**

The Website may use cookies, which enable us to store information to facilitate the use of the Website. You can manage and/or disable the use of cookies in your browser. Please note that our Website may not function smoothly if you disable cookies. The acceptance of cookies, via your browser, may also be required in order to access parts of the Website that require user identification.

#### **BELGIAN LAW**

Your access or visits to, or the use of the Website and these conditions of use shall all be governed by the laws of Belgium. Only the courts having jurisdiction over the place in which the registered office of the Company is located shall be competent to take cognisance of disputes if any.

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**DATA PROTECTION NOTICE**  
JANSEN THE BUILDING COMPANY B.V.B.A.

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## INTRODUCTION

JANSEN THE BUILDING COMPANY B.V.B.A. having its registered office at 3520 Zonhoven, Eikenenweg 58 and registered in the Crossroads Bank for Enterprises with enterprise number BE0474.818.463, and its affiliated companies

- Building Group Jansen N.V., enterprise number BE 0412.003.045, having its registered office at 3670 Oudsbergen, Fabriekstraat 2;
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- Kay N.V., enterprise number BE 0652.779.415, having its registered office at 3520 Zonhoven, Eikenenweg 58;
- Jansen Services N.V., enterprise number BE 0836.989.145, having its registered office at 3520 Zonhoven, Eikenenweg 58/1-2;

(hereinafter referred to as "JANSEN THE BUILDING COMPANY") attach great importance to the collection and processing of your personal data in a secure, transparent and confidential manner. In particular, we want to protect the data of our customers, subcontractors and suppliers, among others, against loss, breaches, errors, unauthorised access, or unlawful processing.

The purpose of the present Data Protection Notice is to inform you about the collection and processing of your personal data.

We request you to carefully read this Data Protection Notice, since it contains essential information about the manner in which and the purpose for which your personal data is processed.

By providing your personal data, you explicitly declare that you have read and agreed to this Data Protection Notice, and to the processing itself.

## **SCOPE OF APPLICATION**

This Data Protection Notice applies to all services provided by us and generally to all activities that we engage in.

## **DATA CONTROLLER AND ITS OBLIGATIONS**

JANSEN THE BUILDING COMPANY B.V.B.A., having its registered office at 3520 Zonhoven, Eikenenweg 58 with enterprise number BE 0474.818.463, is the controller of your personal data.

When collecting and processing your personal data, we ensure compliance with the Belgian regulations on the protection of personal data, in addition to the General Data Protection Regulation ("GDPR") since it came into force on 25 May 2018.

## **PERSONAL DATA**

You provide us with the following personal data, depending on your activities and your relationship with our company: your identity and contact details (name, title, address, e-mail address, telephone and mobile number). You may provide us with additional information to enable us to comply with certain specific legal obligations (electronic attendance registration, 30bis declaration of works), to record your attendance (such as E-ID data, Limosa number).

Kindly note that you are responsible for all the information that you provide to us and that we rely on its accuracy. We request you to notify us immediately in case any of your details are out of date.

Although you are not under any obligation to provide your personal data, you do understand that denial of consent to collect and process the same may render the provision of certain services, or even cooperation, impossible.

## **PROCESSING PURPOSES AND LEGAL BASIS**

### **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 purposes for which these processing operations are conducted include the performance of agreements with our customers, customer management, accounting and direct marketing activities, such as sending promotional or commercial information. The legal grounds for such processing include purposes relating to the performance of the agreement, compliance with legal and regulatory obligations (such as, for example, the 30bis declaration of works) and/or our legitimate interest.

### **Data relating to suppliers and subcontractors**

We collect and process the identity and contact details of our suppliers and subcontractors, as well as their own (sub) subcontractors, staff, employees, appointees, and other useful contact persons if any. The

purposes for which these processing operations are conducted include the performance of this agreement, the management of suppliers/subcontractors, purposes relating to accounting and direct marketing activities such as sending promotional or commercial information.

The legal grounds justifying such processing include the performance of the agreement, ensuring compliance with legal and regulatory obligations (such as, for example, the mandatory electronic attendance registration, the 30bis declaration of works, the attendance list, or other obligations imposed in connection with public procurement contracts, etc.) and/or our legitimate interest (such as for direct marketing purposes). The E-ID data or the Limosa number will also be processed in order to electronically record attendance wherever so required. Permission will always be requested in case of direct marketing activities by e-mail (such as for sending a newsletter or an invitation to events) and such permission may also be withdrawn at any time.

#### Data of personnel

We process the personal data of our employees in connection with our personnel management and payroll administration operations. In view of its specific nature, more extensive and detailed regulations concerning such processing shall be found in an Employee Data Protection Policy.

#### Other data

In addition to data relating to customers, suppliers/subcontractors and personnel, we also process personal data of others, such as possible new customers/prospects, useful contacts within our sector, network contacts, contacts of experts, etc.

The purposes for which the aforesaid processing operations are conducted include interests relating to our activities, and to direct marketing and public relations.

The legal basis for such processing relates to our legitimate interest or in some cases the performance of an agreement.

#### **DURATION OF THE PROCESSING**

Personal data will be stored and processed by us for a period that will depend on the purposes of the processing, and also the (contractual or otherwise) relationship we have with you.

Customer data and data from suppliers or subcontractors shall in any case be deleted from our systems after a period of five years after the agreement or project comes to an end, except for personal data that we are bound to retain for a longer period in accordance with specific legislation, or in connection with ongoing disputes in which context it is necessary for us to continue to retain such personal data.

#### **RIGHTS**

In conformity with and subject to the terms of Belgian privacy laws and the provisions of the General Data Protection Regulation, we hereby notify you that you have the following rights:

- Right of access and inspection: you have the right to examine, free of charge, the information

stored by us concerning you, and also to determine the purposes for which the same is used.

- Right to rectification: you have the right to rectify (correct) any of your personal data that may be incorrect, or to complete personal data that may be incomplete.
- Right to erasure or restriction: you have the right to request us to erase your personal data or to restrict the processing thereof under the circumstances and subject to the conditions laid down under the General Data Protection Regulation.
- We may refuse to implement the erasure or restriction of any personal data that may be required in order to enable us to fulfil a legal obligation, or to perform the agreement, or for our legitimate interest, for as long as such data may be necessary for the purposes for which such data was collected.
- Right to data portability: You have the right to obtain the personal data that you have provided to us in a structured, common and machine-readable form. You have the right to transfer such data to another data controller.
- Right to object: you have the right to object to the processing of your personal data on serious and legitimate grounds. However, we request you to note that you cannot object to the processing of personal data that is required by us in order to fulfil a legal obligation, or to perform the agreement, or for our legitimate interest, for as long as such data is required for the purposes for which they were collected.
- Right of withdrawal of consent: If the processing of personal data is subject to prior consent, you have the right to withdraw such consent. Such personal data will then only be processed if we have some other legal basis for the same.
- Automatic decisions and profiling: we hereby confirm that the processing of personal data does not include profiling and furthermore, that you are not subject to fully automated decisions.

You may exercise these rights by contacting JANSEN THE BUILDING COMPANY. The contact person for this purpose is Mr Bart Foerier, who may be contacted at [dpo@jansenbuilding.com](mailto:dpo@jansenbuilding.com).

We make every effort to handle your personal data with all due care and in a legitimate manner, in accordance with the applicable regulations. If in spite of the above, you are of the opinion that your rights have been violated and that our company has not adequately responded to your concerns, you are free to file a complaint with the:

Data Protection Authority  
Drukpersstraat 35, 1000 Brussels  
Tel. 02 274 48 00  
Fax. 02 274 48 35

E-mail: [contact@apd-gba.be](mailto:contact@apd-gba.be)

You may also go to a court of law if you believe that the processing of your personal data would prejudice your interests.

### **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, etc., as well as by governmental authorities (e.g. in connection with filing 30bis declarations of works, electronic attendance registration, or competition for public procurement contracts).

It is possible that one or more of the above third parties may be located outside the European Economic Area ("EEA"). However, personal data shall only be transferred to third countries that have an adequate level of security.

The employees, managers and/or representatives of the aforesaid service providers or the institutions and specialised service providers appointed by them must respect the confidential nature of your personal data and may only use the same for the purposes and in the context in which the same was provided.

Your personal data may be passed on to other third parties if so required. This may happen for example in case we undergo total or partial reorganisation, or transfer all our activities, or in case we are declared bankrupt.

It is also possible that personal data may have to be transferred in compliance with a court order or to fulfil a specific legal obligation. In such case, we shall take reasonable efforts to inform you in advance concerning such communication to be made to other third parties. However, you do acknowledge and understand that this may not always be technically or commercially feasible under certain circumstances, or that legal restrictions may apply.

Under no circumstances shall we sell or make your personal data commercially available to direct marketing agencies or similar service providers without your prior consent.

### **TECHNICAL AND ORGANISATIONAL MEASURES**

We have implemented the necessary technical and organisational measures to ensure that your personal data shall be processed subject to an adequate level of security and further that it is also protected against destruction, loss, falsification, alteration, unauthorised access, or inadvertent notification to third parties, as well as against any other unauthorised processing of the aforesaid data.

JANSEN THE BUILDING COMPANY may not under any circumstances be held liable for any direct or indirect damage resulting from the incorrect or unlawful use of personal data by a third party.

#### **ACCESS BY THIRD PARTIES**

We permit our employees, appointees and staff access to your personal data for the processing thereof. We guarantee a similar level of protection by making contractual obligations similar to those provided under this Data Protection Notice, enforceable as against the aforesaid employees, appointees and staff.

#### **DO YOU HAVE ANY MORE QUESTIONS?**

If, after reading this Data Protection Notice, you have any further questions or comments concerning the collection and processing of your personal data, please contact us either by post at Eikenenweg 58, 3520 Zonhoven or by e-mail at [dpo@jansenbuilding.com](mailto:dpo@jansenbuilding.com).