

PRIVACY POLICY

TORFSCONSTRUCT

Current version in effect as of 25 May 2018

We attach great importance to the privacy of the users and handle personal data with the strictest confidentiality and always in accordance with the applicable legislation.

The Privacy Policy is intended to inform you in a transparent way about the data we collect, the purpose, the way in which we use it and the rights that you have in relation to the processing of such data.

On this page we offer you a simplified version of our Privacy Policy in the form of questions and answers. We invite you to read the detailed version here.

It is important to read this Privacy Policy with care. If you have any other questions, please do not hesitate to contact us via info@torfsconstruct.com.

1. WHO IS RESPONSIBLE FOR PROCESSING YOUR PERSONAL DATA?

Torfsconstruct is responsible for processing your personal data.

b.v.b.a. TORFSCONSTRUCT
Leemstraat 158
2861 Sint-Katelijne-Waver

Company registration no.: 0425.165.648.

info@torfsconstruct.com

Within our company we have designated a contact:

Stefanie Oeyen – stefanie@torfsconstruct.com

2. WHICH DATA IS COLLECTED?

We collect your data – including personal data – for various different reasons given below (cfr. point 3). The personal data transferred to TORFSCONSTRUCT is what you have transmitted to us voluntarily as a result of a request, a demand for information, a contractual relationship for example. More in particular, it concerns the following data:

- identification data (surname, first name, e-mail address, date of birth and delivery address);
- your bank data (bank card no., IBAN and BIC/SWIFT) and invoicing;
- our communication (by e-mail or other);
- the type of domain that you connect to our website from;
- the IP address awarded to you;
- the time and date at which you had access to our website;
- location data or other data with regard to communication;
- the pages you visit on our website;
- the type of browser, the platform and/or the operating system you use;
- the search engine and keywords you used to find the website;
- any other data you have communicated to us.

3. WHY DO WE COLLECT YOUR PERSONAL DATA?

We primarily collect data to send you our newsletter, to process your order, to improve our service and, more generally, to communicate with each other more easily. Finally, your data also makes it possible to improve and facilitate your navigation on our Website. The legal grounds on the basis of which your data is processed, are summed up in the complete version of the Privacy Policy.

4. HOW DO WE COLLECT YOUR PERSONAL DATA?

The majority of your data is communicated to us by your active intervention. This is the case when you provide us with your personal data to send us a request, to ask us for information, offers, etc., or to place an order. Other data, such as the date and time of your access to our Website, the pages you viewed or your location data is collected automatically via the servers consulted and "cookies" that are placed on our Website. For more information about what a cookie is, how useful it is and the precise information that it collects, please read our cookie policy.

If we collect your data following intervention by other companies, we will always inform you of this.

5. IS YOUR PERSONAL DATA SECURED?

We attach great importance to the security of the privacy of our users/clients. We conduct a strict Privacy Policy and take all the appropriate measures to ensure that our servers, as far as possible, prevent unauthorised leaks, destruction, loss, publication or use of, or access or changes to your data.

6. HOW LONG IS YOUR PERSONAL DATA STORED?

We store your data for the period that is necessary to achieve the intended purposes (see point 3). As soon as the purpose is achieved, we remove it.

7. WHAT ARE YOUR RIGHTS AND HOW CAN YOU EXERCISE THEM?

At any time, you may ask that your data be corrected, erased, inspected, transmitted or accessed; you may oppose its use and demand that your data be limited. To this end, simply send us an e-mail at info@torfsconstruct.com. We will do everything possible to take care of it.

8. WHO HAS ACCESS TO YOUR PERSONAL DATA?

Our employees and processors have access to your data, but only in as far as it is necessary to achieve the purpose of processing (see point 3). Each of them is subject to a strict obligation of confidentiality.

9. IS YOUR DATA TRANSFERRED ABROAD?

Normally speaking, no. We only transmit your data to a non-EU country if the level of protection is equivalent to the level of the country in which you live. More information can be found on the following website: <https://goo.gl/1eWt1V>.

10. HOW CAN YOU RECEIVE ADVERTISING FROM US?

We use your e-mail address only to offer you items, services and products that are similar to what you have already ordered or that we think could interest you.

With your permission or on the basis of our justified interest, or in particular our contractual relations, we will subscribe you for our newsletter and offer you other similar products or services that might interest you. You may unsubscribe at any time and retract your permission for such communication by sending an e-mail to info@torfsconstruct.com.

11. WHAT IS OUR POLICY WITH REGARD TO DATA ABOUT MINORS?

Our website, our products and services are in principle not meant for children under the age of 18. If you learn that your minor child has provided us with your personal data without your permission, please contact us via info@torfsconstruct.com.

12. WHAT HAPPENS IF THIS PRIVACY POLICY IS AMENDED?

If we were to change this charter, you would be informed of this via our website. Please do not forget to consult our Privacy Policy at regular intervals, ideally each time you consult our Website. The data that the Privacy Policy takes effect is indicated at the start of this document.

13. WHAT TO DO IN CASE OF A DISPUTE?

No one benefits from long legal proceedings. In case of a dispute, we undertake to promote dialogue and openness to find an amicable solution. You may also contact the national data protection authority.

PRIVACY POLICY

TORFSCONSTRUCT

Applicable since 25 May 2018

1. GENERAL PROVISIONS

- 1.1** B.v.b.a. TORFSCONSTRUCT, with its registered office at Leemstraat 158, 2861 Sint-Katelijne-Waver (hereinafter to be called: “**TORFSCONSTRUCT**”) respects the privacy of its users/clients/contacts (hereinafter to be called the “**Users**” within the context of the Website or the “**Contacts**” in a general sense).
- 1.2** TORFSCONSTRUCT processes personal data that it was transmitted in accordance with the applicable legislation, namely Regulation 2016/679 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, in effect as of 25 May 2018 (hereinafter to be called the “**GDPR**”).
- 1.3** Access to the website <https://www.torfconstruct.com/> (hereinafter to be called the “**Website**”) implies full and unconditional acceptance by the User of this Privacy Policy (hereinafter to be called the “**Privacy Policy**”), as well as the general terms and conditions of use (hereinafter to be called the “**Terms of Use**”) and the cookie policy (hereinafter to be called the “**Cookie Policy**”).
- 1.4** User acknowledges having read the information below and permits TORFSCONSTRUCT, in accordance with the provisions of the Privacy Policy, to process the personal data that he or she transmits via the Website as part of the services offered by TORFSCONSTRUCT on its Website.
- 1.5** The Privacy Policy applies for all the pages that are hosted on the Website and for the registrations of this Website. It does not apply for pages hosted by third parties to which TORFSCONSTRUCT may refer and whose Privacy Policy may differ. TORFSCONSTRUCT can never be held responsible for data that is processed on these websites or by them.

2. PARTY RESPONSIBLE FOR PROCESSING THE PERSONAL DATA (CONTROLLER)

- 2.1** Access to the Website occurs without any personal data having to be provided, such as first name, name, postal address, e-mail address, etc.

- 2.2** As part of the Services, User may be obliged to provide certain personal data. In that case, the party responsible for processing that data is:

b.v.b.a. TORFSCONSTRUCT

Leemstraat 158
2861 Sint-Katelijne-Waver
Company registration no.: 0425.165.648.

- 2.3** Any question or request with regard to the processing of this data can be sent to the following address: info@torfsconstruct.com.

3. PERSONAL DATA COLLECTED

- 3.1** By completing the form on the Website and making use of the Services, User permits TORFSCONSTRUCT to register and store this personal data, in particular for the purposes named in point 4. It concerns the following personal data:

- identification data such as surname and first name, e-mail address and delivery address;
- the bank details required for the Services such as bank account numbers, IBAN and BIC/SWIFT;
- invoicing information;
- communication between the User and TORFSCONSTRUCT.

- 3.2** User authorises TORFSCONSTRUCT to also process the following information:

- the information that User has provided voluntarily for a purpose determined in the Privacy Policy, the general terms and conditions of sale (hereinafter to be called the "**Terms of Sale**"), the Terms of Use, the Cookie Policy, on the Website or another means of communication used by TORFSCONSTRUCT;
- the additional information requested from the User by TORFSCONSTRUCT to identify the User or to prevent him from breaching the provisions of the Privacy Policy.

- 3.3** To facilitate navigation on the Website and to optimise the technical management, the Website may use cookies. All the information with regard to cookies can be found in TORFSCONSTRUCT's Cookie Policy.

- 3.4** When the User visits the Website, the servers consulted can automatically record certain information such as:

- the type of domain that the User connects to the Internet from;
- the IP address awarded to the User (if connected);
- the time and date at which you had access to the website and other traffic data;
- location data or other data with regard to communication;
- the pages visited;

- the type of browser used;
- the platform and/or the operating system used;
- the search engine and keywords used to find the website.

3.5 No personal data that can identify the User is collected using the cookies and servers consulted. That information is only kept for statistical purposes and to improve the Website.

4. PURPOSES OF THE PROCESSING

4.1 We process Contacts' data for various purposes. For each processing, only the data that is relevant for achieving that purpose is processed. Processing comprises any action (manual or automated) with regard to personal data. TORFSCONSTRUCT collects, stores and uses the data of its Users primarily for the following purposes:

- entering into and executing contractual relations with the Contact;
- analysing, adapting and improving the content of the Website;
- granting the Services;
- permitting the Contact to receive messages;
- facilitating the delivery and use of the Website;
- personalising the User's experience on the Website;
- reacting to requests for information;
- for all marketing campaigns and promotions offered to Contacts by TORFSCONSTRUCT;
- informing them of the evolutions of the Website and its functionalities;
- any other purpose that the Contact has explicitly agreed to.

4.2 The legal grounds for processing Users' personal data is:

- Contact's consent;
- the execution of any request from or an agreement with the Contact;

It is actually necessary to collect certain data in order to be able to reply to any request from the Contact. If the Contact opts not to share their data with us, this could make it impossible to execute the agreement.

- a statutory obligation of the Controller;

It is actually necessary to collect certain data and keep it in order to meet certain statutory obligations, mainly fiscal and accounting obligations.

- the protection of vital interests;
- fulfilling a task in the general interest or that is part of exercising official authority that the controller has been charged with; or
- our legitimate interest in as far as this coincides with Users' interests, freedoms and fundamental rights.

We have a justified interest to provide information to and exchange it with Contacts, mainly in order to reply to requests or improve our Services, to prevent abuse and fraud, to check the regularity of our actions, to exercise, defend and safeguard our rights, for example in disputes, as well as to prove the violation of our rights, to manage and improve our relations with Contacts, to constantly improve our Website as well as our products/services, except if these interests are overshadowed by the Contact's interests or freedoms and fundamental rights that require the protection of personal data. In any case we ensure that balance is maintained between our justified interest and respecting the Contact's privacy.

If the legal ground for our processing is based on consent, Contact has the right to revoke it at any time without prejudice to the lawfulness of the processing carried out before the revocation.

Within the framework of direct marketing, this means that at any time the Contact can unsubscribe for our newsletter and other commercial communication from us. As a result, User has an "opt-out" and can unsubscribe by sending us an e-mail to the following address: info@torfsconstruct.com or by clicking on the link to unsubscribe at the bottom of each e-mail.

5. RIGHTS OF THE DATA SUBJECT

5.1 In accordance with the regulations on the processing of personal data, the Contact has the following rights:

- **Right of information** about the purposes of the processing (see above) and the identity of the Controller.
- **Right of access:** Contact may at any time have access to the personal data that TORFSCONSTRUCT processes about him/her or check whether they are included in the database of TORFSCONSTRUCT.
- **Right of rectification/correction:** We will take every reasonable measure to ensure that the data stored by us is up to date. We recommend that the Contact use his/her account from time to time (if applicable) or to consult us to check that the data is up to date. If the Contact observes that the data is incorrect or incomplete, he or she has the right to ask us to correct it.
- **Right to object:** Contact may at any time object to the use of his or her data by TORFSCONSTRUCT.
- **Right of erasure:** Contact may at any time ask that his or her personal data be erased, with the exception of the data that TORFSCONSTRUCT is obliged to keep by law.

- **Right of restriction of processing:** Contact may also ask that the processing be restricted if he/she has objected to its processing, if he/she disputes that the data is correct or if the processing of personal data is unlawful.
- **Right to data portability:** Contact has the right to receive the personal data that TORFSCONSTRUCT processes, and to ask that such data be transmitted to another Controller.

5.2 He or she can exercise their rights by sending a written request, accompanied by a copy of his/her ID card or passport to the controller:

- By e-mail to: info@torfsconstruct.com
- by mail to: **b.v.b.a. TORFSCONSTRUCT**
Leemstraat 158
2861 Sint-Katelijne-Waver
Company registration no.: 0425.165.648.

5.3 TORFSCONSTRUCT will do everything possible to deal with every request as quickly as possible but in any case within one month of receipt of the request. If necessary due to the complexity and number of requests, this period may be extended by two months.

6. STORAGE PERIOD

6.1 TORFSCONSTRUCT will store Contacts' personal data for the period necessary to achieve the purposes strived for (see point 4).

6.2 TORFSCONSTRUCT may also store personal data of a non-subscribed Contact, including correspondence or a request for help sent to TORFSCONSTRUCT, in order to answer any questions or complaints that may be sent after the order and to comply with all the applicable legislation, above all fiscal, or in the context of any other legal provisions.

7. COMPLAINT TO THE SUPERVISORY AUTHORITY

Contact is informed that he/she has the right to file a complaint with the Belgian Data Protection Authority if he/she feels that their rights have been violated. The complaint should be sent to:

Data Protection Authority
Rue de la Presse 35, 1000 Brussels
contact@apd-gba.be

8. SECURITY

8.1 In addition, TORFSCONSTRUCT has taken appropriate measures to ensure that the servers that store the processed personal data prevent the following as much as possible:

- unauthorised access to or changing of the data;
- improper use or publication of the data;
- illegal destruction or accidental loss of the data.

8.2 The employees of TORFSCONSTRUCT who have access to this data are subject to a strict obligation of confidentiality. However, TORFSCONSTRUCT cannot be held liable for the abuse of this data by a third party despite all the security measures taken.

8.3 Users, or more in general Contacts, undertake to not do anything in conflict with this Privacy Policy, the Terms of Use, the Terms of Sale, the Cookie Policy, or the law in general. Criminal acts against the confidentiality, integrity and availability of computer systems and the data stored, processed or transferred by those systems or an attempt to commit such acts, will be punishable with a prison sentence of three months to five years and a fine of twenty-six to two hundred thousand euros or just a fine.

9. COMMUNICATION TO THIRD PARTIES

9.1 TORFSCONSTRUCT treats personal data as confidential information. It will not be communicated to third parties within the context of situations other than where this is required by this Privacy Policy or by statutory conditions.

9.2 Access to the data, in principle limited to the Controller and its employees as stipulated in article 8 above, may in certain cases be granted to certain external recipients, such as the suppliers of technical services, messaging services, providers of hosting services, IT companies, legal counsels, marketing services.

9.3 Controller can be asked at any time to update the recipients.

9.4 The communication of this information to the aforementioned persons is in all circumstances limited to what is strictly necessary or required by the applicable legislation.

10. TRANSFER TO A COUNTRY OUTSIDE THE EUROPEAN ECONOMIC AREA

TORFSCONSTRUCT will only transfer data to a non-EEA country if that country offers an appropriate level of protection in the sense of the applicable legislation, in particular the GDPR, or within the limits that are permitted by that same law, for example by ensuring the protection of the data by means of appropriate contractual provisions.

These transfers of data are necessary for the Services or processing determined in this Privacy Policy and in order to operate our Services and offer them to you all over the world. We use standard contractual clauses, approved by the European Commission, and follow the decisions of the European Commission with regard to certain countries for data transfers outside the European Economic Area to the United States of America and other countries. If you have any questions about this, please do not hesitate to contact us at the following address: info@torfsconstruct.com.

11. DIRECT MARKETING

11.1 Personal data is not used for direct marketing purposes for items or Services that are not identical or analogous to those for which the Contact is already registered unless the Contact has previously and explicitly given consent by checking the selection boxes (opt in).

11.2 When the Contact gives consent for the use of this information for direct marketing purposes, Contact reserves the right to object to such use at any time, at his request and free of charge. All that needs to be done, is that the User transmits his or her request to the following address: info@torfsconstruct.com.

12. MINORS

Our website is not intended for people under the age of 18 or people who do not have full legal powers. TORFSCONSTRUCT asks them not to provide their personal data. Any breach of this provision must immediately be reported to the following address: info@torfsconstruct.com.

13. UPDATES AND AMENDMENTS OF THE PRIVACY POLICY

TORFSCONSTRUCT may amend and change this Privacy Policy by providing this information to the Contacts via the Website, by e-mail or in any other way, in particular to comply with all the new, applicable legislation and/or regulations (such as the GDPR), the recommendations of the data protection authority, the guidelines and recommendations of the European data protection authority and the decisions of the courts and tribunals in this domain. We recommend regularly consulting the Privacy Policy and checking the reference to the latest update as indicated above

in this document. If a Contact objects to any change to the Privacy Policy, he/she shall immediately cease to use the Website and ask the Controller to erase his/her personal data in accordance with the legal provisions stated in article 5.

14. VALIDITY OF CONTRACTUAL CLAUSES

- 14.1** If TORFSCONSTRUCT at any time does not evoke one of the provisions of this Privacy Policy, this may in no way be interpreted as waiving the rights it has under this Privacy Policy.
- 14.2** The invalidity, nullity or non-enforceability of all or part of the provisions above or below shall not invalidate the entire Privacy Policy. The provision that is invalid, null or non-enforceable in full or in part shall be deemed not to have been written. TORFSCONSTRUCT undertakes to replace that provision by a new one that pursues the same objective as the old one as far as possible.

15. APPLICABLE LAW AND COMPETENT COURT

- 15.1** The validity, interpretation and/or execution of the Privacy Policy are subject to Belgian law in as far as permitted by the applicable regulations of private international law.
- 15.2** In case of a dispute about the validity, interpretation or execution of the Privacy Policy, the courts and tribunals of the judicial district of Antwerp, Mechelen division, have sole jurisdiction in as far as permitted by the applicable regulations of private international law.
- 15.3** Before commencing with a judicial solution to a dispute, Contact and TORFSCONSTRUCT undertake to try and resolve the dispute in mutual consultation. To this end they shall first resort to, where indicated, mediation, arbitration or any other alternative method for dispute resolution.