



## THIRD PARTY PRIVACY STATEMENT

### 1. INTRODUCTION

This Privacy Statement provides information on the processing of personal data of individuals who interact with VTTI B.V., based in Rotterdam, K.P. van der Mandelelaan 130, 3062 MB and its subsidiaries (hereinafter referred to as “VTTI”).

This Privacy Statement may be changed over time.

This Privacy Statement was last changed on March 6, 2020.

### 2. HOW DOES THIS PRIVACY STATEMENT APPLY?

This Privacy Statement is applicable to the collection and processing by VTTI of personal data of third parties (“3<sup>rd</sup> party”) who interact with VTTI.

### 3. WHO IS RESPONSIBLE FOR THE DISCLOSED DATA?

VTTI and/or its subsidiary companies are the controller for the collection and processing of disclosed 3<sup>rd</sup> party data. This Privacy Statement indicates what 3<sup>rd</sup> party data are collected, processed and stored by VTTI and for what purpose(s), and to which persons or entities the data will be provided. The VTTI Legal department are responsible for overseeing and enforcing this Privacy Statement. If you have any questions, you can contact them at [privacy@vtti.com](mailto:privacy@vtti.com).

### 4. FOR WHICH PURPOSES DO WE PROCESS 3<sup>RD</sup> PARTY DATA?

#### 4.1 To protect your vital interests

##### (a) What does this purpose entail?

When it is necessary to process your personal data to protect your vital interests, we will do so. This could, for example, be the case when you have a medical condition that VTTI staff need to be aware of or that prevents you from performing certain activities.

##### (b) On what legal basis do VTTI process data for this purpose?

The processing of this information is necessary in order to protect your vital interests or the vital interests of your colleagues or VTTI staff.

##### (c) Which data do VTTI process for this purpose?

For this purpose, VTTI processes contact details, relevant file details, insurance details, location and organizations and other relevant data that you provided to VTTI.

##### (d) How long do VTTI retain disclosed 3<sup>rd</sup> party data for this purpose?



Except as otherwise permitted or required by applicable (local) law or regulatory requirements, VTTI retains the personal data processed for this purpose only for as long as necessary to fulfil this purpose.

#### **4.2 To monitor and investigate compliance within VTTI policies and regulations**

##### **(a) What does the purpose entail?**

VTTI monitors 3<sup>rd</sup> party accounts to check compliance with VTTI's policies and regulations. You can find VTTI's policies and regulations in QoL, VTTI's online quality management system or, in the event you are not granted access, such policies may be made available to you by electronic files or hardcopies. VTTI also monitors your use of its networks, systems and information to observe compliance with its policies.

VTTI will only monitor 3<sup>rd</sup> party data if it has received signs of irregular use and in such cases will inform the 3<sup>rd</sup> party concerned. If a 3<sup>rd</sup> party is suspected of behaviour or actions that are not compliant with their interactions with VTTI's policies and regulations, VTTI could instigate an internal investigation and generate and process additional data. VTTI could, for example, instigate such an investigation in the case of suspected fraud or a prohibited transfer of any of VTTI's trade secrets, confidential information, intellectual property or knowhow, or if we suspect a 3<sup>rd</sup> party to be the origin of any virus, spam or intrusion in VTTI systems or network.

##### **(b) On what legal basis do we process personal data for this purpose?**

The processing of this data is necessary for the purposes of the legitimate interests pursued by VTTI to detect and prevent loss of personal and company's data, detect and prevent loss or theft of intellectual or physical business property, and detect and prevent fraud.

##### **(c) Which 3<sup>rd</sup> party data do we process for this purpose?**

For this purpose, we process account/profile data (corporate ICT-systems), such as the time and date of your logins, the type of information and files shared, the search queries that are made and the type of device you use, IP addresses, MAC addresses, documents accessed and duration of access, and which mobile browser you use, your time zone settings and device details.

If a 3<sup>rd</sup> party is suspected of behaviour or actions that are not compliant with VTTI's policies and regulations we will investigate the matter in detail and use more specific content and traffic data for internal investigations. We use this personal data to make legal decisions and to conduct legal proceedings. Such data includes (to the extent we are entitled to access it): your internet communications (including social media), sent and received email messages, printed documents, storage devices (USB sticks, portable hard drives) and data on back-ups.

##### **(d) How long do we disclosed data for this purpose?**

Except as otherwise permitted or required by applicable (local) law or regulatory requirements, VTTI will retain a disclosing 3<sup>rd</sup> party's data processed for this purpose only for as long as necessary to fulfil this purpose.



#### **4.3 To comply with the law**

**(a) What does this purpose entail?**

In some cases, VTTI collects and processes disclosed 3<sup>rd</sup> party data to comply with applicable laws and regulations.

If laws and regulations require VTTI to do so, VTTI will disclose the applicable data to government institutions or supervisory authorities.

**(b) On what legal basis do VTTI process 3<sup>rd</sup> party data for this purpose?**

The processing of this information is necessary for compliance with the legal obligations to which VTTI is subject to.

**(c) Which 3<sup>rd</sup> party data do VTTI process for this purpose?**

For this purpose, VTTI processes your contact details, date of birth, gender, civil status, nationality, social security number, ID card or passport details, driver's license number (or other government-issued identification number), establishment address, chamber of commerce and VAT details (if applicable), job and position data, payment details and location and organizations.

**(d) How long do VTTI retain 3<sup>rd</sup> party data for this purpose?**

Except as otherwise permitted or required by applicable (local) law or regulatory requirements, VTTI retains the personal data processed for this purpose only for as long as necessary to fulfil this purpose.

#### **4.4 To answer your enquiries and for other legitimate purposes**

**(a) What does this purpose entail?**

VTTI collects, uses, discloses and stores your personal data for legitimate business purposes such as the general internal management of VTTI; (ii) for management reporting purposes in the context of mergers, acquisitions and divestitures; (iii) allowing you to perform your tasks in the regular course of business or (iv) VTTI analyses to facilitate better decision making.

Also, if you get in touch with VTTI via any available communication channel, we will use your disclosed data in order to reply and answer your enquiry.

**(b) On what legal basis do VTTI process 3<sup>rd</sup> party data for this purpose?**

We process your personal data for these purposes based on our legitimate interest to manage, improve and expand our business.

**(c) What 3<sup>rd</sup> party data do VTTI process for this purpose?**

For this purpose, VTTI collect, use, disclose, and store your social security number, driver's license number (or other government-issued identification number), date of birth, organisation address, personal telephone number, personal email address, citizenship/national origin information, bank



account information, medical information, contact details, date of birth, gender, job and position data, account/profile data (corporate ICT-systems), content and traffic data, and relevant data generated during interaction with VTTI.

**(d) How long does VTTI retain 3<sup>rd</sup> party data for this purpose?**

Except as otherwise permitted or required by applicable (local) law or regulatory requirements, VTTI retains the disclosing 3<sup>rd</sup> party's data processed for this purpose only for as long as necessary to fulfil this purpose.

**5. WHO HAS ACCESS TO 3<sup>RD</sup> PARTY DATA?**

**5.1 Access to 3<sup>rd</sup> party data within VTTI**

HR and HSE departments may have access to 3<sup>rd</sup> party data provided and all VTTI employees may have access to your data if you create a public profile in one of VTTI's systems. When you send data to other VTTI recipients, e.g. when you send an email, this recipient will also receive personal data included in such email as a result.

Non-public data can be accessed by relevant VTTI departments such as IT, HR, Finance, Legal and Compliance, but only to the extent necessary to fulfil their respective tasks. In this processing, the disclosed data may be transferred to a country that does not provide an adequate level of protection of personal data. VTTI will take measures to ensure that disclosed data are adequately protected.

Without prior written authorisation of VTTI, other 3<sup>rd</sup> parties and independent contractors of VTTI shall not, directly or indirectly, access, use for any purpose, disclose to anyone, publish, exploit, take, copy, alter, destroy, or remove from the offices of VTTI, nor solicit, allow or assist another person or entity to access, use, disclose, publish, exploit, take, copy, alter, destroy or remove from VTTI's offices, any data or part thereof of an employee, independent contractor or job applicant of VTTI, except: (1) as permitted in the proper performance of their duties for VTTI; (2) as permitted in the ordinary course of VTTI's business for legitimate business purposes; or (3) as otherwise required by applicable laws and/or regulations. As stated in Section 7 below, 3<sup>rd</sup> parties shall immediately notify VTTI or send an email to [privacy@vtti.com](mailto:privacy@vtti.com) if a disclosing 3<sup>rd</sup> party learns of or suspects any violation of this policy. A violation of this policy will result in appropriate legal action against the acting 3<sup>rd</sup> party.

**5.2 Access to your personal data by third parties**

The following third parties may have access to your personal data where relevant for the provisioning of their products or services to VTTI and in connection with the purposes described in this policy:

- 3<sup>rd</sup> party service providers for and in connection with the provisioning of their services to VTTI (including consumer reporting agencies, financial, tax or legal advisors, VTTI's insurance providers, VTTI's 3<sup>rd</sup> party leave administrator, travel agencies, banks, IT suppliers, security);



- Business partners for and in connection with the provisioning of services between VTTI and such business partners;
- VTTI's parent companies ("**Parent**") and any subsidiary company of Parent, for legitimate business purposes; and
- Government agencies or entities as required by applicable laws and regulations.

You have the right to contact VTTI if they would like more information on the specific other third party recipients relevant to your personal data and location.

If your personal data are transferred to a recipient in a country that does not provide an adequate level of protection of personal data VTTI will take measures to ensure that your personal data are adequately protected, such as entering into EU Standard Contractual Clauses with these third parties.

In other cases, the disclosed data will not be supplied to other third parties, except when required by law.

### **5.3 The use of your personal data by data processors**

When a third party processes your personal data solely following VTTI's instructions, it acts as a data processor. We enter into an agreement with such a data processor concerning the processing of personal data. In this agreement we include, at a minimum, certain obligations to safeguard that your personal data are solely provided to the data processor to provide services to us.

## **6. HOW ARE YOUR PERSONAL DATA SECURED?**

VTTI has taken adequate safeguards to ensure the confidentiality and security of your personal data. VTTI has implemented appropriate technical, physical and organisational measures to protect personal data against accidental or unlawful destruction or accidental loss, damage, alteration, unauthorised disclosure or access, and against all other forms of unlawful processing (including, but not limited to unnecessary collection) or further processing, including but not limited to the following:

- Locking, restricting and/or monitoring access to VTTI's facilities, including through the use of access badges employees and visitors and locks on building and office doors;
- Storing physical files and documents containing personal data in locked cabinets or other secured storage;
- Implementing information technology ("IT") security measures on its electronic equipment, information systems and networks, including: (i) restricting and monitoring access to VTTI's electronic equipment, information systems and networks (and the directories within); (ii) requiring ID's and passwords to access VTTI's equipment, information systems and networks; (iii) requiring passwords of a specific length and with specific types of characters; and (iv) requiring that these passwords be changed regularly;
- Using password protection on and/or locking electronic files and documents containing personal data;



- Restricting access to files and documents containing personal data;
- Limiting access to personal data to certain personnel of VTTI on a need-to-know basis;
- Investigating wrongful use, disclosure and/or access to personal data; and
- Implementing and enforcing this policy regarding the protection of disclosed personal data.

In the event of a data breach, VTTI will notify the relevant third party as to what disclosed data may have been exposed, as well as local relevant authorities, in accordance with applicable laws and regulations.

## **7. YOUR RIGHTS:**

Under applicable data protection laws, disclosing 3<sup>rd</sup> parties have data protection rights when VTTI process disclosed data. In brief, disclosing 3<sup>rd</sup> party data protection rights are:

Under applicable data protection laws, you have data protection rights when we process your personal data. In brief, your data protection rights are:

- Right of access

You may access your personal data processed by us. Please contact the local HR department or your main point of contact at VTTI or send an email to [privacy@vtti.com](mailto:privacy@vtti.com).

You may request us to confirm whether or not we process any other personal data that relates to you. If this is the case, you may ask us to provide you with a copy of the personal data we process of you insofar as required by applicable data protection laws.

- Right to rectification and erasure

You may request us to correct any inaccurate personal data we process of you. Also, you may ask us to erase the personal data that relate to you if they are no longer necessary for the purposes for which we processed them, if you have withdrawn your consent and we do not have another legal ground for processing your personal data, if your personal data have been unlawfully processed, if your personal data have to be erased following applicable EU or EU member state laws.

- Right to restrict processing

You may restrict the processing of your personal data if you have contested the accuracy thereof or if the processing is unlawful. You may also request restriction over erasure, in the event we no longer need your personal data for a purpose but you need them for the establishment, exercise or defence of legal claims, or while your exercised right to object is being reviewed.

- Right to object

You may object to our processing of your personal data based on our legitimate interest. We will then no longer process your personal data for this purpose, unless we have an overriding



legitimate interest to do so. You may also ask us to erase your personal data, unless there is an overriding legitimate interest for the processing.

For more information on how you can exercise your rights and practical guidance to assist you in this, please contact your local HR department or send an email to [privacy@vtti.com](mailto:privacy@vtti.com).

If you have provided consent for the processing of your data you to have the right (in certain circumstances) to withdraw that consent at any time which will not affect the lawfulness of the processing before your consent was withdrawn.

If you feel that we do not comply with the applicable privacy rules you have the right to lodge a complaint with a competent data protection authority.

Should you have any questions regarding the processing of your personal data, please contact the local HR department or send an email to [privacy@vtti.com](mailto:privacy@vtti.com).

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