

# PRIVACY STATEMENT

## GENERAL PROVISIONS

**Introduction** - Tractebel Engineering SA, whose registered office is located at Boulevard Simon Bolivar 34-36, 1000 Brussels and registered in the Crossroads Bank for Enterprises under company number 0412.639.681 (hereafter "Tractebel"), is committed to ensure the protection of Personal data entrusted to it, as well as to respect the rights of the people whose Personal data is being Processed for the purposes set forth in this Privacy Statement.

Personal data (as defined below) are therefore handled and protected with the utmost care, in strict accordance with the requirements imposed by the legislation on the protection of Personal data, the General Data Protection Regulation (GDPR)\*. In cases where any local data protection or privacy law of countries in which Tractebel operates, contains more detailed or stricter requirements with respect to Personal data, Tractebel will comply with that legislation where applicable.

(\*) 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

**Scope** - To successfully pursue its activities in consultancy and engineering in (hydro)power, nuclear, gas, industry and infrastructure, Tractebel needs to Process Personal data about individuals. These can include employees, customers, suppliers, subcontractors, consultants, job applicants and other people the organization has a relationship with or may need to contact\*\*.

This Privacy Statement applies to all Personal data submitted to Tractebel via the website, by email, or by any other means.

It describes which Personal data we collect, why we do it, how long we keep it and the rights you can exercise about your Personal data as well as the principles that Tractebel applies, in its capacity as a Controller, to all Personal data that is collected and Processed in any format, whether electronically or in paper.

Through our products and services, you can also use services of other parties such as chat, third party websites, forums, Facebook, Twitter, newsgroups or apps. Tractebel has no control over the information you post there and how it is Processed, and we are not responsible for it. We advise you to read the privacy policies of these third parties carefully.

(\*\*) Employees of Tractebel can consult the Privacy Statement to Employees on the Privacy page of the Tractebel intranet

**Definitions** - For the purposes of this Privacy Statement, the following definitions apply:

- **Personal data** is any information relating to natural person who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, psychological, genetic, mental, economic, cultural or social identity of that natural person.
- **Processing/Process** is defined as any operation or a 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.
- **Controller** is the natural or legal person who (either alone, jointly or together with other persons) determines the purpose(s) and means of the Processing of Personal data

## PROCESSING PRINCIPLES

**Personal data Tractebel collects about you** - If possible, we will try to collect the Personal data directly from the person concerned. However, it may be necessary to collect Personal data from third parties in the context of future relationships (e.g. customers or candidates).

### I. Information you provide us

- contact form filled out by you (website Tractebel): name, email, company, job title phone, and message;
- job applications (directly by mail, letter or through the website Tractebel or through recruitment company): application forms, CV, interview notes and related recruitment information;
- content of correspondence with us (by email, phone or letters);
- information relating to your use of our products or services;
- contact details of past, present and future customers;
- contact details of past, present and future customers, suppliers, partners or consultants

### II. Information we may automatically collect if you visit our website

- technical information, including IP address, login information, browser type and version
- cookies and other technologies (See our [Cookie Policy for more information](#))

Finally, information collected on our site may be stored and processed into anonymous statistics or log files for internal use, such as traffic and profile analysis.

**Lawful basis and purposes of the Processing** - The GDPR lists a limited number of lawful bases on which a Controller can rely to Process Personal data:

- the consent of the data subject,
- the performance of a contract between the data subject and the Controller,
- a legal obligation,
- the vital interest of a natural person,
- the performance of a task carried out in the public interest,
- the legitimate interests pursued by the Controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject.

The lawful basis on which Tractebel relies to collect and Process your Personal data will vary depending on the Personal data itself and the specific purpose for which Tractebel collects it.

**In general** - We may have to Process all categories of Personal data to comply with applicable legal or regulatory requirements. We also may have to Process Personal data on the basis of our legitimate interests, to:

- identify you and give you access to our buildings/parking if you visit our premises;
- organize meetings and video conferences if you take part to such meetings;
- keep the IT infrastructure safe by filtering the Internet traffic (if you connect to our network);
- verify whether Tractebel's ethics and embargo rules are respected;
- follow up on Ethics Whistleblowing, avoid and solve ethic incidents;
- comply with relevant industry standards and our policies, and for litigation or defence of claims.

Subject to your explicit consent, we will use your contact details to send you our newsletter. We also may use the Personal data in other ways, for which we provide specific notice at the time of collection.

**Customers' and prospects' (employees' and representatives') Personal data** - On the basis of our legitimate interest, we may use the Personal data:

- for the performance of the contract(s) between your company with Tractebel (delivery and invoicing of our products and services);
- in order to take steps at your request prior to entering into a contract with your company;
- for the execution and analysis of market surveys and marketing strategies;
- to further inform you about our products and services that are in line with our already existing relationship and for some specific marketing;
- to prevent risks of fraud and corruption (a.o. registration of the gifts received by and offered to clients and prospects).

**Suppliers' and partners' (employees' and representatives') Personal data** - We Process your Personal data to conclude and execute our agreements and manage our relationships (contractual basis) or the contractual relationship between Tractebel and your employer (legitimate interest), and amongst others to:

- give you access to our premises;
- control the staff working on the premises;
- provide training;
- prevent risks of fraud and corruption (a.o. registration of the gifts received by and offered to suppliers' and partners' employees and representatives).

We can Process your data as part of our commercial offers to (potential) customers.

**Investors' and shareholders' data** - We use your Personal data in order to manage our relationship and our obligations to you. We maintain contact details for external communications and to respond to your queries.

**Job applicants' data** - Your Personal data are stored for the recruitment and selection procedures. More specifically, your Personal data are Processed for the purposes of assessing your profile and skills to fit a job and making you specific job offers.

**Consultants' data** - We Process your Personal data on a contractual basis for recruiting, managing or terminating your consultancy employment at Tractebel. On the basis of our legitimate interest, we can Process your Personal data:

- as part of our commercial offers to (potential) customers;
- to give you access to our premises;
- to control the staff working on the premises;
- to provide training;
- to manage phone services;
- to prevent risks of fraud and corruption (a.o. registration of the gifts received by and offered to consultants).

In any case, Tractebel only Processes Personal data in a way that is compatible with the purposes for which the Personal data was collected or which is authorised by law or with the prior consent of the data subject.

**Accuracy** - Tractebel takes all appropriate steps to ensure that Personal data are accurate, up to date and reliable for the purposes intended. Please note that you are also partly responsible for the accuracy of your Personal data. If certain information changes, we invite you to notify us as soon as possible.

**Retention period** - Your Personal data is kept in our information systems only for as long as is necessary for the purposes for which it was collected (as described above). It will be deleted once it is no longer needed by us and once all requirements at law have been met.

We will retain and use your Personal data for as long as reasonably necessary to perform our agreements or to consider tenders, to comply with our legal obligations (such as accounting and tax obligations) and to resolve disputes or enforce our agreements. Therefore, your Personal data will be held during the duration of our contractual relationship and up to 10 years thereafter.

Application forms (CV's), interview notes and references of unsuccessful internal and external candidates are kept for a period of four weeks following the last interview (or one year if you gave your consent in this regard).

In all cases Personal data may be kept for a longer period of time where there is a legal or regulatory reason to do so, or a shorter period where the individual objects to the Processing of their Personal data and there is no longer a legitimate purpose to retain it

## INTERNATIONAL DATA TRANSFERS

Apart from exceptional and very limited situations, Tractebel stores all Personal data on servers that are located within the European Union. In limited cases, Tractebel may transfer your Personal data to other countries, outside of the European Economic Area. In such case, Tractebel will take appropriate or suitable measures to ensure that your Personal data is exclusively Processed in accordance with this Privacy Statement and the applicable laws and that adequate levels of protection have been implemented in order to safeguard your Personal data. These arrangements can include Binding Corporate Rules for transfers within the ENGIE Group, the European Commission's standard contractual clauses or approved certification mechanisms or other measures to provide an adequate level of data protection under applicable law. If you wish to obtain a copy of the safeguards Tractebel has in place, please use the contact details described below.

## DISCLOSURE OF PERSONAL DATA

Tractebel does not share your Personal data with third parties, unless:

- with our legal successors and other affiliated companies within the ENGIE and Tractebel group, for the same purposes as specified in this Privacy Statement;
- with subcontractors and third parties for the purpose of the performance of a contract that we hold with them or that we hold with you;
- with third party service providers who perform services on our behalf to help us with our business activities. These service providers are limited to only using your Personal data as instructed to carry out their tasks;
- permitted or required by applicable law or regulatory requirements;
- with law enforcement authorities or other government officials;
- with other third parties with your consent.

## YOUR RIGHTS

As a data subject, you are granted different rights in connection with your Personal data. However, Tractebel can take reasonable steps to verify your identity before proceeding with your request. Your rights are the following:

**Right to be informed** - Tractebel is transparent by providing you any information relating to the Processing of your Personal data via this privacy statement or specific information notices at the time of collection.

**Right to access** - You have the right to request access to and receive details on the Personal data Tractebel holds about you and to obtain a copy thereof.

**Right to rectification** - If the Personal data that Tractebel holds about you is inaccurate or incomplete, you have the right to ask us to update or rectify it.

**Right to be forgotten** - Under certain circumstances (e.g. when the Personal data are no longer necessary in relation to the purposes for which they were collected), you have the right to request Tractebel to erase your Personal data.

**Right to restrict Processing** - In some specific cases, you have the right to ask Tractebel to restrict how we Process your Personal data (e.g. when you contest the accuracy of the Personal data, for a period enabling the Controller to verify the accuracy of the Personal data). This means Tractebel is permitted to store the data but not further Process it.

**Right to data portability** - This right only applies to Personal data that you have provided to Tractebel, based on your consent or for the performance of a contract and when the Processing is carried out by automated means. Tractebel will provide your Personal data in a structured, commonly used and machine-readable format to be able to transmit it to another Controller, or have it directly transmitted by Tractebel if technically feasible.

**Right to object** - You have the right to object to the Processing of your Personal data, on grounds relating to your particular situation, if the Processing is based on the legitimate interest of Tractebel or on public interest. Tractebel will discontinue the Processing of your Personal data, unless we can demonstrate compelling legitimate grounds for the Processing which override your interests or rights, or for the establishment, exercise or defence of legal claims.

**Right to withdraw consent** - Where your consent was required for the collection or use of your Personal data, you have the right to withdraw your consent at any time. For example, you may choose to stop receiving our newsletter by following the unsubscribe instructions included in the emails. However, this withdrawal does not affect any Processing operations previously carried out on the basis of your consent.

**Right to lodge a complaint** - You have the right to lodge a complaint with the supervisory authority (in Belgium: Gegevensbeschermingsautoriteit) if you consider that the Processing of your Personal data infringes this Privacy Statement or the GDPR. For more information, please contact your local data protection authority (contact details for data protection authorities in the European Economic Area, Switzerland and certain non-European countries are available [here](#)).

You can exercise your rights by sending a request by email to [privacy@tractebel.engie.com](mailto:privacy@tractebel.engie.com) or by post to:

TRACTEBEL Engineering  
c/o Legal - GDPR  
Boulevard Simon Bolivar 34-36  
BELGIUM

Tractebel will provide you with information about the action taken on the request without undue delay and in any event within one month after receipt of the request unless the applicable data protection law would allow for an extension of such period.

## CHANGES TO THE PRIVACY STATEMENT

Tractebel may amend this Privacy Statement from time to time to reflect new legal or regulatory obligations, or in response to new data Processing activities. Any such changes will be posted on the Tractebel website and will be effective from the time they are communicated, or, if required, when we have obtained your consent. We advise you to check back frequently to see any updates or changes. This Privacy Statement was last reviewed on September, 2018.

