

Privacy and cookies statement

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PRIVACY STATEMENT

Eneco Belgium nv (hereafter "Eneco") forms part of the Eneco Group. At Eneco, we find privacy and data protection important. That's why your personal data is carefully processed and protected. Eneco processes your personal data according to the General Data Protection Regulation (hereafter GDPR) and other privacy legislation.

Eneco processes your personal data. We would like to clearly inform you about this. In this privacy statement, we will answer the most important questions about the processing of your personal data by Eneco. In this document, we will explain how we process your data, why we do it and to what end. We will also tell you what you can decide yourself about the use of your data. This privacy statement applies to every service of Eneco Belgium where personal data is being processed. This will all be explained below.

1. WHAT IS THE PROCESSING OF PERSONAL DATA?

Processing is everything that can be done with personal data. For example, gathering, but also organising, saving, retrieving, using, actualising, connecting and deleting of data. So, this is a very broad term.

Personal data is all information that directly or indirectly say something about a natural person. For example, your name and address, but also – combined with that – your consumption data.

If the business client is a legal person, the privacy policy only applies to the personal data of the natural persons we process in the context of their relationship with the business client.

2. WHO IS RESPONSIBLE FOR PROCESSING MY PERSONAL DATA?

Eneco Belgium nv is responsible for the processing of your personal data. Eneco Belgium nv forms part of the Eneco Group.

The Eneco Group has appointed a Data Protection Officer ("DPO") who monitors the compliance with the GDPR. In Belgium, the DPO can be reached by email at privacyportalbelgium@eneco.com or by mail at Legal, Battelsesteenweg 455i, 2800 Mechelen.

For questions and answers about the processing of your personal data by Eneco Belgium nv, you can also reach out to customer service through the [contact form](#) or by calling 0800 15 534.

3. WHO DOES ENECO PROCESS PERSONAL DATA FROM?

We process personal data from people we have, want to have or had a customer relationship with. So these are, for example, the personal data of:

- (former) customers;
- non-customers (prospects) who show interest in our products and services and/or products and services of third parties;
- people who are connected to a company or an organisation that we have, want to have or had a customer relationship with;
- users of the website and applications

If a company or an organisation has a customer relationship with Eneco and transmits contact information of its employees or customers to us, that company or organisation is required to inform these contacts about this. In this privacy statement, these employees or customers can see how we handle their personal data.

In some cases, we also process the data of people who are not a customer themselves but are family members of a customer. It's possible that you enter the email address of a family member for the communications Eneco will send you, or that you give us your family situation in order to fine-tune your energy profile. In that case, it's up to you to make sure that you are allowed to share this information with us.



4. WHICH PERSONAL DATA DOES ENECO PROCESS?

Eneco possesses personal data:

- 1) if you have given them to us yourself;
- 2) because of your use of our applications, website, services and/or products;
- 3) that we receive from third parties such as the distribution grid operators or contractually connected businesses; and
- 4) by consulting public sources and/or by enriching data through third parties.

A list of categories of personal data:

- Identification data: this is the information that allows us to directly identify you, such as your name.
- Contact information: with this information, we can contact you. Examples of this are your address, your phone number and email address.
- Contract information: this is the information you share with us when you signed the contract with us.
- Personal characteristics: examples of this are your language preference and gender, so we can correctly address you in our communications.
- Electronic data: this is information that is collected on the website or in the application, such as your IP-address.
- Family composition: if you fine-tune your energy profile on My Eneco, we receive information regarding your family composition. You can also share this in questionnaires.
- House characteristics: if you fine-tune your energy profile on My Eneco, we receive information regarding your home, such as the type of house. You can also share this in questionnaires.
- Connection characteristics: this is information we have about your connection point(s).
- Product information: This is information about which products and/or services you use.
- Anna information: If you have an Anna thermostat, this information is collected in order to draw up the Anna report.
- Switching information: If you change your connection or if you switch suppliers, we collection information on this. The data regarding this switch is called switching information.
- (social) rate information: this includes the data regarding your rate and your possibly protected statute.
- Communication and email log: This includes all contact moments you've had with Eneco and the emails you've received from us.
- Invoice data: We need this data to draw up your invoices.
- Consumption data: The information regarding your consumption is needed to invoice the correct amounts. It can also be used to refine your advance amount.
- Payment information: This information includes your payment preference and the information needed to process this, like your direct debit request.
- Information received as part of a court case: If you ever have a court case against Eneco, we will keep records about this, such as conclusions or decisions made by the judge.
- Collection data: this is the information we use to collect overdue payments.
- Identification number of the National Register: the social security number is used to make sure that people with a right to the social rate and a protected statute actually receive this.

The GDPR does not prescribe storage periods. Eneco does not process personal data any longer than necessary for the goal that they were collected for. For example, your information will be kept for a maximum of 3 months if you've been in contact with us but decided not to become a customer. If you do become a customer, we will process the personal data needed to execute the contract with you as long as you are a customer and for a period of 3 years after the customer relationship ends. This is necessary to make corrections to the meter readings, for example. If you are no longer a customer, we will use your personal data for a maximum of 2 years to incidentally approach you to become a customer again and in order to refine our business processes.

Some information is kept longer than is needed for processing. Personal data needed for the bookkeeping and any supporting documents are kept up to 7 years after the end of the customer relationship in order to meet the legal data retention obligations.



5. WHY DOES ENECO PROCESS PERSONAL DATA?

Execution of agreement between you and Eneco

a. To enter into and establish an agreement with you

We need personal data if you want to become a client with us or if you want to start using a new product or service. Energy suppliers do a credit history check with new clients to assess if we can accept you as a client, or if we first have to request a security deposit before we can continue with your registration.

We can also use information that we received from others for this purpose. For example, from the company that performs the credit history check for us. We can also use the data we have received from you and have recorded about you to perform analyses to assess whether or not you are eligible for a certain product and/or service.

b. To implement the agreement

If you are a client with us, we want to offer you good service. To implement the agreement we entered into with you and to provide you with our services, we will process your personal data. We cannot offer you services or product without using your data to do so. For example, we will use your name and (email) address for our bookkeeping and to stay in contact with you. We will also use your personal data to answer your questions and handle any complaints and disputes. In addition, we will record conversations, for example phone conversations and chat sessions you have with us. The same applies to questions you ask us by email, app, chat or over the phone. We do this, among other things, for (legal) proof and/or the coaching of employees. Because of this, we can verify our agreements with you at a later time. But we also need your information to make our services possible in a technical manner.

We also process your personal data, for example, to be able to send you your (annual) invoice(s), to be able to claim these and also to track your consumption in the recent period. In addition, we will be determining a new advance amount. If you gave a direct debit mandate when entering into the agreement, we will collect the (advance) amount owed from your account on a monthly basis.

If you don't pay your (annual) invoice(a) on time, for example, even after we've sent you a reminder, we can transfer our claim against you to a third party for debt collection. This party will then receive the data they need from us in order to collect the debt, such as your name, address information and the invoice in question.

c. To enter into and implement agreements with suppliers and business clients

If you are in contact with Eneco for your work, we can process your personal data. We do this for example to be able to determine whether or not you are allowed to represent your company or to be able to keep in touch with the company you work for.

Legal obligation

d. To comply with legal obligations

In some cases, we are legally obligated to send out (service) messages. An example of this could be a change in the (energy) supply rates. We will then personally inform you of this change.

Eneco can also be legally obligated to cooperate when it comes to providing personal data of clients to relevant authorities, such as the supervisory authority, public authorities, the tax authority or the police. The further processing of that data is the responsibility of those authorities. We only cooperate once we have determined that the legal obligations have been met.

We also process your data for the purpose of accounting checks in order to comply with the legal obligations.

In addition, we process your personal data for collecting debts on behalf of third parties. These can be the grid operating costs of your grid operator that we charge you and subsequently pay to your grid operator.

Consent

Eneco can also ask for your permission to be able to process certain personal data. With your permission, we will send you interesting offers from selected partners, you can participate in competitions or register to be kept up-to-date on crowdfunding actions.

You can also share personal data in My Eneco to refine your energy profile, or you can draw up a price simulation as a non-client.



Legitimate interest

e. For the development and improvement of our products and services

To better serve you, now and in the future, we are continuously developing and improving our products and services. In some cases, we do this by processing personal data. This is done, among other things, for quality purposes. For example, when you ask a question about a product and/or service.

On the Eneco websites, general visitor data is recorded, such as the most consulted pages. The purpose of this is to optimise the websites. We can also use your data that we recorded to perform analyses. With these analyses, we can improve our service to you, for example.

f. For our operations

Your data is also processed for our management information and to determine general strategy and policy.

g. For promotional and marketing purposes

Your personal data is used by Eneco to inform you about (new) Eneco products and services that might be relevant for you and/or to be able to better anticipate your wishes. This can be done by phone, email or mail. If you do not wish to receive this information, you can unsubscribe with the unsubscribe option that is offered in these messages, through customer service or My Eneco.

When you are no longer a client, we can still approach you with an offer to become a client once again, unless you have unsubscribed for this option. Eneco uses a maximum timeframe of 2 years after terminating the client relationship.

When you visit our website, we can link your use of our website to the information we have on you to improve our service to you and show advertisements that are relevant to you. We can also use the data to perform analyses to put information that is more relevant to you on the websites. By doing this, Eneco can further improve and adjust their service to the wishes of the clients. In addition, we will combine your online navigation, search and client behaviour to offer you relevant offers and recommendations online and/or offline, based on your preferences or interests and to optimise our campaigns. We do this with cookies and techniques similar to cookies. This will be explained in our cookie statement at the end of this document.

h. For statistical purposes

We can also use the data we recorded from you to perform analyses and do research. We can then use these analyses for statistical purposes.

6. DOES ENECO ALSO PROCESS SPECIAL AND/OR CRIMINAL PERSONAL DATA?

Special personal data

Special personal data is information regarding health, information about religious views or other convictions, ethnic information or information about race, political views, membership to a union, biometric information for the purpose of the unique identification of a person, genetic information and information regarding somebody's sexual behaviour or sexual orientation. Eneco does not process special personal data, unless this is allowed by the law. Are you asking us to record special personal data about you or are you making this data public yourself? Then we will only process this data if this is necessary for our services.

Criminal personal data

A different category of data is criminal data. This is about processing personal data regarding criminal convictions and criminal offences or related safety measures. It is also about personal data concerning an injunction imposed by a judge as a result of unlawful or aggravating behaviour. Eneco can also process this data if the law permits it or as part of research into criminal offences or in the case of aggravating and/or (previously shown) aggressive behaviour.

Social Security Number

As is common in the energy sector, Eneco processes the Social Security Number to grant the social rate and offer social protection to those entitled.



7. WHO DOES ENECO TRANSMIT MY PERSONAL DATA TO?

Eneco can transmit your personal data to service providers we use in our operations or the execution of our services and who process personal data to that end by our instructions. For example, Eneco can employ service providers for IT support or for the handling or delivery of our services. Eneco only transmits data that is necessary to provide the service. Eneco requires the service providers they share personal data with to solely use this data to provide the service to Eneco in question or to comply with legal obligations. Eneco requires these service providers to sufficiently secure this data technically and organisationally and to keep it secret.

Even though Eneco's approach is to preferably employ service providers in countries within the EEA with an adequate level of protection, the service providers Eneco employs might be located outside of the EEA. This can result in transmission to third parties in countries without the same level of protection of personal data as we have in Belgium. However, Eneco will only do this in case this third party can offer an adequate level of protection in line with the GDPR, such as an adequacy decision or by using the standardised provisions concerning data protection of the European Committee. Your personal data can be investigated, both during and after processing, by relevant national authorities of the countries where such data is located due to processing.

Eneco can also be (legally) obligated to disclose your personal data to public authorities, supervisory authorities, the police or, for example, professional advisers (such as an executive director or lawyer). Without your permission, your personal data will not be transmitted, sold or leased to third parties who will then process the data for their own purposes.

8. WHICH RULES APPLY FOR ENECO REGARDING THE PROCESSING OF PERSONAL DATA?

When processing personal data in Belgium, Eneco is bound, among other things, to:

- The General Data Protection Regulation (GDPR)
- The energy legislation; such as the gas decree, the energy bill and the energy decree

9. WHAT ARE MY RIGHTS?

You have several rights when it comes to the personal data Eneco has on you. These rights will be explained below. The rights are not absolute. There are always possible exceptions because of which we cannot respond to your request. If this is the case, we will explain why.

When you send Eneco a request about one of these rights, Eneco will respond within 30 days.

You can file your request through the [contact form](#) on the website, by email, letter or over the phone. Send your request to Eneco through our [contact form](#) or in writing to Battelsesteenweg 455i, 2800 Mechelen. You can reach customer service by phone on 0800 15 534 or by sending an email to privacyportalbelgium@eneco.com.

Specify as much as possible in your request about which personal data your request is about. You also have to include your name, address and phone number in your request. Filing a request is free of charge, unless your requests are unfounded or excessive.

To prevent your personal data to be unlawfully shared with others, we can ask you to identify yourself or to provide proof of identity. You can do this by making a copy of the front of your identity document, without showing your photo.

Right of access to your personal data

As a client, you have the right of access to your personal data. This means that you can ask Eneco which categories of your personal data are being processed and for which purposes this data is being used.

Right to rectification or deletion of your personal data

As a client, you have the right to correct your personal data if this data is incorrect. This can be done on My Eneco for a part of your personal data.

You can also file a request with Eneco to delete your personal data. Eneco can only comply with this request if they are not legally obligated to store your data or when they no longer need the data to be able to provide you with their services.



Right to object and right to restriction of use

As an Eneco client, there are a number of legal possibilities to challenge further use of your data. Even if you have given permission at a previous time, you can challenge further use of your data or withdraw your permission. You can only object to the use of your personal data free of charge if your personal data is being used for other purposes than strictly necessary for the performance of an agreement or to comply with a legal obligation.

If you think that the processing of your data by Eneco is unauthorised or if Eneco no longer needs your data, but you don't want this data to be deleted, you can file a request for a restriction of processing. Your data will be stored but will essentially not be used any further. The request to restriction can also be filed while you are still waiting for a check of your data or for an answer to your objection against the use of your data.

Right to data portability

This right only applies to personal data that has been collected based on permission or based on an agreement.

In addition, it can only be regarding personal data which has been provided by and is related to you. This includes personal data that has been actively and deliberately provided by you (such as your email address when you entered into your agreement with Eneco) as well as personal data that is provided by using a device or service (the smart meter, for example). Derived data (for example an interest profile compiled by registering visitor behaviour) is explicitly not included in related data.

Right of opposition to profiling

Profiling is any kind of automated processing of personal data, where certain personal aspects of you are evaluated based on your personal data. The purpose of this is to analyse or predict, for example, your personal preferences, interests and visitor behaviour.

At Eneco, there is no automated decision-making based on profiling, if there are legal consequences attached for you or if the decision affects you to a considerable extent, unless this:

- is necessary for entering into or implementing an agreement with you;
- is permitted under Belgian law (for example to detect tax fraud); or
- is based on your explicit permission.

If automated decision-making occurs based on one of the abovementioned reasons, we will specifically inform you about this. You have the right to human intervention, but also to clarify your position and to challenge the decision. Additionally, you have the right to ask us for clarification regarding the way in which the decision was made.

You can also object to the use of your personal data for profiling. If you specifically object to the use of your personal data for profiling with regard to direct marketing, Eneco will no longer use your personal data for such purposes.

10. ARE MY PERSONAL DATA SAFE / SECURE AT ENECO?

Your personal data will be securely saved and will not be processed longer than necessary for the purpose for which they were processed. Within Eneco, your personal data can only be used by employees who need to have access due to their position. Our employees have the obligation of secrecy. And if we want to use data for a different purpose than what they were originally processed for? We can only do that if there is a close affinity between both purposes.

Eneco takes appropriate technical and organisational measures to keep your personal data safe from deletion (by accident or unlawful), loss, misuse, forgery, unauthorised access or spreading or any other form of illegitimate processing of your personal data. Eneco can use encryption, access codes and pseudonymisation of your personal data, for example. When doing so, Eneco will make a decision based on the risks, the technical possibilities and the execution costs.



11. WHERE CAN I REPORT A DATA LEAK?

It's very important to Eneco that your data is secure. Should it be the case that data is lost or accessible where it shouldn't be, for example, we ask you to inform us as quickly as possible, so we can contact those involved if needed and inform the supervisory authority about the matter. Please contact us at privacyportalbelgium@eneco.com. Mention your name, the organisation you work for if necessary, your phone number and a short description of the data leak.

Eneco adheres to the Reporting Requirement for Data Leaks. This means that we notify the relevant data protection authority of a serious personal data leak within 72 hours after determining said data leak. Have you discovered a (possible) data leak? Please notify us as soon as possible, but certainly within 24 after you have determined the data leak.

12. WHERE CAN I TURN TO WITH A QUESTION OR COMPLAINT?

With questions or complaints about the processing of personal data by Eneco, you can contact us through the customer service, with [our contact form](#) or in writing at Battelsesteenweg 455i, 2800 Mechelen. In addition, you can turn to the Data Protection Officer (DPO) that Eneco has appointed to monitor the compliance with the GDPR if you have any questions or complaints. In that case, you can directly contact the DPO who can be reached at privacyportalbelgium@eneco.com in Belgium. Another option is to directly contact the Data Protection Authority, Drukpersstraat 35, 1000 Brussels / (+32) (0)2 274 48 00 / contact@apd-gba.be / www.dataprotectionauthority.be to file a complaint.

13. CAN ENECO CHANGE THIS DOCUMENT?

Yes, our privacy statement can be changed from time to time. We will adjust the privacy statement, for example, in the case of new data processing. And if these changes are also important for you, we will notify you of them, or we will make the changes know to you in an obvious manner. You can always find the most recent version of our privacy statement on eneco.be.



COOKIE STATEMENT

When offering their services online, Eneco stores data in your browser in two different ways: cookies and local storage.

COOKIES

The Eneco websites use cookies. Cookies are small text files that are placed on your computer, tablet or mobile phone when you visit our websites. We use cookies for the following purposes:

- To inform you as best we can about our products and services. You will see information that is most relevant to you and/or tailored to your preferences or interests.
- To retrieve previous preferences.
- For research: to optimise the websites and make them more user-friendly.

Some cookies are necessary. These cookies allow you to use certain features on the websites, for example in order to use the questionnaire, to become a client online, to relocate and to remember the login information for My Eneco.

Would you rather not receive cookies? Then you can turn them off in your browser settings. Please note: it's possible that some of the features on the websites won't work on your computer, tablet or mobile phone.

LOCAL STORAGE

Sometimes, information is not stored in a cookie, but in the local storage of your browser. Eneco uses HTML5 Local Storage to store your information. This functions roughly the same as cookies, but more information can be stored. With local storage, you decide for yourself how long your browser will keep the information. This depends on your browser settings and/or how often you delete your browser history.

For archival purposes

When we are no longer processing the information for our goals, we can still keep the information for archival purposes. That means that the information will only be used for legal procedures or for statistical or public service purposes.

Links to other websites

The Eneco websites include several links to the websites of other parties. Eneco does not bear any responsibility for the way these parties handle your information. See if the website you visited has a privacy statement. If so, read it through to see if you accept the described privacy policy of the party in question.

Tracking pixel

A tracking pixel is an electronic file (size is usually 1 pixel x 1 pixel) that is placed in an email (for example, in our newsletter) By using a tracking pixel, we can see if an email is being read. We can also use this, in combination with other information, to provide you with relevant offers and recommendations, online and/or offline, customised to your preferences or interests and to optimise our campaigns.

Version applicable starting May 25, 2018