

# PRIVACY POLICY

## WHO ARE WE?

Your personal data are processed by **Be-Mobile NV**, which is headquartered in Kardinaal Mercierlaan 1a, 9090 Melle (Belgium), as the **data controller** according to the legal and regulatory provisions regarding personal data protection. If you have any further question, please contact us by sending an e-mail to [privacy@be-mobile.com](mailto:privacy@be-mobile.com) or getting in touch with our helpdesk (078 05 44 11).

## PRELIMINARY REMARKS ON THIS PRIVACY POLICY

**Scope of application** The current Privacy Policy (hereafter “the Policy”) will apply between you and Be-Mobile NV when you use our website (accessible via [www.4411.io](http://www.4411.io) or any other domain name redirecting you towards this website), our services described in the Terms of Use (available on <https://4411.io/nl-be/algemene-voorwaarden>), our Mobile Application 4411, or when you contact us by e-mail, phone, fax, or our social media channels (such as Instagram, Facebook, Twitter or LinkedIn).

**Definitions.** The meanings of the words written with a capital letter in the current Privacy Policy are given in the Terms of Use (available on <https://4411.io/nl-be/algemene-voorwaarden>).

**Changes.** Be-Mobile reserves the right to modify the current Privacy Policy at any time. In the case of material changes, Be-Mobile will inform you in a timely manner of these changes and the date from which they apply. If we are unable to notify you of such change, you will be informed of the modified Privacy Policy the next time you visit our website or our Mobile Application 4411. If you don't agree to a change of the Privacy Policy, you should immediately stop using our Services and remove the Mobile Application 4411 from the device.

**Cookies.** For further information on how we process personal data using cookies, please check our Cookies Policy, available at <https://4411.io/en-be/cookie-policy>.

The provisions below apply to all End Users and Pro Users who use our Services. Pro Users' attention is drawn to the data processing agreement in Appendix 3 to the Terms of Use.

ARTICLE 1. WHAT TYPES OF PERSONAL DATA DO WE PROCESS?

1.1. The chart below shows the personal data categories that we process for every type of service provision. Several situations may apply to you simultaneously if you use more than one type of services. In principle, we receive your personal data directly from you or, if applicable, from a Pro User (e.g. your employer), unless stated otherwise below.

	Service provision	Categories of personal data that we process
1.	<p><b>Communication</b> – If you communicate with us through any communication channel, we will process:</p>	<p><b>Identity details</b> – The identity details which you provide us, e.g. your name.</p> <p><b>Contact details</b> – The contact details you send us, such as your e-mail address and phone number.</p> <p><b>Communication content</b> – The content of your message, question or claim, although you are requested to avoid providing us with sensitive data such as health details. Nonetheless, if you provide us with sensitive data which are not necessary as part of your message, question or claim, we will filter out and delete them to the extent possible.</p> <p><b>Technical details</b> – Technical details about your message, question or claim, such as their date and time or the phone number you used to call our helpdesk.</p>

<p><b>2.</b></p>	<p><b>Website and social media</b> – When you use our website or social media channels, we process:</p>	<p><b>Technical details</b> – Technical details about your visit, including details about the device (laptop, smartphone, etc.) with which you visited our website or our social media channels. This information includes your IP address, your operating system, your browser type, your geographical position, the web pages’ response time and any download errors.</p> <p><b>Other details</b> – The other details you send us, for instance when creating an account.</p>
<p><b>3.</b></p>	<p><b>Services</b> – When you use our Services, we process:</p>	<p><b>Mandatory account details</b> – the details required for creating your Easy Account,</p>

including your name, first line of address, locality, e-mail address, phone number and the different activated Services. Additional information may be required depending on the Partner Service you wish to use. However, these additional data are only stored and encrypted locally on your device and are not stored by Be-Mobile.

**Employer (unless an objection is raised)** – The identity of the Pro User that you have linked to the Pro Account to which you have not objected, e.g. your employer.

**Additional account details** – Other details you send us, such as your language, your payment and billing details, linked vehicles (with associated registration number and name) and linked phone numbers (with associated name). Depending on the Services you use, additional account details may also be mandatory.

**Vehicle characteristics** – Information you provide to us about the vehicle, such as the vehicle type, type of energy source, environmental characteristics, dimensions or other specific characteristics of the vehicle.

**Licence cards** – Information you provide to us about the licences and authorisations you have.

**Usage data** – Information about the use you make of our Services.

**Health data** – Users with a parking card for people with disabilities who wish to add it to their account must give their explicit consent for this health data to be processed. Please note that we do not collect information about the specific disability under any circumstances, but only the fact that you are entitled to a parking card for people with disabilities. This information may be necessary to determine your parking rights.

<p><b>4. Pro Services</b> – When you use our Pro Services, we process:</p>	<p><b>Mandatory account details</b> – The details required to create your Pro Account, e.g. business details, the contact person’s name, phone number and e-mail address, the mailing address, billing address, language and different activated Services. Additional information may be required depending on the Partner Service you wish to use. However, these additional data are only stored and encrypted locally on your device and are not stored by Be-Mobile</p> <p><b>Additional account details</b> – Other details you send us, such as your language, your payment and billing details, linked vehicles (with associated registration number and name) and linked phone numbers (with associated name). Depending on the Services you use, additional account details may also be mandatory.</p> <p><b>Vehicle characteristics</b> – Information you provide to us about the vehicle, such as the vehicle type, type of energy source, environmental characteristics, dimensions or other specific characteristics of the vehicle.</p>
<p><b>5. Mobile Application 4411.</b> When you use our Mobile Application 4411, we process:</p>	<p><b>Technical details</b> – Technical details about your usage, including details about the device (smartphone, tablet, etc.) with which you used our Mobile Application 4411.</p> <p><b>Location (subject to consent)</b> – Your current location where you are, provided that you have given your consent to supply this information.</p>

**ARTICLE 2. FOR WHAT PURPOSES AND ON WHAT LEGAL BASIS?**

- 2.1. We will process your personal data only:
  - a) for the purposes stated in the current Privacy Policy, and
  - b) if we have a legal basis for doing so.

2.2. The legal bases on which we rely are as follows:

- a) **Contract** – A contract with you that we are supposed to perform, or the steps to follow before concluding a contract with you.
- b) **Consent** – Your free consent, given after being informed of its implications.
- c) **Legitimate interest** – A legitimate interest that we as an organisation have, e.g. the optimising of our service delivery.
- d) **Legal obligation:** A legal obligation to which we are subject.

2.3. The chart below states for what purposes we process your personal data, and on what legal basis we do so.

	Purpose	Legal basis
1.	<b>Creating and managing your account</b> – We process your personal data in order to create and manage your Easy Account or Pro Account (e.g. sending an SMS to confirm your phone number or an e-mail to complete the registration process).	<b>Contract</b> – By creating your account, you conclude a contract with us, consisting of the Terms of Use which apply to the delivery of our services.
2.	<p><b>Providing our services</b> – We process your personal data in order to provide you with Services or Pro Services or in order to answer your questions on this matter. We may also process your personal data in order to automatically start or end your Session, depending on your settings. In addition, we may use your personal data to inform you about an ongoing Session. We may also use your personal data to assist a Partner in checking the validity of your Session.</p> <p>As part of our services, we are also sometimes required to check data you have entered (e.g. the validity of a parking card for people with disabilities).</p>	<p><b>Contract</b> – By using our Services or Pro Services, you conclude a contract with us, consisting of the Terms of Use which apply to the delivery of our services. If you have a paid subscription, the processing of your personal data such as payment details is necessary for the implementation of the subscription.</p> <p><b>Consent</b> – In order to use certain features of 4411 (e.g. automatically starting and stopping a Session), we need your consent. This consent will be requested via the Mobile Application 4411. You may withdraw your consent at any time via the supported hardware, the Mobile Application 4411 or the Website.</p> <p><b>Explicit consent for special categories of personal data</b> – If your personal data qualify as a special category of personal data (e.g. health data if you have a parking ticket for people with disabilities), we will ask for your explicit consent. You may withdraw your consent at any time by deleting this</p>

<p><b>3.</b></p>	<p><b>Marketing</b> – We may process your personal data in order to send you ads related to our (new) products and services, to inform you about our special offers and competitions, and to analyse our ads.</p>	<p><b>Consent</b> – We strive to keep you informed about our products and services and to inform you about our promotions or competitions. We do this mainly by email. You may opt out of receiving emails by ticking the appropriate box when creating your account. You may withdraw your consent at any time by unsubscribing. See also Article 7.7 of the current Privacy Policy.</p>
<p><b>4.</b></p>	<p><b>Improving your user experience based on your geolocation</b> – We may process your geolocation data via the Mobile Application 4411 to enhance your Mobile Application 4411 user experience. We may for instance automatically fill in some input fields and provide relevant suggestions (e.g. the closest parking terminals)..</p>	<p><b>Consent</b> – You give your consent to this by stating via your mobile phone’s operating system that you grant the Mobile Application 4411 access to your geolocation data. You may always withdraw your consent at any time via your mobile phone’s settings.</p>
<p><b>5.</b></p>	<p><b>Improving our products and services</b> – We may process your personal data, including anonymisation, in order to analyse and enhance our products and services.</p>	<p><b>Legitimate interest</b> – We do our best to enhance your user experience by continually analysing and improving our products and services.</p>

6.	<b>Protection</b> – We may process your personal data in order to protect the security of our systems and of your data as well as we can, e.g. by performing a backup.	<b>Legitimate interest</b> – We strive to protect our systems and your personal data as well as we possibly can.
7.	<b>Keeping you informed</b> – We may process your personal data in order to inform you about our products and services and, more precisely, about changes to our prices, Terms of Use, Privacy Policy or Cookies Policy.	<b>Legitimate interest</b> – We strive to keep you informed about changes to our products and services which you should be aware of.
8.	<b>Protection of our interests or those of third parties</b> – We may process your personal data to protect our legitimate interests or those of third parties, including detecting fraud, whether your use of our products or services violate our terms of use or whether you are endangering the security of our systems or those of third parties.	<b>Legitimate interest</b> – We strive to protect our interests as well as those of third parties by detecting fraud, attacks on our security systems, or suspected breaches of our Terms of Use.
9.	<b>Request from the authorities</b> – We may be legally obliged to process your personal data or to send them to a competent judicial or other authority, or its representatives, following their reasonable request, or to the police on our own initiative if we have well-founded suspicions that the use you are making of our products or services constitutes a misdemeanour.	<b>Legal obligation</b> – In some cases, we may be obliged to process your personal data in order to fulfil a legal obligation.
10.	<b>Other legal obligations</b> – We may be obliged to process your personal data in order to fulfil a legal obligation to which we are subject, e.g. an accounting obligation.	<b>Legal obligation</b> – In some cases, we may be obliged to process your personal data in order to fulfil a legal obligation.

### ARTICLE 3. WITH WHOM DO WE SHARE YOUR PERSONAL DATA?

3.1. We may send your personal data to other entities belonging to the Be-Mobile group and we may also call upon third parties to process your personal data for the purposes described in Article 2 above, for example:

- a) To make our website available to you (e.g. a hosting provider); or
- b) To show you our ads (e.g. a marketing company); or



- c) To process your Session (e.g. an affiliated city, municipality, parking garage and/or mobility service with which Be-Mobile cooperates, including the service provider(s) to whom the affiliated city or municipality has granted the provision of Partner Services on a concession basis); or
  - d) To process your payment (e.g. a payment service provider); or
  - e) To check your data (e.g. the FPS Social Security in order to check the validity of a parking card for people with disabilities).
- 3.2. These third parties may only process your personal data in accordance with our instructions if they act as a processor. We equally guarantee that all these third parties have been selected with due care and are committed to ensuring the security and integrity of your personal data.
- 3.3. We may also share your personal data with cities and municipalities where you have parked or charged your vehicle, or with a service provider appointed by those cities and municipalities, so that we can provide our services to you and so that the cities and municipalities know that you have paid for your parking session. Your personal data may also be used by these cities and municipalities for, among other things, the enforcement of the parking policy, the investigation of a dispute or complaint, or the preparation of reports and statistics. The cities and municipalities process these personal data under their own responsibility. In any case, the cities and municipalities only have access to the personal data relating to their territory. If you would like more information about processing by cities and municipalities, we recommend that you consult the parking regulations of the city or municipality concerned.
- 3.4. We may be legally obliged to send your personal data to competent authorities or their representatives, to judicial authorities, to public authorities or government agencies, including to relevant data protection authorities, in order to comply with a legal obligation as stated in Article 2.
- 3.5. We will not share your personal data in identifiable form with any third party other than those mentioned in Articles 3.1 and 3.2 without your express consent. We may, however, send anonymised and/or aggregated data to other third parties, who may use these data to improve our services and the marketing of them.

#### ARTICLE 4. WHERE DO WE PROCESS YOUR PERSONAL DATA?

- 4.1. Your personal data are essentially processed within the European Economic Area (EEA).
- 4.2. In order to process your personal data for the purposes outlined in Article 3 above, we may also transfer your data to third parties processing them on our behalf outside the EEA. Any entity outside the EEA processing your data is required to observe adequate safeguards regarding the processing of your personal data. Such safeguards may arise from:
- a) an [adequacy decision](#) of the European Commission; or
  - b) contractual safeguards.
- 4.3. We may transfer anonymised and/or aggregated data to third parties outside the EEA. If such a transfer occurs, we will make sure that there are safeguards in place to ensure the security and integrity of your data and all rights regarding your personal data that you have under applicable legislation.

## ARTICLE 5. FOR HOW LONG DO WE PROCESS YOUR PERSONAL DATA?

- 5.1. Your personal data will only be processed for as long as necessary for the purposes stated in Article 3 to be fulfilled or, if applicable, until the moment you withdraw your consent. The withdrawal of your consent may mean that you are unable to use all or part of our website or of our Mobile Application 4411.
- 5.2. We will de-identify your personal data when they are no longer necessary for the purposes described in Article 3 above, except in the case of:
  - a) a higher interest on the part of Be-Mobile, or another third party, in keeping your personal data in identifiable form; or
  - b) a legal or regulatory obligation, or court or administrative decision preventing us from de-identifying your personal data.

## ARTICLE 6. HOW DO WE PROTECT YOUR PERSONAL DATA?

- 6.1. We will take the relevant technical and organisational measures to protect your personal data against unlawful access and theft, as well as accidental loss, falsification or accidental destruction. However, you understand that the obligation to protect your personal data is a best effort obligation. Access to your personal data will be granted to our personnel or third-party personnel purely on a 'need to know' basis and will be subject to the relevant privacy obligations.

## ARTICLE 7. WHAT ARE YOUR RIGHTS?

- 7.1. **Access right.** You have the right to be informed of whether or not we process your personal data, and if that is the case, to have access to these data.

You may exercise this right by consulting your profile via your Easy Account or Pro Account. You may also exercise it by submitting a request to us as described in Article 7.8 of the current Privacy Policy. We reserve the right to charge you a reasonable administrative fee for successive repeated requests which are clearly submitted to harm or affect us. Each request should specify the processing activity for which you wish to exercise your access right and the data categories that you wish to consult.

- 7.2. **Right of rectification.** You have the right to correct your personal data, i.e. to ask for inaccurate data regarding you to be corrected for free.

You may exercise this right by modifying your profile via your Easy Account or Pro Account. You may also exercise it by submitting a request to us as described in Article 7.8 of the current Privacy Policy. If you submit a rectification request by e-mail or by letter, it should be accompanied by proof of the inaccuracy of the data.

- 7.3. **Right to erase data.** You have the right to erase your personal data, i.e. to ask for them to be erased if they are no longer necessary in the light of the purposes mentioned in Article 3 above or if you withdraw your consent for their processing.

You may exercise this right by closing your Easy Account or Pro Account via your profile settings. You may also exercise it by submitting a request to us as described in Article 7.8 of the

current Privacy Policy. However, you must keep in mind that, if such a request is submitted, we will take account of:

- a) our interests and those of third parties, which may outweigh your interests; or
- b) any legal and regulatory obligations or court or administrative orders that prevent us from erasing your data.

7.4. **Right of restriction.** You have the right to restrict the processing of your personal data instead of erasing them, i.e. to ask us to restrict the processing of your data if:

- a) we are engaged in checking the accuracy of your personal data; or
- b) the processing is illegitimate and you object to the erasure of your personal data; or
- c) you need your personal data to assert, exercise or defend your legal rights, whereas we no longer need your data for the purposes mentioned; or
- d) we assess whether our interests outweigh yours when you exercise your right of objection.

7.5. **Right of objection.** You have the right at all times to object to the processing of your personal data for direct marketing purposes. In all other cases, you have the right to object to the processing of your personal data if:

- a) the processing is based on our legitimate interest; and
- b) you are able to demonstrate that there are serious and justifiable reasons regarding your specific situation justifying such an objection; and
- c) our legitimate interests do not prevail over your interests.

7.6. **Right to data portability.** You have the right to data portability, i.e. you can obtain from us all the personal data you provided to us in a structured, commonly used and machine-readable form if your data are processed by automated means and based on your consent or on a contract concluded with you.

7.7. **Right to withdraw consent.** If the processing of your personal data is based on your consent, you always have the possibility to withdraw your consent as described in Article 2 of the current Privacy Policy. You may unsubscribe at any time in order to stop receiving e-mails informing you about our products and services. However, as long as you have an Easy Account or Pro Account, we will continue to send you essential e-mails. For example, we regard e-mails informing you about changes to our prices, Terms of Use, Privacy Policy or Cookies Policy as essential.

7.8. **Submitting a request.** If you wish to exercise one of the above rights, it is possible, in some cases, to do so in your Easy Account or Pro Account settings. You may also submit your request by sending an e-mail to [privacy@be-mobile.com](mailto:privacy@be-mobile.com). We will acknowledge receipt of your request. If your request is accepted, we will fulfil it as soon as reasonably possible and within thirty (30) days from the receipt of the request at the latest.

## ARTICLE 8. CONTACT DETAILS AND COMPLAINTS

8.1. If you have any question or complaint regarding the way we process your personal data, you

may contact us by sending an e-mail to [privacy@be-mobile.com](mailto:privacy@be-mobile.com) or a letter to Be-Mobile NV, Kardinaal Mercierlaan 1a, 9090 Melle (Belgium).

- 8.2. You always have the right to make a complaint to the relevant data protection authority.