

# Privacy Policy

This Privacy Policy contains the basic principles as regards the processing of your personal data. For a more elaborate understanding of the processing of your personal data as well as your rights, please consult our [Binding Corporate Rules Privacy](#) and [Satellic's Website Privacy and Cookie Policy](#).

## **SECTION 1: DEFINITIONS**

As used in this Privacy Policy, the following words and expressions shall have the meaning set out below:

<b>Additional Services</b>	The services provided by Satellic upon request of the User under a VAS Contract.
<b>Basic Services</b>	The User Contract allocation, the Toll calculation & collection and the enforcement related services are services provided by Satellic on behalf of Viapass.
<b>Brussels Road Pricing Ordinance</b>	Brussels Ordinance of 29 July 2015 creating a road pricing toll in the Brussels Capital Region for heavy vehicles meant or used for the transportation of goods by road, and replacing the Eurovignet (Official Gazette d.d. 12 August 2015), as amended from time to time, and the executive decisions from the Brussels Government.
<b>Business Partner</b>	Satellic's business partners, as indicated on its website <a href="http://www.satellic.be">www.satellic.be</a> .
<b>Emission Class</b>	The class of a vehicle in function of its emission limits, as described in Annex I of Directive 1999/62/EU of the European Parliament and of the Council of 17 June 1999 on the charging of heavy goods vehicles for the use of certain infrastructures (as amended from time to time).
<b>Flemish Road Pricing Decrees</b>	Flemish Decree of 3 July 2015 creating the road pricing toll, replacing the Eurovignet toll and amending the Flemish Fiscal Code of 13 December 2013 (Official Gazette d.d. 10 August 2015), as amended from time to time, and the executive decisions from the Flemish Government; and  Decree of the Flemish Government of 17 July 2015 amending the Flemish Fiscal Code of 13 December 2013 (Official Gazette d.d. 10 August 2015), as amended from time to time, and the executive decisions from the Flemish Government.
<b>Gross Combination Weight Rating (GCWR)</b>	The maximum operating weight of an articulated Vehicle, as meant in the Road Pricing Regulations (called " <i>maximale toegelaten massa van de slepen</i> " in Dutch, " <i>masse maximale autorisée du train</i> " in French and " <i>maximal zulässiges Gesamtgewicht des Fahrzeugespanns</i> " in German.).
<b>General Data Protection Regulation (GDPR)</b>	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 95/45/EC.
<b>Guaranteed Payment Method (GPM)</b>	Toll and Additional services must be paid by the User to Satellic, at the User's discretion: (i) by means of one of the following post-paid methods ( <i>post-paid regime</i> ): credit card; fuel card; or bank transfer, provided that the User meets the requirements listed in Satellic's SEPA Direct Debit addendum, or (ii) by means of advance payments (pre-paid regime), to be made: in cash (only in case of payment at a Service Point), by credit card or by fuel card.
<b>OBU PIN</b>	The unique and personal PIN-code of an On Board Unit.
<b>On Board Unit (OBU)</b>	Electronic device, to be installed by the User in her/his Vehicle in accordance with the Quick Start Guide, and intended (i) to register and process the

distances that the Vehicle is covering and on which roads of the Road Network, and (ii) – upon request of the User – to be used to provide Additional Services.

<b>Toll Charging Authorities</b>	The toll charging authorities as defined in the Road Pricing Regulations (called “ <i>tolheffende instantie</i> ” in Dutch, “ <i>percepteur de péages</i> ” in French, “ <i>Mautbetreiber</i> ” in German).
<b>Road Network</b>	The entire Belgian road network, irrespective of the applicable Toll rate.
<b>Road Pricing Regulations</b>	The Flemish Road Pricing Decrees, the Walloon Road Pricing Decree and the Brussels Road Pricing Ordinance.
<b>Road User Portal (RUP)</b>	The internet portal provided by Satellic for its Users, which is accessible using the User’s username and password.
<b>Service Point</b>	A service point is a machine, located in- or outside Belgium, where Users can register a User Account, obtain and return On Board Units, provide Guaranteed Payment Methods and consult the General Terms and Conditions. A list of all the Service Points and a map of their location is available on the Satellic’s Website.
<b>Toll</b>	Road pricing toll for the use of the Road Network, as described in the Road Pricing Regulations (called “ <i>tol</i> ” or “ <i>kilometerheffing</i> ” in Dutch, “ <i>prélèvement kilométrique</i> ” in French and “ <i>Straßennutzungsgebühr oder Maut (gebühr)</i> ” in German).
<b>Quick Start Guide</b>	The concise manual explaining how to install an On Board Unit in a Vehicle. It is included in the blister of the On Board Units. The Quick Start Guide is part of the OBU Handbook.
<b>User</b>	The person or entity who enters into the User Contract with Satellic or on whose behalf the User Contract is entered into. The User may or may not be a data subject under the applicable data protection legislation.
<b>User Account</b>	Is created by you when entering into a User Contract.
<b>User Contract</b>	The agreement entered into by the User with Satellic, which acts on behalf of Viapass, related to the performance of the Basic Services.
<b>Vehicle</b>	A vehicle liable for Toll under the Road Pricing Regulations.
<b>VAS Contract</b>	The agreement entered into by the User with Satellic related to the performance of the Additional Services.
<b>Walloon Road Pricing Decree</b>	Walloon Decree of 16 July 2015 creating a road pricing toll for road usage by heavy vehicles (Official Gazette d.d. 28 July 2015), as amended from time to time, and the Executive Decisions by the Walloon Government.

## **SECTION 2: SATELLIC ACTING AS PROCESSOR**

For the Basic Services, Satellic processes your data on behalf of the inter-regional entity Viapass, who acts as the Controller. In doing so, Satellic acts as a Processor, pursuant to article 4 (8) of the GDPR. When acting in this capacity, Satellic is hereafter referred to as “Satellic acting as Processor”.

Viapass has its registered offices at 1080 Brussels, De Koninckstraat 40, bus 19. You can contact Viapass’ Data Protection Officer at [dpo@viapass.be](mailto:dpo@viapass.be) or in writing at 1080 Brussels, De Koninckstraat 40, bus 19.

### **1. The categories of personal data collected by Satellic as Processor**

Satellic acting as Processor collects the following types of personal data from you:

<u>Data category</u>	<u>Description</u>
<b>User Data</b>	Mandatory: first and last name, company name (if applicable), address, e-mail address and telephone number of the contact person, VAT number (if applicable), payment means (fuel card, debit and credit card...) and payment regime (post-paid or prepaid) Optional: IBAN, BIC.
<b>Vehicle Data</b> <b>Extended Vehicle Data</b>	GCWR, emission class and weight of the Vehicle, as well as licence plate number. Vehicle Data, country of origin of the Vehicle and Vehicle registration papers (pictures).
<b>Customer Support Data</b>	Oral or written communications (e-mail messages, letters, chat), time stamp, issue, resolution of the issue, e-mail address of the sender.
<b>Charge Data Record (CDR)</b>	Tolled kilometers, driven roads, date & time, licence plate number, Toll amount.
<b>Position Data</b> <b>White/black List Data</b>	Time stamp, (GPS) position, velocity, direction, OBU ID. OBU ID, licence plate number, blacklist reason, start and end time of the backlisting.
<b>Enforcement Record Data</b>	Traffic Event Data, User Data, data from external databases e.g. DIV ( <i>Dienst voor Inschrijvingen van Voertuigen – Service for the registration of Vehicles</i> ).
<b>Traffic Event Data</b>	Front, back and overview shot of the Vehicle, location of the violation, timestamp of the violation, system ID (stationary, mobile and flexible road side equipment), licence plate number.
<b>Daily Toll Statement</b>	Toll Charging Authorities, date of the report, OBU ID, Vehicle Data, distance, Toll charged, VAT amount.
<b>Payment Documents</b>	User Data, OBU ID, creation date of the invoice, billing period, document ID, Payment mean (post / pre – paid), hashed reference of the payment means, Toll Charging Authorities.

## 2. For which purposes is your personal data processed?

Satellic acting as Processor on behalf of Viapass (who's acting as Controller), processes the above mentioned personal data for the following purposes, as well as for the purposes reasonably compatible with the latter:

<u>Purpose</u>	<u>Description</u>
<b>User Contract allocation</b>	When a User Contract is concluded between Satellic/Viapass and the User, Satellic provides (i) OBUs at a Service Point or a requested location, (ii) support (e.g. information regarding red light, deliverance of FOAD...) when the User contacts Satellic by telephone, chat or e-mail and may also (iii) suspend the User Contract.
<b>Toll calculation</b>	Once the OBU is personalised thanks to the subset of data provided during the registration process, the OBU calculates the Toll for every used toll road (via CDRs) and sends the CDRs to the Satellic systems to ensure billing.
<b>Toll collection</b>	The calculated toll is collected via Guaranteed Payment Methods. The resulting Payment Documents are published on the RUP. The collected Toll is transferred to the respective Toll Charging Authorities. Both the Toll Charging Authorities and Viapass receive the Daily Toll Statements, which reflect the Toll invoiced on a specific day.
<b>Toll enforcement</b>	Satellic, on behalf of Viapass, compares the images of the Vehicle collected when passing an enforcement system (MRSE, FRSE, SRSE) with the licence plate number and a subset of data. This enables the Toll Charging Authorities to assess whether the Vehicle infringes the Road Pricing Regulations.

<b>Traffic analysis</b>	Randomised Position Data are calculated every 5 minutes and sent to Viapass for traffic information and analysis purposes.
<b>Reply to authorities' requests</b>	Collecting the information held by Satellic in order to reply to the requests of the tax authorities and the law enforcement authorities (public prosecutors, investigation judges and courts) concerning questions under the tax legislation, the policing laws and the rules of criminal and civil procedures.

### **3. What is the legal basis for processing your personal data?**

Your personal data are processed by Satellic, acting as Processor on behalf of Viapass (who's acting as Controller), based on one or more of the following legal grounds:

- 1) Necessary for compliance with the following legal obligations, pursuant to article 6. 1 (c) of the GDPR:
  - Road Pricing Regulations: for User Contract allocation, Toll calculation, Toll collection, Toll Enforcement;
  - Data protection legislations, Judicial Code, Criminal Investigation Code and Income Tax Code: to reply to authorities' requests.
- 2) Necessary for the performance of a task carried out in the public interest, pursuant to article 6. 1 (e) of the GDPR: traffic analysis.
- 3) Necessary for the performance of the User Contract, pursuant to article 6. 1 (b) of the GDPR.

### **4. With whom is your personal data shared?**

While processing your personal data for the purposes set out in section 2.2 of this Privacy Policy, your personal data will be treated strictly confidentially, and will be shared only with the following categories of recipients:

- The processor (Satellic) and its sub-processors (e.g. internet service provider, payment processing providers, logistic providers).
- Third parties: Toll Charging Authorities, Business Partners, authorities and Viapass' advisors and auditors.

Your personal data will not be transferred outside the European Economic Area (EEA), unless as permitted under the applicable data protection legislation.

## **SECTION 3: SATELLIC ACTING AS CONTROLLER**

For the Additional Services, Satellic acts as Controller, pursuant to article 4 (7) of the GDPR, as regards your personal data, in order to establish, execute and terminate the VAS Contract and to be able to function as a business. When acting in this capacity, Satellic is hereafter referred to as "Satellic acting as Controller".

Satellic NV has its registered offices at 1831 Diegem, Airport Plaza Leonardo Da Vincilaan 19 A Bus 4. You can contact Satellic's Data Protection Officer at [dataprivacy@satellic.be](mailto:dataprivacy@satellic.be) or in writing at 1831 Diegem, Airport Plaza Leonardo Da Vincilaan 19 A Bus 4.

### **1. The categories of personal data collected by Satellic as Controller**

Satellic acting as Controller collects the following types of personal data from you:

<b><u>Data category</u></b>	<b><u>Description</u></b>
<b>User Data</b>	Mandatory: first and last name, company name (if applicable), address, e-mail address and telephone number of the contact person, VAT number (if applicable), payment means (fuel card, debit and credit card...) and payment regime (post-paid or prepaid) Optional: IBAN, BIC.
<b>Vehicle Data</b>	GCWR, emission class and weight of the Vehicle, as well as licence plate number.
<b>Extended Vehicle Data</b>	Vehicle Data, country of origin and Vehicle registration papers.
<b>Support Data</b>	Oral or written communications (e-mail messages, letters, chat), timestamp, issue, resolution of the issue, e-mail address of the sender.
<b>Gate Charge Data</b>	Charge for the Additional Services, date and time of the passage by the gate and OBU ID.
<b>Position Data</b>	Time stamp, (GPS) position, velocity, direction, OBU ID.

## 2. For which purposes is your personal data processed?

Satellic acting as Controller processes the above mentioned personal data for the following purposes, as well as for purposes reasonably compatible with the latter:

<b><u>Purpose</u></b>	<b><u>Description of the purpose</u></b>
<b>Journey Visualisation</b>	The position data and the corresponding time stamps (registered every 30 seconds) are combined to represent the whole journey of a specific Vehicle, and this journey can be visualised on a map. This offers the User a deeper insight into the Vehicle's daily journey.
<b>VAS Contract allocation</b>	Satellic provides the User with (i) the Additional Services described in the VAS Contract and (ii) support when the User contacts Satellic by telephone, chat or e-mail.
<b>Reply to authorities' request</b>	Collecting the information held by Satellic in order to reply to the requests of the tax authorities and the law enforcement authorities (public prosecutors, investigation judges and courts) concerning questions under the tax legislation, the policing laws and the rules of criminal and civil procedures.
<b>Enhancement of Satellic's business processes</b>	Satellic, as a commercial business, has a number of legitimate interests that form the basis for the processing of personal data. This purpose implies that Satellic uses your personal data to: <ul style="list-style-type: none"> <li>• improve the quality of Satellic's customer support and Additional Services</li> <li>• identify the Users' needs by using a coordinated management of Users (or groups of Users);</li> <li>• carry out surveys;</li> <li>• develop risk models, marketing models and other types of models, as well as to create statistics. In all these cases, the links which can be made with an identifiable individual are destroyed as soon as practically possible. All these models serve for user analysis, fraud analysis, process analysis, risk analysis...</li> <li>• ascertain, exercise and safeguard the rights of Satellic and those of its represents (e.g. in case of disputes);</li> <li>• create synergies, improve efficiency or generate other organizational or process-related benefits;</li> <li>• ensure the safety, security and surveillance of persons and goods;</li> <li>• position Satellic in relation to our direct and indirect competitors and improve the delivery of our services;</li> <li>• For direct marketing purposes.</li> </ul>

### 3. What is the legal basis for processing your personal data?

Your personal data are processed by Satellic acting as Controller based on one or more of the following legal grounds available to Satellic:

- 1) Necessary to comply with the following legal obligations, pursuant to article 6.1 (c) of the GDPR e.g. Data protection legislations, Judicial Code, Criminal Investigation Code and Income Tax Code: to reply to authorities' requests;
- 2) Necessary to perform the VAS Contract and deliver Additional Services, pursuant to article 6.1 (b) of the GDPR;
- 3) Necessary for the legitimate interests of Satellic, pursuant to article 6.1 (f) of the GDPR;
- 4) Necessary for the legitimate interests of the User, pursuant to article 6.1 (f) of the GDPR.

### 4. With whom is your personal data shared?

While processing your personal data for the purposes set out in section 3.2 of this Privacy Policy, your personal data will be treated strictly confidentially, and will be shared only with the following categories of recipients:

- Our subprocessors (e.g. internet service, payment processing providers, logistic providers, etc.);
- Third parties: Business Partners, authorities, Additional Service suppliers and Satellic's advisors and auditors.

Your personal data will not be transferred outside the European Economic Area (EEA) unless as permitted under the applicable data protection legislation.

## **SECTION 4: COMMON PROVISIONS TO SECTION 2 AND 3**

### 1. How long do Viapass and Satellic keep your data?

We keep your personal data for no longer than reasonably necessary for the fulfilment of the purposes for which the data was collected. We will retain your personal data for the duration of our business relationship and afterwards for as long as it is necessary for the exercise of our legal rights and legal obligations and in observance of the required legal retention period.

Your personal data used for traffic analysis, which is pseudonymised, will be stored during the period necessary to push it through the system of Viapass and the Toll Charging Authorities, and will then be subsequently deleted.

### 2. Your rights concerning your personal data

Subject to the conditions laid down in the applicable data protection legislation, you have the following rights with respect to your personal data:

- The right to obtain access to the personal data we hold about you and to obtain a copy of this data, pursuant article 15 of the GDPR;
- The right to obtain the rectification of your inaccurate personal data and the right to have incomplete personal data to be completed, insofar you were not able to correct or complete your data on the RUP pursuant article 16 of the GDPR;
- The right to obtain the erasure of your personal data pursuant article 17 of the GDPR;
- The right to obtain the restriction of processing of your personal data pursuant article 18 of the GDPR.
- The right to receive the personal data you have provided to Satellic in a structured, commonly used and machine-readable format and to transmit those data to you or to another (i.e. the right to data portability) pursuant article 20 of the GDPR.

- The right to withdraw at any time your consent to the processing of your personal data without affecting the lawfulness of the processing, if the processing is based on such consent pursuant article 7 of the GDPR.

On grounds relating to your particular situation, you also have the right to object at any time to the processing of your personal data on the basis of the legitimate interest of Satelllic acting as Controller pursuant article 21 of the GDPR. Satelllic shall perceive your objections unless compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defense of legal claims. Where your personal data are processed for direct marketing purposes, you also have the right to object at any time to processing of your personal data for such marketing, which includes profiling to the extent that it is related to such direct marketing.

To this end, to exercise all relevant rights, queries must be submitted as follows: send a completed written Data Subject Request Form, duly signed and dated, together with a copy of your identity card, to Satelllic's customer support ([support@satelllic.be](mailto:support@satelllic.be)). In addition, you can, at every moment consult and/or amend your personal data yourself using the Road User Portal.

If you have a complaint concerning the processing of your personal data, please contact [dataprivacy@satelllic.be](mailto:dataprivacy@satelllic.be) or write to our Data Privacy Officer at 1831 Diegem, Airport Plaza Leonardo Da Vincilaan 19 A Bus 4. Our Data Protection Officer will then analyse your complaint and work with you to resolve the matter.

If such query or complaint relates to the processing of your personal data by Satelllic acting as Processor, Satelllic will acknowledge the request and will ask you to submit a completed Data Subject Request Form to Viapass, the Controller by sending it to [dpo@viapass.be](mailto:dpo@viapass.be).

Satelllic, or as the case may be, Viapass, will answer your query or complaint without undue delay and in any event within one month after having received your query or request. Taking into account the complexity and the number of requests, that period may be further extended to two more months. You will be informed of such an extension during the first month following the receipt of the request, and the reasons for the delay will also be specified.

If you still feel that your data has not been handled appropriately in accordance with the law, you can lodge a complaint to the Belgian Privacy Commission pursuant article 77.1 of the GDPR: by post to Drukpersstraat 35, 1000 Brussels, per e-mail to [commission@privacycommission.be](mailto:commission@privacycommission.be) or by phone +32 2 274 48 00.

### **3. Changes to our Privacy Policy**

We may change our Privacy Policy from time to time. However, we will not reduce your rights under this Privacy Policy. We will always update this Privacy Policy on the RUP and will notify you thereof.