



PRIVACY STATEMENT XL Fund

Last modified on 9 November 2020.

First of all, we are excited that you are interested in the projects of XL Fund.

This privacy statement describes how we use the Personal Data you provide us with.

We may ask you to share certain Personal Data with us, including but not limited to your first name, last name and e-mail address (identification data). For certain specific obligations (e.g. for electronic attendance registration and *30bis* declaration of works) you may be required to provide us with additional data, such as E-ID data and Limosan number.

We only collect Personal Data that is necessary to inform you about our projects (and services), to execute an agreement with you to contact you.

For this purpose, we base ourselves on the processing grounds of the agreement, the legal obligation, our legitimate interest and, in some cases, your consent (see also section 2).

The processing of your Personal Data is subject to this privacy statement. For questions and/or comments, please contact privacy@life.be.

By providing your Personal Data, you are deemed to have acknowledged the use of your Personal Data in accordance with this privacy statement.

Article 1 – Definitions

“**Affiliated Company**” means any company that is affiliated to XL Fund insofar as it meets the conditions for an “affiliated company” as set out in article 1:20 of the Belgian Companies Code.

“**Controller**” has the meaning as defined in the General Data Protection Regulation 2016/679. XL Fund will be qualified as the Controller which determines the purposes and means of the processing of Personal Data.

“**XL Fund**” means XL Fund, a public limited liability company under Belgian law, having its registered office at 2018 Antwerp (Belgium), Mechelsesteenweg 34 bus 108, registered with the Crossroads Bank of Enterprises under number 0748.517.128.

“**Personal Data**” has the meaning as defined in the General Data Protection Regulation 2016/679, which is any information relating to an identified or identifiable natural person (also referred to as “data subject”).

“**Processor**” has the meaning as defined in the General Data Protection Regulation 2016/679, which processes Personal Data on behalf of the Controller.

“**Website**” means the website of XL Fund and Affilites Companies: www.ilovelife.be.

Article 2 – Purposes and legal grounds



Client data

In relation to providing our services and our activities we collect and process the identification and contact data of our clients, their employees, associates, appointees and other useful contacts. The data may be processed for the purposes of execution of the agreement with our clients, client management, accounting and direct marketing activities such as sending promotional or commercial information. The legal grounds for this processing are the agreement, compliance with a legal obligation to which we are subject (such as the *30bis* declaration of work) and our legitimate interest (such as for direct marketing).

Data of suppliers and subcontractors

We collect and process the identification and contact data of our suppliers and subcontractors, as well as any (sub)subcontractor(s), their employees, associates, appointees and other useful contacts. The data may be processed for the purposes of execution of the agreement, supplier/subcontractor management, accounting and direct marketing activities such as sending promotional or commercial information. The legal grounds for this processing are the agreement, compliance with a legal obligation to which we are subject (such as, for example, the obligatory electronic attendance registration, *30bis* declaration of work, the attendance list or other obligations in the case of public contracts, etc.) and/or our legitimate interest (such as for direct marketing).

Data of employees

The data of our employees may be processed for the purposes of staff management and payroll administration.

Data of applicants

We process the identification and contact data, as well as the work history and other data that is usually indicated on a curriculum vitae of applicants when they provide us with this information. The Personal Data is processed to determine whether you qualify for a job with us on the ground of our legitimate interest.

If we wish to retain your Personal Data for a longer period of time after the relevant vacancy has been filled, we will inform you and request your permission to do so.

Other data

In addition to the data of clients, suppliers/subcontractors, employees and applicants, we also process Personal Data of others, such as possible new clients/prospects, useful contacts within our sector, network contacts, expert contacts, etc. This is done via our Website or other channels. The purposes of this processing are in the interest of our activities, direct marketing and public relations. The legal grounds for this processing are our legitimate interest, the agreement and, in some cases, your explicit consent.

Specifically, we may use the Personal Data we collect for the following purposes:

- (i) to identify you as a user of the Website;
- (ii) to provide you with information about our projects and services;
- (iii) to provide you with our services and execute any agreements;
- (iv) to send a newsletter in case you subscribed;
- (v) to process and respond to any complaints or requests;
- (vi) to help us in evaluating, correcting and improving the Website and any related products or services of XL Fund;
- (vii) for direct marketing purposes;
- (viii) for internal reasons, including business administration and filing purposes.



Article 3 – The confidentiality of your personal data

Every time you submit Personal Data, we shall handle this information in accordance with the stipulations of this privacy statement and the legal obligations within the scope of the processing of Personal Data, including the General Data Protection Regulation (GDPR) 2016/679.

We establish reasonable measures and procedures to secure and protect the Personal Data we collect through the Website or via electronic correspondence. In this way, we undertake, as far as can reasonably be expected, to prevent illegal processing of Personal Data and unintentional loss or liquidation of your Personal Data.

Despite these precautions, we cannot guarantee that your Personal Data is protected when it gets displayed or reported in another way than the Website via unsecured means.

We seek to optimize the security of your Personal Data by limiting the access to your Personal Data to persons on a "need-to-know" basis (for example: only those employees, associates, Affiliated Companies or subcontractors who need your Personal Data for the purposes as described in section 2 shall receive permission to access the data).

Article 4 – How does XL Fund collect your Personal Data and for how long is it kept?

Collection of data

We collect your Personal Data – without being exhaustive – in the following cases:

- (i) when sending a request for information on the Website (using the form provided);
- (ii) when you enter into an (employment) agreement with us;
- (iii) when sending a request to receive our newsletter;
- (iv) when you call, email or correspond with us in another way than via the Website.

We avoid the collection of Personal Data which are not relevant for the purposes as set out in section 2.

We can combine the Personal Data we collect with information which third parties deliver to us.

Retention of data

Personal Data will be stored and processed by us for the duration that is required in relation to the purposes of the processing depending on whether we have a contractual relationship with you or not.

Client data and supplier or subcontractor data will be removed from our systems 7 years after the termination of the agreement or project involved, except for the Personal Data that we have to store for a longer duration based on specific legal obligations or in case of pending litigation(s).

Other data will not be stored longer than 2 years after the last useful contact with you, except in the case of your explicit consent to retain this data for a longer period of time.

Personal Data of our employees will be removed 5 years after the termination of the employment relationship.

Personal Data of applicants will be removed after the relevant vacancy has been filled or 2 years after obtaining the permission to inform applicants about future job opportunities.



Article 5 – Transfer of Personal Data

We will not transfer Personal Data to third parties outside the European Economic Area, except to subcontractors or associates who retain the Personal Data in accordance with the European Commission's Standard Contractual Clauses and thereby provide an adequate level of security for the processing of Personal Data.

Furthermore, we will not transfer Personal Data to third parties inside the European Economic Area without your permission, except:

- (i) when these transfer is necessary to permit Affiliated Companies, associates, agents or subcontractors to provide a service or accomplish a task in our name (including but not limited to providing marketing support, accomplish market research or providing user services);
- (ii) if it is required by applicable laws and regulations.

Any transfer of Personal Data to one of the third parties mentioned in the list above, is in accordance with the stipulations of the General Data Protection Regulation 2016/679.

We ensure that measures are taken to make sure that third parties cannot use your Personal Data for other purposes than the purposes mentioned in section 2, and that these third parties have undertaken the necessary technical and organizational measures to protect these data.

We will have data processing agreements in place with the aforementioned third parties and, if applicable, Standard Contractual Clauses as provided by the European Commission, in order to ensure the security of the Personal Data.

Finally, we shall take all necessary precautionary measures to assure that our employees and associates who have access to Personal Data will process these Personal Data exclusively in accordance with this privacy statement and the obligations under the General Data Protection Regulation 2016/679.

Article 6 – Rights of the data subject

By virtue of both Belgian and European legislation concerning data protection, you have the rights as mentioned below. If you want to exercise these rights, you have to send a written request and a copy of your ID card to privacy@life.be.

We will provide you with information within 1 (one) month of receipt of the request on the action that will be taken. We can extend this one-month period to a maximum of 3 (three) months, in which case you will be informed about the reasons for such delay within 1 (one) month of the original request.

The right of access to Personal Data

You have the right to instruct us to provide you with any Personal Data we hold about you, providing the rights of other data subjects are not affected.

The right to rectification of Personal Data

We kindly ask you to help to make sure that the Personal Data in our records are as accurate and up-to-date as possible. If you believe that the Personal Data submitted to us are incorrect or incomplete, please notify us as described above. We will correct or adapt your Personal Data as soon as possible.



The right to erasure of Personal Data

In some circumstances you have the right to the erasure of your Personal Data without undue delay. Those circumstances include:

- (i) the unnecessary to hold the Personal Data any longer in relation to the purposes for which they were collected or otherwise processed;
- (ii) the withdrawing of the consent to consent-based processing;
- (iii) the processing that is for direct marketing purposes; and
- (iv) in case the Personal Data have been unlawfully processed.

However, there are certain general exclusions of the right to erasure. Those general exclusions include where processing is necessary:

- (i) for exercising the right of freedom of expression and information;
- (ii) for compliance with a legal obligation; or
- (iii) for the establishment, exercise or defense of legal claims.

The right to restrict the processing of Personal Data

In the following circumstances you have the right to restrict the processing of your Personal Data:

- (i) for contesting the accuracy of the Personal Data;
- (ii) when the processing is unlawful but you don't want the Personal Data to be erased; or
- (iii) when you objected to processing, pending the verification of that objection.

Where processing has been restricted on this basis, we may continue to store your Personal Data. However, we will only process it with your explicit consent, for the establishment, exercise or defense of legal claims, for the protection of the rights of another natural or legal person, or for reasons of important public interest.

The right to object

You have the right to object to our processing of your Personal Data.

The right to data portability

If you wish to exercise your right to data portability, we will send the Personal Data in a structured, commonly used and machine-readable format to a controller of your choice.

The right to withdraw consent

To the extent that the legal basis for our processing of your Personal Data is consent, you have the right to withdraw that consent at any time. However, withdrawal will not affect the lawfulness of processing before the withdrawal.

The right to complain to a supervisory authority

You can file a complaint with the Data Protection Authority ("Gegevensbeschermingsautoriteit") by sending an e-mail to contact@apd-gba.be or by sending a written request to the Data Protection Authority with registered address located at 1000 Brussels, Drukpersstraat 35.



Article 7 – Third party links

The Website may contain links to other websites which are not controlled by us. Although we will do our utmost to make sure that the links lead exclusively to websites that have corresponding security and confidentiality standards, we are not responsible for the protection and confidentiality of data, among Personal Data which you submit on other websites, after you have left the Website.

We emphasize to proceed carefully and consult the privacy statement which applies on the website concerned before submitting Personal Data on other websites.

Article 8 – Amendments

We have the right to change this privacy statement at any time by publishing a new version on our Website.

We recommend to consult the Website on a regular basis in order to verify that you agree to any changes made to this privacy statement.

In any event, you will be informed of any changes to this privacy statement by e-mail.

Article 9 – Cookies

XL Fund uses “cookies” each time you visit the Website. A “cookie” is a piece of information sent to your device via the server and stored on the device’s hard drive. Cookies help XL Fund to recognize your device when you visit the Website. This allows XL Fund to make processing more user-friendly and to provide you with a personalized service.

For more information, please refer to our cookie statement which can be found on our Website.
