

# Privacy Statement - suppliers, service providers, freight forwarders, vendors and partners, and their employees

The topic of data protection is of utmost priority for BASF (hereinafter referred to as “we” or “us”). Naturally, this also includes ensuring a high level of transparency.

To ensure this transparency, the following document provides information on how we process the personal data of employees of our suppliers, service providers, freight forwarders, vendors and partners (together hereinafter referred to as „Contractors“) and of the employees of subcontractors and agents.

We process personal data only in strict compliance with the applicable laws on the protection of personal data.

In most cases, we receive personal data from the Contractor, but sometimes also directly from the relevant data subject itself.

The purpose of this Privacy Statement is to inform you about the way in which we handle personal data and how the rights of individuals are safeguarded.

## I. What personal data do we process?

The personal data we receive and process in view of this Privacy Statement may include the following data:

1. Identification data such as first name, family name;
2. Contact details such as place of residence and/or stay, (cell) phone number, e-mail address;
3. Personal characteristics such as age, gender, date of birth, place of birth, nationality, language;
4. Business information such as social security number or similar tax identification number, residence documents, LIMOSA; passport expiry date;
5. Information generated when using IT systems (such as IP addresses);
6. Data used to secure IT systems such as passwords, security codes and authorization levels.
7. Other information such as:
  - Professional contact details (function, job, professional telephone number (fixed and/or mobile), professional e-mail address);
  - Work organization data, (electronic) on site localization data, onsite location (building; telephone number, etc.);
  - Data relating to the use or rental of equipment (use of software, use of safety equipment, etc.);
  - Information related to physical and mental health, and data concerning risk situations and risk behavior;
  - Images from security cameras and other images such as camera recording, photographic recording, video recording, digital photos, ...;
  - Sound recordings such as when you make use of the alarm center;

- Data in the context of reports of quality complaints, incidents or accidents;
- The number plate of your car (if you enter the site by car (drive-in permit));
- Information in relation to Safety Pass requirements;
- Internal administrative information like badge number, personal number, applicable cost center;
- Information related to performed services and activities within the scope of our contractual relation. Such information includes: presence at BASF sites, time sheets, start and end date of an assignment;
- Information on certain qualifications and competences (incl. accompanying certificates).

Certain personal data are qualified as "sensitive personal data", such as data relating to your physical and mental health or condition. BASF will only process these sensitive personal data if necessary and to the extent permitted by applicable regulations.

## II. Who is responsible for the processing of the personal data in view of this Privacy Statement ("Controller")?

BASF Antwerpen N.V. is responsible for the processing of these personal data for the purposes set out below (see point III. 'Why do we process your personal data?'). If you have any questions, comments or complaints regarding the processing of your personal data by BASF Antwerpen N.V., please contact the Data Protection Coordinator<sup>1</sup> of BASF Antwerpen N.V.:

Koen De Maere  
 Main building B510/L709  
 Scheldeaan 600  
 2040 Antwerp  
 Belgium  
 Phone: +32-3-561 6926  
 E-mail: [mijnprivacy@basf.com](mailto:mijnprivacy@basf.com)

If you have any questions, comments or complaints about how your employer processes your personal data, you can always contact the responsible parties within your organization.

## III. Why do we process your personal data?

We process your personal data mainly for the following purposes:

1. Planning, executing or administrating our contractual relationship with our Contractors, e.g. to process orders, for accounting purposes, to execute and organize service provision or transportation, to evaluate quality of performed services;
2. Planning, executing or administrating transportation and shipment of products and/or goods;

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<sup>1</sup> The Data Protection Coordinator is the local representative of BASF Antwerpen N.V. He acts as coordinator between the local organization and the Data Protection Officer of the BASF Group.

3. Maintaining and protecting the security and safety of our network as well as security and functionality of our IT systems and websites; avoiding and detecting security risks, fraudulent activities or other criminal or malicious acts; management of access rights logins, workflows, with the aim to secure IT systems, prevent fraud and prevent abuse and inappropriate use;
4. Maintaining and protecting the security of our premises and establishments (e.g. conduct access & exit control, issuing temporary access permits, issuing site access prohibitions); Security of the site both with regard to safeguarding individuals and with regard to the security of the individual production installations and buildings on the site, including by means of e-locks and cameras in accordance with the applicable legislation;
5. The use of facilities such as meeting rooms, reporting malfunctions and requests for repairs and catering;
6. Compliance with legal requirements (e.g. compliance with fiscal or commercial retention obligations; preventing money laundering or economic crime);
7. Resolving disputes and lawsuits, establishing, exercising or defending against legal claims or litigation, enforcing existing contracts and consequently also the management of these disputes in which BASF Antwerpen N.V. is involved. In general, defending the interests of BASF and its employee towards official bodies and authorities prior to initiating any legal proceedings;
8. Compliance with legal obligations in the context of safety and health at work (compliance with Welfare legislation in the broad sense), including preventive occupational medicine, various initiatives around reporting unsafe situations aiming at avoiding incidents and continuously improving the perception of safety;
9. Managing incidents and crisis situations, among other things when you make use of our emergency call center;
10. Preventing, registering or tracking down criminal offences against persons or goods and protection of the company's goods ;
11. Responding to requests for information from various authorities such as social inspection, environmental inspection, tax inspection and other legal obligations;
12. Providing medical first aid in the event of incidents and accidents;
13. For study and research purposes (whether or not anonymized or pseudonymized) e.g. to measure congestion at the entrance gates, number of labor accidents etc.;
14. Contact and/or communication relevant to anyone who is active, be it temporarily, on the site.

The processing of the above-mentioned data categories is necessary to achieve these purposes. In case when the information related to the above-mentioned data categories is not supplied, we might not be able to achieve the intended purposes.

If we intend to process personal data for other purposes, we will inform you in advance.

#### IV. On what basis do we process your personal data?

For BASF Antwerpen N.V., the collection, storage and processing of personal data is processed in the context of a legitimate purpose that is in line with the fact that your employer performs services or has activities on the site of BASF Antwerpen N.V. in Antwerp.

Therefore, we will mainly collect, store and process personal data:

- If we have a legal obligation to do so (Art. 6 Lot. 1.c AVG) such as in particular in the performance of obligations as a SEVESO company and port facility (ISPS) or the implementation of tax, social legislation and welfare legislation; and/or
- If the processing of your personal data is necessary in the context of the execution of a contract (Art. 6 Lot 1.b AVG); and/or
- if we believe that the processing of your personal data is necessary for the protection of the legitimate interests of BASF Antwerpen N.V. or a third party (e.g. a government agency) (Art. 6 Lot 1.f AVG), unless your fundamental rights, freedoms or interests should take precedence and your normal and reasonable expectation of privacy would be violated. In this context, we process your personal data, among other things, to secure our site, to provide for your safety, or in the context of enhancing our performance by automating administrative processes;

When we process sensitive personal data, this is done for the purpose of protecting your vital interests (e.g. (first aid) medical services in the event of illness or accident) or to exercise rights and comply with obligations within the framework of regulations (e.g. preventive occupational medicine) (Art. 9 Lot 2. c. resp. h AVG). Moreover, it may be that these special categories of personal data must necessarily be processed in the context of instituting, exercising or substantiating legal proceedings or when courts act within the framework of their jurisdiction (Art. 9 Lot 2.f AVG). In exceptional cases, we will request your consent before processing your personal data.

#### V. With whom do we share your personal data?

Your personal data is only shared with persons and departments (e.g. the Prevention Service, the Site Security Service, Medical Service, the ordering unit) that need this information in the context of the performance of their duties with a view to fulfilling contractual and legal obligations, as well as to representing the legitimate interests of BASF Antwerpen N.V. or a third party (e.g. government agency). If you or your employer works, either directly or as a sub-contractor, for another company than BASF Antwerpen N.V., but who is located on the site of BASF Antwerpen N.V., personal data are shared with this other company. This other company shall act as independent controller of the personal data it received from BASF Antwerpen N.V. pursuant to this Privacy Statement. If you have any questions, comments or complaints about how these other companies process the personal data they receive from BASF Antwerpen pursuant to this Privacy Statement, you can always contact the responsible person within these other companies.

Within the BASF Group, your personal data are only shared with other BASF entities when they perform central tasks (such as the management of logistics operations, it-systems, etc). If your personal data are processed by another BASF entity, this will also be done in accordance with this Privacy Statement and only for the purposes described above (in which case all references to BASF should be read as references to this entity).

External service providers may be used to fulfill contractual and legal obligations or to fulfill the legitimate interests of the company. We make contractual arrangements with these external service providers about how they should handle the personal data we provide. In these cases, too, the processing of your personal data will only be in line with the purposes as described in this Privacy Statement. BASF will only cooperate with companies that comply with the applicable legislation on the protection of personal data. In certain cases, ICT service providers and their staff may have access to your personal data, to the extent necessary to ensure the proper functioning of our ICT systems.

BASF may decide to share personal data with your employer or with the principal of your employer, upon its request, in order to fulfilling contractual and/or legal obligations. Your employer shall act as independent controller of the personal data it received from BASF Antwerpen N.V. pursuant to this Privacy Statement. If you have any questions, comments or complaints about how your employer processes the personal data it receives from BASF Antwerpen pursuant to this Privacy Statement, you can always contact the responsible person within your organization.

Finally, personal data may be shared with third parties when this is necessary for compliance with contractual and legal obligations or to exercise, assert or defend legal rights if legally permitted. These third parties include, but are not limited to:

- Public services (e.g. Social Security Office, FOD Finance);
- Inspection services of the competent Federal or Regional Public Services;
- Police or other services with police powers;
- International organizations (e.g. European Commission, European Funds for obtaining grants);
- Courts and tribunals, law firms and lawyers;
- Information and consultation obligations with regard to joint bodies (trade union delegation, Works Council, Committee for Prevention and Protection at Work);
- ...

#### VI. How long do we store your personal data?

If not explicitly stipulated otherwise (e.g. in a specific consent form), BASF Antwerpen N.V. retains your personal data for as long as this is necessary for the purpose for which they were collected, taking into account the applicable legal provisions (such as retention periods provided by commercial or tax laws).

The retention periods of the images from our security cameras are limited to a maximum of 3 months

For specific processing operations, and certainly for those for which your consent is requested, we will inform you separately about the retention period of your personal data in the context of that specific processing.

#### VII. What rights can you exercise with regard to your personal data?

Under the General Data Protection Regulation, you have the right to request access to the personal data we have received about you either directly or indirectly from you, and to ask for rectification of these personal data if they prove to be incorrect. You also have the right, in certain circumstances, to request the deletion of one or more personal data or to ask for the limitation or restriction of the processing of certain personal data (see in particular the right to object). The General Data Protection Regulation also provides a right to transfer your personal data.

Any request to exercise one or more rights will be assessed in terms of reasonableness and proportionality. On that basis, we reserve the right to reject excessive requests, after consultation, in which we will motivate our decision.

#### **Right to object**

If the processing is based on a consent, the data subject has the right to object to the processing of personal data related to him or her at any time. If we process personal data on the basis of a legitimate interest, you may object to the processing at any time for reasons resulting from your specific situation. The processing of such specific data will then be restricted or discontinued, unless we can demonstrate that there are legitimate grounds that outweigh your personal interests, rights and freedoms, or that relate to the institution, exercise or substantiation of a legal claim.

#### VIII. What can you do if you have a complaint?

If you have a complaint about how BASF Antwerpen N.V. processes your personal data, you can always address this complaint to the Data Protection Coordinator of BASF Antwerpen N.V. (see contact data above). He will assess your complaint in complete independence and confidentiality and, if necessary, take appropriate measures. To this end, the Data Protection Coordinator may consult with the BASF Group Data Protection Officer.

If you have a complaint about how your employer or the other companies located on the BASF site process your personal data, you can always contact the responsible parties within your organization.

Irrespective of any other legal remedy under administrative law or judicial remedy, you are entitled to file a complaint with the supervisory authority, particularly in the member state in which you are a resident or where the alleged violation took place, if you believe the processing of personal data related to you is in violation of the EU General Data Protection Regulation.

The supervisory authority to which the complaint is submitted shall notify the appellant of the situation and the results of the complaint, including the option of a legal remedy in accordance with article 78 of the EU General Data Protection Regulation.

Our lead supervisory authority to which a complaint can be submitted is:

Der Landesbeauftragte für den Datenschutz und die Informationsfreiheit Rheinland-Pfalz  
Hintere Bleiche 34  
55116 Mainz  
Germany

In Belgium, the data protection authority is the following:

Data Protection Authority  
Drukpersstraat 35  
1000 Brussel  
Mail: [contact@apd-gba.be](mailto:contact@apd-gba.be)  
Telephone: 02 274 48 00, 02 274 48 78 (Primary care for questions)  
Fax: 02 274 48 35

#### IX. What safeguards apply when your personal data leaves the European Union?

In some cases, we disclose personal data to service providers or group companies located outside of the European Economic Area (“third-party countries”), in which an adequate data protection level is not guaranteed by applicable laws. In such cases we take suitable measures to safeguard the protection of the personal data and to ensure an adequate level of data protection. Hence, we disclose personal information to recipients outside our group of companies located in a third-party country only if those recipients have concluded the EU Standard Contractual Clauses with us or if those recipients have implemented Binding Corporate Rules.

#### X. How do we protect your personal data?

BASF strives for high standards in the field of security of its IT systems against unauthorized access. Only authorized persons have access to your data, based on a personal login and password and exclusively via a secure internet or intranet connection. Consultation of personal data is only permitted to those persons who are authorized to do so and insofar as this information is relevant in the context of their specific assignment.

In addition, appropriate technical, physical and organizational measures have been implemented to protect your data against unauthorized or deliberate deletion, alteration or disclosure and against misuse, damage and theft. If you would like to know more about these measures, please contact the Data Protection Coordinator.

#### XI. Changes to this Privacy Statement

This Privacy Statement is subject to change. The most recent version can always be found on our website (<https://www.basf.com/be/en/who-we-are/Group-Companies/BASF-Antwerpen/Working-on-site/Contractors.html>). The date on which this text was last modified can be found in the footer of this document. Please check on a regular basis whether a new version has been published, as these changes will apply to your personal data from the date of their publication.