

Mitsubishi Elevator Europe B.V.

Privacy Notice

25 May 2018

1 Introduction

- 1.1 Mitsubishi Elevator Europe B.V. (**Mitsubishi Elevator** or **we** or **us**) values the privacy of our clients and business partners and strives to protect the privacy and the confidentiality of personal data that we use in connection with the provision our services (the **Services**) and products (the **Products**).
- 1.2 This Privacy Notice describes how we use your personal data. We collect, use, disclose and otherwise process your personal data where this is necessary for the purposes identified in this Privacy Notice and only where permitted by the EU General Data Protection Regulation (**GDPR**) and local data protection laws (the **Data Protection Rules**). We treat your personal data with the utmost care and security. Please read this Privacy Notice carefully to understand how we process your personal data.
- 1.3 In this Privacy Notice we use a number of terms that have a specific meaning under the Data Protection Rules (such as “personal data”, “processing” and “data controller”). Section 10 of this Privacy Notice contains an overview explaining these defined terms.

2 Identity of data controller and contact details

- 2.1 Mitsubishi Elevator is the data controller in respect of the personal data we receive in the context of our Services and Products, or otherwise. Mitsubishi Elevator is a private limited liability company, with its statutory seat in Veenendaal and its registered office address at Schietboom 20, 3905 TD Veenendaal, the Netherlands and is registered with the Trade Register of the Dutch Chamber of Commerce under number 30022258.

Mitsubishi Elevator has appointed a data officer. In case of any questions in relation to our use of your personal data, you can contact our data officer. using the following email address: info@mee-wde.nl

3 Personal data that we process

- 3.1 We collect and process the following personal data:
 - (a) **Your contact information** ► including your name, address (and proof of address, where necessary) and other contact details (such as your email address and telephone number).
 - (b) **Your identification details** ► identification numbers issued by government bodies or agencies (e.g., depending on the country you are in, social security, citizen service or national insurance number, passport number, ID number, tax identification number, driver's license number), a copy of your identification document.
 - (a) **Our correspondence with you** ► if you contact us, we may keep a record of that correspondence.
 - (c) **Information you provide to us when visiting our websites** ► personal data that you provide to us, such as when using the contact form on our website, including your name, email address, and other contact details. If you choose to apply for a job at Mitsubishi Elevator and submit a job application to us, we will collect information that you submit via our site. Please refer to our applicants privacy statement for information on how we process this information;
 - (d) **Website and communication usage** ► details of your visits to the website and information collected through cookies and other tracking technologies including, but not limited to, your IP address and domain name, your browser version and operating system, traffic data, location data, web logs and other communication data, and the resources that you access.

4 How we process and disclose your personal data

General information

- 4.1 In this section, we set out the purposes for which we use personal data, explain how we share your personal data, and identify the “legal processing grounds” on which we rely to process the personal data.
- 4.2 These “legal processing grounds” are set out in the GDPR. We, as data controller, are only permitted to process your personal data when such processing can be based on (one or more) “legal processing grounds” set out in the GDPR. The table below provides for a description of the legal processing grounds that Mitsubishi Elevator relies on:

For processing personal data and special categories of personal data	
Legal processing ground	Details
(1) Performance of our contract with you	Processing is necessary for the performance of a contract to which you are party or in order to take steps at your request prior to entering into a contract.
(2) Compliance with a legal obligation	Processing is necessary for compliance with a legal obligation to which we are subject.
(3) For our legitimate business interests	Processing is necessary for the purposes of the legitimate interests pursued by us or by a third party, except where such interests are overridden by your interests or fundamental rights and freedoms which require protection of personal data. These legitimate interests are set out next to each purpose.
(4) For legal claims	Processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity.

For what purposes do we use your personal data and what legal processing grounds do we use to justify such use?

- 4.3 We may use your personal data in the following ways. For each use, we note the legal bases we use to justify each use of your personal data.
- (a) **To provide our Services and Products to you** ► we require your personal data to be able to provide our Services and Products to you or the company that you represent. This includes use of your personal data to allow you to provide you with our Services and Products, or if you provide certain services or products to us, and to manage our relationship with you and all communications related thereto.
- Legal bases:** (1) performance of our contract with you; and (3) for our legitimate business interests (to enable us to provide our Services and Products to you and communicate with you on related matters).

- (b) **To analyse and continuously improve our Services and Products** ► we may use personal data for testing and improving our Services and Products, and for further tailoring our Services and Products to our customer's needs.

Use justification: (3) for our legitimate business interests (to enable us to analyse and further improve (the processes relating to the provision of) our Services and Products).

- (c) **For marketing our own (similar) Services and Products** ► we may use personal data to contact our existing clients by e-mail for marketing purposes. You have been offered the opportunity to object against this use of your personal data at the moment we obtained your personal data and you may opt-out at any time from these marketing communications. We will only market our own products and services to you, provided that such products and services are similar to products and services you already receive and you are given the opportunity to object. We will not provide your contact details to any third party for marketing purposes (with the exception of third parties that are processing personal data on our behalf).

Use justification: (3) for our legitimate business interests (to enable us to promote our own (similar) Services and Products to you).

- (d) **To defend our legitimate interests and to change our business structure** ► We may disclose personal data in connection with legal proceedings or investigations anywhere in the world to third parties, such as public authorities, law enforcement agencies, regulators and third party litigants (these third parties are not our data processors and will process personal data for their own purposes). We may also provide your personal data to any potential acquirer of or investor in any part of our business for the purpose of that acquisition or investment, in which case we will make sure to minimise the disclosure of your personal data to what is strictly necessary under the circumstances of the case at hand.

Use justification: (1) performance of our contract with you; (3) legitimate interests (to enable us to cooperate with law enforcement and regulators and to allow us to change our business); and (5) for legal claims.

- (e) **To conduct certain checks on you, such as anti-fraud checks before we establish a relationship, and where required, during our relationship with you** ► we and other organisations engaged by us for this purpose may access and use your personal data to conduct checks to, among other things, prevent fraud. If false or inaccurate information is provided and fraud is identified or suspected, details may be passed to the relevant authorities including fraud prevention agencies. We will record this. Law enforcement agencies may access and use this information.

Use justification: (2) compliance with a legal obligation; (3) for our legitimate business interests (to assist with the prevention of crime and fraud).

Do we disclose your personal data to others and where is data being stored?

- 4.4 Mitsubishi Elevator stores your personal data on our IT systems located in the Netherlands. Mitsubishi Elevator engages various data processors for the processing of your personal data on our behalf, including IT service providers and other business service providers.
- 4.5 We have contracts in place with our data processors. This means that these data processors cannot do anything with your personal data unless we have instructed them to do so. They will not share your personal data with any other organisation (unless legally required to do so, or with our permission or upon our request) apart from us. They will hold it securely and retain it for the period that we instruct.
- 4.6 Mitsubishi Elevator may be legally required to disclose your personal data in response to requests from regulators and law enforcement or security agencies, in which case these regulators and law enforcement or security agencies will be acting as a data controller as well. Mitsubishi

Elevator will always assess the legitimacy of such requests before disclosing any personal data and will only disclose the personal data required to comply with such request.

From what sources do we collect your personal data?

- 4.7 We may obtain personal data from various sources, including:
- (a) you directly, via forms on or interactions with our website, by telephone or by means of written correspondence; and
 - (b) third parties who introduce business to us;

5 Protection of your personal data

Mitsubishi Elevator has implemented appropriate technical and organisational measures to secure the processing of personal data. These safeguards will vary depending on the sensitivity, format, location, amount, distribution and storage of the personal data, and include measures designed to keep personal data protected from unauthorized access. If appropriate, these safeguards include the encryption of communications via SSL, encryption of information during storage, firewalls, access controls, separation of duties, and similar security protocols.

- 5.1 We restrict access to personal data to personnel and third parties that require access to such information for legitimate, relevant business purposes.
- 5.2 All our staff members, contractors and third parties who will have access to personal data on our instructions will be bound to confidentiality and we use access controls to limit access to individuals that require such access for the performance of their responsibilities and tasks.
- 5.3 We have information security policies in place and its security policies and systems are frequently audited. We take the security of our IT infrastructure very seriously.

6 Limiting collection and retention

We collect, use, disclose and otherwise process your personal data that is necessary for the purposes identified in this Privacy Notice or as permitted by the Data Protection Rules. If we require personal data for a purpose inconsistent with the purposes we identified in this Privacy Notice, we will notify you of the new purpose and, where required, ask for your consent to process personal data for the new purposes.

- 6.1 We retain your personal data as long as you make use of our Services or Products. In any case we will retain your personal data [and keep your profile active] until you, or under exceptional circumstances, we, end our customer relationship with you. After our customer relationship with you has ended, we will retain your personal data for a limited period of time.
- 6.2 Our retention periods for personal data are based on business needs and legal requirements. We retain personal data for as long as is necessary for the processing purpose(s) for which the personal data was collected, and any other permissible, related purpose. For example, we retain your personal data after you have closed your account where necessary to comply with our legal obligations (including law enforcement requests), meet regulatory requirements, resolve disputes, maintain security, prevent fraud and abuse, or fulfil your request to “unsubscribe” from further messages from us.

7 Cross-border transfer of personal data

- 7.1 Mitsubishi Elevator may transfer personal data to, or permits access to personal data from, countries outside the European Economic Area (EEA). These countries’ data protection laws do not always offer the same level of protection for personal data as offered in the EEA. We will, in all circumstances, safeguard personal data as set out in this Privacy Notice.

- 7.2 Certain countries outside the EEA have been approved by the European Commission as providing essentially equivalent protections as EEA data protection laws. The Data Protection Rules allow Mitsubishi Elevator to freely transfer personal data to such countries.
- 7.3 If we transfer personal data to other countries outside the EEA, we will establish legal processing grounds justifying such transfer, such as model contractual clauses, individuals' consent, or other legal processing grounds permitted by applicable legal requirements.
- 7.4 You can request additional information about the specific safeguards applied to the export of personal data from our data officer.

8 Your rights and complaints

- 8.1 We strive to maintain personal data that is accurate, complete and current. You should contact our data protection officer using the contact details set out in section 2 of this Privacy Notice.
- 8.2 Under the GDPR, you have certain rights in relation to your personal data. These rights are described below. If you wish to exercise one these rights, please contact our data protection officer using the contact details set out in section 2 of this Privacy Notice in case of any questions. To ensure an efficient follow-up, we kindly ask you to specify your request and to indicate to which personal data your request relates.
- 8.3 You have the following rights (please be aware that certain exceptions apply to the exercise of these rights and so you may not be able to exercise these in all situations):
- (a) **Right of access:** you have the right to obtain confirmation as to whether or not personal data concerning you is being processed, and, where that is the case, to obtain a copy of the personal data we maintain about you.
 - (b) **Rectification:** you may ask us to rectify any inaccurate personal data that we process.
 - (c) **Erasure:** you may ask us to delete personal data that we no longer have a legal ground to process.
 - (d) **Restriction:** you may ask us to mark certain personal data as restricted whilst complaints are resolved and also ask for restriction of processing under certain other circumstances.
 - (e) **Portability:** You can ask us to transmit the personal data that you have provided to us and we still hold about you to a third party electronically.
- 8.4 In addition, under certain conditions, you have the right to:
- (a) where processing is based on consent, withdraw the consent;
 - (b) object to any processing of personal that Mitsubishi Elevator justifies on the "legitimate interests" legal processing ground, unless our reasons for undertaking that processing outweigh any prejudice to the individual's privacy rights; and
 - (c) object to direct marketing [(including any profiling for such purposes)] at any time.
- 8.5 These rights are subject to certain exemptions to safeguard the public interest (e.g. the prevention or detection of crime) and our interests (e.g. the maintenance of legal privilege). We will respond to most requests within one month.
- 8.6 If you are not satisfied with our use of your personal data or our response to any exercise of these rights, we kindly ask you to first contact our data protection officer using the contact details set out in section 2 of this Privacy Notice. In addition, you always have the right to complain to the Dutch Data Protection Authority (*Autoriteit Persoonsgegevens*) (the **AP**). The AP can be contacted at:

Postal address:

Autoriteit Persoonsgegevens
P.O. BOX 93374
2509 AJ The Hague
The Netherlands

Telephone:

(+31) - (0)70 - 888 85 00]

- 8.7 The AP's up-to-date contact details can also always be found on the AP's website through the following link: <https://autoriteitpersoonsgegevens.nl/en/contact-dutch-dpa/contact-us>

9 Changes to this Privacy Notice

This Privacy Notice is subject to change at any time. It was last changed on 25 May 2018. If this Privacy Notice changes, we will update the date it was last changed and published the revised Privacy Notice on our website <https://www.mitsubishi-liften.nl/privacybeleid/> . Mitsubishi Elevator advises you to regularly check for updates.

10 Terminology

Under the Data Protection Rules (including, but not limited to, the GDPR), the below terms have a defined meaning as set out in the table below:

GDPR	The European General Data Protection Regulation (EU) 2016/679. The GDPR is applicable in all EU member states as of 25 May 2018.
personal data	Any information relating to an identified or identifiable natural person (e.g. a person whose identity can be established reasonably without disproportionate effort by means of name, address and date of birth). By way of example but not limitation, any contact information, emails, IP addresses, user profiles, and transaction details.
processing (of personal data)	Any operation or any set of operations concerning personal data, including in any case the collection, recording, organisation, storage, updating or modification, retrieval, consultation, use, dissemination by means of transmission, distribution or making available in any other form, merging, linking, as well as blocking, erasure or destruction of personal data.
data controller	The legal person, administrative body or any other entity which, alone or in conjunction with others, determines the purpose of and means for processing of personal data.

data processor

The person or body which processes personal data on behalf of the data controller, without being subject to the data controller's direct control.

special categories of personal data

Any personal data that provides information on persons' religious or philosophical beliefs, race, political opinions, health, sexual life or membership of trade unions, or, for the purpose of this privacy statement, criminal convictions or offences.