

This cookie policy ("**Cookie Policy**") governs the use of cookies and social media plugins on the Mytotalsource (<https://mytotalsource.tvh.com/>, hereinafter: the "**Website**"). Cookies are small text files which are stored on a device's hard drive and which contain certain information and sometimes personal data. Social media plugins are small pieces of software developed and provided by social media service providers (such as Facebook, LinkedIn, Google+, YouTube, Pinterest, Instagram, etc.), which add social media integration when built into the Website.

**NOTE 1:** If you want general information on how we process your personal data other than the processing through cookies and social media plug-ins, including in relation to your communication with us via e-mail, telephone, fax and social media and in relation to any order or purchase via one of our webshops (MyTotalSource, TVHShop, MyQuickSupply, TVHForkliftscalemodels, IRMN and our Swedish webshop), please refer to our [Privacy Policy](#).

**NOTE 2:** Please note that a separate data privacy statement, which is made available via the platform itself, governs the processing of personal data of people who choose to apply via our online job application platform.

**By continuing to use the Website or by clicking on "Yes, I Agree" after having been informed of our use of cookies and social media plugins, you acknowledge that you have read this Cookie Policy carefully and that you agree with it without reservation. You may at all times change your cookie preferences through the cookie settings.**

## 1. Who is responsible for the processing of your personal data?

TVH Group NV, Brabantstraat 15, 8790 Waregem, with corporate registration number 0822.308.590, RPR Ghent, leper division, is the entity responsible for your personal data as covered in this Cookie Policy (hereinafter: "TVH", "we", "us", "our".) This Cookie Policy may be changed from time to time, in order to ensure that it remains accurate and in line with legislation. If this happens, you are kindly asked to take note of the changes and to agree with them if you find them acceptable.

- 1.1 Your personal data are processed by TVH Group NV, Brabantstraat 15, 8790 Waregem, with corporate registration number 0822.308.590, RPR Ghent, leper division (hereinafter: "**TVH**", "**we**", "**us**", "**our**"). You can contact us via e-mail at [info@tvh.com](mailto:info@tvh.com).
- 1.2 Any notion starting with a capital shall be defined by explicit reference in this Cookie Policy. Where possible given the context, singular words shall be interpreted as also including the plural and vice versa.
- 1.3 Where reference is made to certain laws or regulations, such reference shall also include any change, replacement or annulment of said laws or regulations, including any related executive decisions.
- 1.4 TVH reserves the right to modify, change or amend the Cookie Policy at its own discretion and from time to time. Such modification, change or amendment shall be communicated via the Website. If you do not accept the modifications, changes or amendments, you are to inform us by sending an e-mail to [info@tvh.com](mailto:info@tvh.com). If we do not receive such an e-mail from you within three (3) business days after the changes to the Cookie Policy have been announced on our Website, you will be deemed to have accepted unambiguously all such changes.

## 2. Cookies

We place a number of cookies when you visit our Website. These cookies are divided in 3 groups of cookies: **functional cookies; analytical and statistical cookies; advertising and social media cookies.** You may at all times withdraw your consent with TVH's use of cookies.

2.1 You can avoid cookies being placed by configuring your browser as such. Guidelines on how to do this, can be found here:

- Internet Explorer: <https://support.microsoft.com/en-gb/help/17442/windows-internet-explorer-delete-manage-cookies>
- Microsoft Edge: <http://windows.microsoft.com/en-gb/windows-10/edge-privacy-faq>
- Chrome: <https://support.google.com/chrome/answer/95647?hl=en>
- Firefox: <https://support.mozilla.org/en-US/kb/enable-and-disable-cookies-website-preferences>
- Safari: [https://support.apple.com/kb/PH21411?locale=nl\\_BE&viewlocale=en\\_US](https://support.apple.com/kb/PH21411?locale=nl_BE&viewlocale=en_US)

However, not allowing cookies when visiting the Website may cause certain or all features of the website to stop working properly.

2.2 When you visit the Website, TVH places a number of cookies. Most data pertaining to these cookies, their placement and use allow to identify you, and TVH uses them to gain insight in how you and other visitors use the Website by gathering statistical and usage data, enabling TVH to provide a better user experience on the Website.



TVH knows about the following cookies being used on the Website:

• **Functional cookies**

Name cookie/provider	Lifespan	Purpose
"_livechat" and several session cookies (livechatinc.com)	Up to 37 months	These cookies are required to offer you our live chat option.

• **Analytical and statistical cookies**

Name cookie	Lifespan	Purpose
"_ga" and "_gid" (Google Analytics)	Up to 2 years	TVH uses Google Analytics cookies to determine how you and other visitors use our Website.
"_hjIncludedInSample" (Hotjar)	Session cookie	TVH uses the Hotjar cookie also for determining how you and other users use our Website and specifically to let TVH know whether that visitor is included in the sample which is used to generate funnels.

• **Advertising and social media cookies**

Name cookie	Lifespan	Purpose
"_mkto_trk" (Marketo)	2 years	The integration of the cookies of Marketo allow TVH to offer you more relevant and personalized content and advertisements by tracking what you do on our Website.

2.3 You may at all times withdraw your consent with TVH's use of cookies. To exercise this right, it suffices to delete the cookies, which have been placed on your device. To do so, you are kindly asked to refer to the appropriate instructions of your browser manufacturer, as listed above.

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

*We process your personal data through cookies for several different purposes: to improve our Website and the experiences and services we offer; to show advertisements; to provide information to third parties and to keep the web experiences we offer, our Website, you and us safe.*

3.1 TVH processes your personal data to offer you more personalized content and advertisements and perform statistical analyses so that we may improve our Website, Webshops, advertisements, products and services or develop new products and services.

3.2 TVH may process your personal data for informing any third party in the context of a possible merger with, acquisition from/by or demerger by that third party, even if that third party is located outside the EU.

3.3 TVH may also process your personal data for the preservation of the legitimate interests of TVH, its partners or a third party if and when your registration with or use of the Website can be considered (a) a violation of this Cookie Policy or the intellectual property rights or any other right of a third party, (b) a threat to the security or integrity of the Website or to any of TVH's or its subcontractors' underlying systems due to viruses, Trojan horses, spyware, malware or any other form of malicious code, or (c) in any way hateful, obscene, discriminating, racist, slanderous, spiteful, hurtful or in some other way inappropriate or illegal.

3.4 Your personal data may be transferred to the police or the judicial authorities as evidence or if there are justified suspicions of an unlawful act or crime committed by you through your use of the Website.

### 4. What makes the processing of your personal data legitimate?

*The law requires us to state precisely which legal basis we use to process your personal data. We may process your personal data because you have given your consent to do so, because the law obliges us to do so or because it is in our or a third party's legitimate interest.*

4.1 For processing your personal data for the purposes outlined in clause 3.1 and 3.2 of this Cookie Policy, TVH as the responsible party asks for your consent. TVH obtains your consent through the cookie banner. By clicking on this banner affirmatively and continuing to use the Website, you acknowledge that you have read this Cookie Policy carefully and that you agree with it without reservation.

4.2 The processing of your personal data for the purposes outlined in clause 3.3 of this Cookie Policy is also necessary for the purpose of the legitimate interests of TVH, which are:  
keeping our Website, Webshops, Social Media Channels, products and services safe from misuse and illegal activity.

4.3 The processing of your personal data for the purposes outlined in clause 3.4 is necessary to allow TVH to comply with its legal obligations.



## 5. Who receives your personal data?

*Our general approach is that we do not share your personal with third parties, unless you consent to it. However, sometimes it is unavoidable that third parties receive your personal data. Service providers which help us to provide the Website to you and entities within the TVH group may receive and process your personal data in certain circumstances.*

5.1 TVH relies on third party processors to provide you the Website as well as to process your personal data on our behalf. These third party processors are only allowed to process your personal data on behalf of TVH upon explicit written instruction of TVH. TVH warrants that all third party processors are selected with due care and are obliged to observe the safety and integrity of your personal data.

5.2 TVH may share your personal data with other entities within the TVH group of companies. However, we will ensure that all TVH group entities will take due care that all processing of your personal data is in line with what is set out in this Cookie Policy.

5.3 TVH does not send your personal data in an identifiable manner to any third party without your explicit permission to do so. However, TVH may send anonymized and/or aggregated data to other organizations that may use those data for improving products and services as well as tailor the marketing, displaying and selling of those goods and services.

### Do we transfer your personal data outside the EEA?

Yes, we transfer your personal data outside the EEA (i.e. the European Economic Area, consisting of the EU and Norway, Liechtenstein and Iceland). Parties to whom we transfer our personal data are entities within the TVH group and foreign service providers. It goes without saying that your personal data are safe when we send your personal data to countries outside the EEA.

5.4 TVH processes your personal data first and foremost within the EEA. However, in order to process your personal data for the purposes outlined in article 3 above, we may also transfer your personal data to other entities within TVH group or to third parties who process on our behalf which are located outside the EEA. Each entity outside the EEA that processes your personal data shall be bound to observe adequate safeguards with regard to the processing of your personal data. Such safeguards will be the consequence of:

- the recipient country having legislation in place which may be considered equivalent to the protection offered within the EEA; or
- of a contractual arrangement between TVH and that entity. All TVH entities are parties to a contractual arrangement based on the EC's Standard Contractual Clauses (controller-to-controller) [Commission Decision C(2004)5721].

1.2 TVH may transfer anonymized and/or aggregated data to organizations outside of the EEA. Should such transfer take place, TVH will ensure that there are safeguards in place to ensure the safety and integrity of your data as well as all rights with respect to personal data you might enjoy under applicable mandatory law.

## 6. What are the quality assurances with regard to your personal data?

*We will not process more personal data than we need for the purposes we have communicated to you. Additionally, we will only process your personal data for as long as needed to achieve the purposes we have communicated to you or up until such time where you withdraw your consent for processing them and no other legal ground applies that allows us to proceed in processing your personal data. We also guarantee to keep your personal data safe.*

6.1 TVH does its utmost best to process only those personal data which are necessary to achieve the purposes listed under article 3.

6.2 Your personal data are only processed for as long as needed to achieve the purposes listed under article 3 of this Cookie Policy or up until such time where you withdraw your consent for processing them. Note that withdrawal of consent may imply that you can no longer use the whole or part of the Website. TVH will de-identify your personal data when they are no longer necessary for the purposes outlined in article 3, unless there is:

- an overriding interest of TVH, the payment service provider, or any other third party in keeping your personal data identifiable;
- a legal or regulatory obligation or a judicial or administrative order that prevents TVH from de-identifying them.

6.3 TVH will take the appropriate technical and organizational measures to keep your personal data safe from unauthorized access or theft as well as accidental loss, tampering or destruction. Access by personnel of TVH or its third party processors will only be on a need-to-know basis and subject to strict confidentiality obligations. You understand, however, that safety and security are best efforts obligations only which can never be guaranteed.

## 7. What are your rights under this Cookie Policy?

*As a data subject, you have several rights vis-à-vis the processing of your personal data. These rights are the right of access, the right to rectification, the right to withdraw your earlier given consent, the right to erasure, the right to oppose the processing of personal data and the right that you receive from us in a structured, commonly used and machine-readable format all personal data you have provided to us.*

*If you wish to submit a request to exercise one or more of the rights listed above, you can send an e-mail to [privacy@tvh.com](mailto:privacy@tvh.com).*

- 7.1 You have the right to request access to all personal data processed by TVH pertaining to you. TVH reserves the right to charge an administrative fee for multiple subsequent requests for access that are clearly submitted for causing nuisance or harm to TVH.
- 7.2 You have the right to ask that any personal data pertaining to you that are inaccurate, are corrected free of charge. If a request for correction is submitted, such request shall be accompanied of proof of the flawed nature of the data for which correction is asked.
- 1.1 You have the right to withdraw your earlier given consent for processing your personal data.
- 7.3 You have the right to request that personal data pertaining to you be deleted if they are no longer required in light of the purposes outlined in article 3 or if you withdraw your consent for processing them. However, you need to keep in mind that a request for deletion will be evaluated by TVH against:
- overriding interests of the TVH, your financial institution, the payment service provider or any other third party;
  - legal or regulatory obligations or administrative or judicial orders which may contradict such deletion.
- Instead of deletion you can also ask that TVH limits the processing of your personal data if and when (a) you contest the accuracy of that data, (b) the processing is illegitimate or (c) the data are no longer needed for the purposes listed under article 3 but you need them to defend yourself in judicial proceedings.
- 7.4 You have the right to oppose the processing of personal data if you are able to proof that there are serious and justified reasons connected with his particular circumstances that warrant such opposition. However, if the intended processing qualifies as direct marketing, you have the right to oppose such processing free of charge and without justification.
- 7.5 You have the right to receive from us in a structured, commonly used and machine-readable format all personal data you have provided to us.
- 7.6 If you wish to submit a request to exercise one or more of the rights listed above, you can send an e-mail to [info@tvh.com](mailto:info@tvh.com). An e-mail requesting to exercise a right shall not be construed as consent with the processing of your personal data beyond what is required for handling your request. Such request should clearly state which right you wish to exercise and the reasons for it if such is required. It should also be dated and signed, and accompanied by a digitally scanned copy of your valid identity card proving your identity. If you use the contact form, TVH may ask you for your signed confirmation and proof of identity.

TVH will promptly inform you of having received this request. If the request proves valid, TVH shall honour it as soon as reasonably possible and at the latest thirty (30) days after having received the request.

If you have any complaint regarding the processing of your personal data by TVH, you may always contact TVH via the e-mail address listed in this clause 8.7. If you remain unsatisfied with TVH's response, you are free to file a complaint with the competent data protection authority, i.e. the Belgian Data Protection Authority. For more information, visit <http://www.privacycommission.be>.

