



# Barge (Captain & Crew) Data Protection Notice

## 1. Introduction and Scope

Koole Terminals is committed to Processing Personal Data responsibly and in compliance with the applicable data protection laws in all countries in which Koole Terminals operates. This Barge (Captain & Crew)Data Protection Notice (the “**Notice**”) describes the types of Personal Data Koole Terminals collects, how Koole Terminals uses the Personal Data, with whom Koole Terminals shares the Personal Data, and the rights you, as a Data Subject, have regarding the use of Personal Data by Koole Terminals. This Notice also describes how you can contact us about our data protection practices.

## 2. Contact compliance officer

Koole Terminals has a compliance officer that is involved in all issues related to the protection of your Personal Data. In particular, the compliance officer is in charge of monitoring and ensuring compliance with this Notice and the applicable data protection laws. Your regular contact at Koole Terminals can get you in to contact with the Legal department of Koole Terminals for any clarification or additional information you may need to understand the Notice.

## 3. Purposes of Data Processing and Legal Basis

Koole Terminals Processes Personal Data in accordance with applicable data protection laws and only for limited, explicit and legitimate purposes. Koole Terminals will not use Personal Data for any purpose that is incompatible with the purpose for which it was initially collected unless we can rely on an alternative legitimate purpose for further use of your Personal Data, such as your freely given prior explicit consent (where appropriate). Personal Data relating to the Barge and its Captain and/or Crew may be Processed for the purposes of:

- Contacting the Barge and its Captain & Crew;
- Fraud detection and prevention;
- Security;
- Complying with legal obligations and/or regulatory investigations, assisting Koole Terminals in the context of any litigation or arbitration, including employment tribunal proceedings, and protecting Koole Terminals against injury, theft, legal liability, fraud, abuse or other misconduct;
- Managing Koole Terminals operations, including the operation and monitoring of the proper functioning and security of Koole Terminals’IT systems;
- Managing health and safety incidents; and
- Managing product deliveries and shipments.

The legal basis for each purpose is listed in the chart below:

Purposes	Legal basis
Contacting the Barge and its Captain & Crew	B-to-B: Legitimate interest to ensure (back up) communication and run Koole Terminals' business as appropriate to deliver and improve its products or services
Fraud detection and prevention	Legitimate interest to ensure security and integrity of Koole Terminals
Security	Legitimate interest to ensure security and integrity of Koole Terminals
Complying with legal obligations and/or regulatory investigations, assisting Koole Terminals in the context of any litigation or arbitration, including employment tribunal proceedings, and protecting Koole Terminals against injury, theft, legal liability, fraud, abuse or other misconduct	Legal obligation and Legitimate interest to ensure proper functioning of Koole Terminals
Managing Koole Terminals operations, including the operation and monitoring of the proper functioning and security of Koole Terminals' IT systems	Legitimate interest to ensure security and safety of Koole Terminals
Managing health and safety incidents	Legitimate interest to ensure security and safety of Koole Terminals
Managing product deliveries and shipments	B-to-B: Legitimate interest to run Koole Terminals' business as appropriate to deliver and improve its products or services

Koole Terminals ensures that our internal governance procedures clearly specify the reasons behind decisions to use Personal Data for further Processing purposes. Prior to using your Personal Data for a purpose other than the one for which it was initially collected, you will be informed about such new purpose.

#### 4. Categories of Personal Data Processed

The provision of Personal Data is a requirement necessary by law or regulation for Koole Terminals to administer the data of your Barge and its Captain and/or Crew. The Personal Data Processed is limited to the data necessary for carrying out the purpose for which such Personal Data is collected.

Personal Data Processed includes the following:

- Ship name, phone number, email address, certificate of approval document, certificate of approval data, vessel substance list, work instruction load document, work instruction load data, length overall, breath, maximum draught, deadweight cargo capacity, total number of ship tanks, maximum filling level; and
- Captain and/or Crew name, Personal ID number and type, ADN Certificate Number and validity date.

Koole Terminals will not collect Personal Data if such collection is prohibited under the applicable data protection laws. Koole Terminals will maintain Personal Data in a manner that ensures it is accurate, complete and up-to-date.

#### **5. Where do we collect your Personal Data from?**

We may obtain Personal Data from you directly or from third parties.

#### **6. Protection of Personal Data**

Koole Terminals has implemented appropriate technical and organizational measures to secure the Processing of Personal Data. These safeguards will vary depending on, among others, the sensitivity and quantity of the Personal Data, and include measures designed to keep Personal Data protected from unauthorized access. All our staff members, contractors and third parties who will have access to Personal Data on Koole Terminals' instructions will be bound to confidentiality.

#### **7. Recipients of Personal Data**

In connection with the activities described under Section 4, Koole Terminals may need, from time to time, to disclose or make available Personal Data to other companies of the Koole Terminals Group, relevant third party service providers (e.g., Barge (Captain & Crew) relationship management service providers, professional advisers), Koole Terminals' business partners, regulatory authorities, governmental or quasi-governmental organizations and potential purchasers of Koole Terminals or (part of ) Koole Terminals' business. Koole Terminals will only grant access to Personal Data on a need-to-know basis, and such access will be limited to the Personal Data that is necessary to perform the function for which such access is granted. Authorization to access Personal Data will always be linked to the function, so that no authorization will be extended to access Personal Data on a personal basis. Service providers will only receive Personal Data according to the purposes of the service agreement with Koole Terminals and are obligated to implement appropriate technical and organizations measures to secure your Personal Data. Where Koole Terminals discloses Personal Data in response to requests from regulatory authorities, governmental or quasi-governmental organizations, these authorities and organizations will be acting as a Data Controller. Koole Terminals will always assess the legitimacy of such requests before disclosing any Personal Data and only disclose the data required to comply with the request.

#### **8. International Data Transfers**

International data transfers refer to transfers of Personal Data outside of the EEA and Switzerland. The international footprint of Koole Terminals involves the transfer of Personal Data to other group companies or third parties, which may be located outside the EEA and Switzerland, including the United States. Koole Terminals will ensure that when Personal Data

is transferred to countries that have different standards of data protection, appropriate safeguards to adequately protect the Personal Data are implemented to secure such data transfers in compliance with applicable data protection laws.

#### **9. Retention of Personal Data**

Koole Terminals will not retain your Personal Data Processed longer than necessary for the purposes for which it was collected or otherwise Processed as set out in this Notice, and for which Koole Terminals has a valid legal basis. In any case, we will not retain it longer than allowed under statutory local retention periods, i.e., tax or commercial requirements.

In case where Koole Terminals would be involved in any legal claims, we are entitled to continue to Process your Personal Data that is relevant for such claims, subject to applicable local retention requirements.

#### **10. Updating your Personal Data**

We will use reasonable endeavors to ensure that your Personal Data is accurate. In order to assist us with this, you are asked to notify us of any changes to your Personal Data that you have provided to us by contacting your regular contact of Koole Terminals.

#### **11. Data Protection Rights**

Under applicable data protection laws, you will benefit from the following rights. You can exercise these rights at any time by contacting the legal department of Koole Terminals. (details to be requested from your regular Koole Terminals contact)

- Right to access to, rectification and erasure of Personal Data;
- Right to restriction of Processing;
- Right to object to Processing;
- Right of data portability to the extent applicable;
- Right to withdraw consent where the Processing is based on consent; and
- Right to lodge a complaint with the relevant supervisory authority (in the Netherlands, the Dutch Data Protection Authority (*Autoriteit Persoonsgegevens*)).

#### **12. Implementation**

The present Notice will be applied to and implemented by all the entities of Koole Terminals in Europe in their respective country.

#### **13. Notice Compliance and contact information**

Monitoring and ensuring compliance of the Personal Data Processing within Koole Terminals with this Notice and applicable data protection laws is the responsibility of the legal department of Koole Terminals.

#### **14. Miscellaneous**

This Notice may be revised and amended by Koole Terminals from time to time and appropriate notice about any amendments will be given.

## 15. Relevant definitions

Data Subject	All living individuals about whom we hold personal data. A data subject need not be a national or resident of the country the Koole Terminals business is based in. Within the EU, all data subjects have legal rights in relation to their personal data.
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, video and voice recording is also personal data if the video images or the voice recording are identifiable to a natural person. If financial data (such as bank statements) relate to an identifiable natural person, such information is considered personal data
Processing of personal data	Any operation or any set of operations concerning personal data, including in any case the collection, recording, organization, 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