

1. GENERAL

Kuwait Petroleum (Belgium) NV ('**KPB**'), Kuwait Petroleum (Luxembourg) SA ('**KPL**') and Smiles NV ('**Smiles NV**'), hereinafter together referred to as '**we**' or '**us**', are committed to protecting the personal data collected from users (hereinafter referred to as '**Users**' or '**you**') of the Q8 mobile application ('**Q8 App**') and the website (smiles.q8.be) ('**Website**') (hereinafter collectively referred to as '**Q8 Applications**'). This privacy statement ('**Privacy Statement**') applies to registration for and use of the Q8 Applications and also applies to our Q8 smiles loyalty programme ('**Loyalty Programme**') that is available through these channels.

The use of the Q8 Applications may involve the processing of personal data through cookies and similar technologies. More information about the use of these technologies can be found in our [Cookie Statement](#). Please read these documents together with this Privacy Statement.

We handle your personal data in a responsible manner at all times and always process and secure personal data carefully in accordance with the applicable regulations, including the General Data Protection Regulation of 27 April 2016 ('**GDPR**').

Our '[Q8 Applications Terms of Use](#)' apply to the registration for and the use of the Q8 Applications. In addition, the '[Q8 smiles General Terms and Conditions](#)' apply to the Loyalty Programme.

This Privacy Statement was last modified and revised on January 24 2024.

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3. DATA CONTROLLERS

KPB, KPL and Smiles NV together act as joint controllers for the processing activities in the context of the Q8 Applications, unless stated otherwise in this Privacy Statement.

The joint data controllers are:

Kuwait Petroleum (Belgium) NV	Kuwait Petroleum (Luxembourg) SA	Smiles NV
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Registered office: Brusselstraat 59/1, 2018 Antwerp, Belgium Enterprise number: 0404.584.525	Registered office: Rue de l'Industrie 12, 8069 Bertrange, Luxembourg Trade and Companies Register (RCS) number: B 49456 VAT number: 162.415.79	Registered office: Quellinstraat 49, 2018 Antwerp, Belgium Enterprise number: 0720.542.130
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KPB, KPL and Smiles NV have entered into an agreement on this matter under which each is responsible for compliance with specific obligations under the GDPR, as follows.

	KPB	KPL	Smiles NV
Art. 13, 14 GDPR (Information obligations regarding processing activities)			X
Art. 15-20 GDPR (Exercise of data subjects' rights)			X
Art. 21 GDPR (Exercise of the data subjects' right to object)			X
Art. 26 (2) GDPR (Information on the essence of the joint controllership agreement)			X
Art. 32 GDPR (Technical and organisational security measures)	X	X	X
Art. 33, 34 of the GDPR (Obligation to provide notification of personal data breaches)	X	X	

4. PERSONAL DATA, PURPOSES AND LEGAL BASES

4.1 Personal data

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You can find out below what personal data we process about you in the context of the Q8 Applications. We collect these personal data, with or without the use of cookies and similar technologies (more information can be found in our [Cookie Statement](#)). In addition to the cases mentioned below, personal data may also be collected when you contact us by email or telephone or through the contact form in the Q8 Applications.

(i) Without registration

When you use the Q8 App without registering, the following personal data may be collected about you:

- **technical data**, in particular installation data, device data, data on device usage and settings, language and country preferences, performance issues in the Q8 App;
- **your cookie preferences**, including personal data collected with the use of cookies and similar technologies (more information can be found in our [Cookie Statement](#));
- the **current location of your device**, if required to provide the service you have requested, and with your consent.

The Website (smiles.Q8.be or smiles.Q8.lu) cannot be used without registering.

(ii) With registration via the Q8 Applications

When you register via the Q8 Applications and create an account ('**Q8 Account**'), we may collect personal data about you at the time of registration and throughout your participation, in particular:

- **(electronic) identification and contact details**, including your name, email address, shipping address, date of birth (optional to complete in your profile), password, social login details (if logged in via Google or Apple), customer number, telephone number, and data regarding your Liberty Card;
- **account information** about your personal Q8 Account for the Q8 Applications;
- **usage data**, including consumption habits, data relating to your transactions, product and service purchases, your activity in the Loyalty Programme, your Smiles balance on your Q8 smiles account, communication history and communication preferences;

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- **technical data**, in particular installation data; device data, data on device usage and settings, type of internet browser and computer operating system, language and country preferences, performance issues in the Q8 Applications (performance data, diagnostic data, crash logs, and information on user sessions to detect potential application problems in time.
- **your cookie preferences**, including personal data collected with the use of cookies and similar technologies (more information can be found in our [Cookie Statement](#));
- **analytical data**, in particular the number of visits and the use of the Q8 Applications, the average time spent and the pages viewed, clicking behaviour with respect to the Website and emails;
- the **current location of your device**, if required to provide the service you have requested, and with your consent.

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4.2 Purposes and legal bases

Your personal data may be used for the purposes described below. For each purpose the legal basis on which KPB, KPL and Smiles NV process the personal data is stated.

Purpose	Legal basis KPB, KPL and Smiles NV
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Creation, use and management of Q8 Accounts

When you create or use a Q8 Account via the Q8 Applications, which gives you access to the products and services we offer via the Q8 App, we process your personal data to the extent that these personal data are necessary to conclude your Q8 Account, i.e. an agreement for the purchase or potential purchase of the services offered.

Processing for this purpose is necessary for the establishment or performance of the **agreement** between KPB, KPL and Smiles NV and the data subject (i.e. Q8 Applications Terms of Use) and, for Smiles NV, the Q8 smiles General Terms and Conditions with the data subject.

For the processing of optional data (shown in brackets in the Q8 Applications), your **consent** is requested to provide additional personal data for this purpose to KPB, KPL and Smiles NV so that the Q8 Applications can be personalised better and/or can be tailored to your preferences.

When you choose to use your Q8 smiles account (this is the account you may have had for the previous Q8 smiles app) to log into the Q8 App, you agree to Smiles NV sharing your data with KPB and KPL in order to convert your old account to a Q8 Account for the new Q8 Applications. Your **consent** for this processing will be requested during the registration process.

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<p>Provision of the services</p> <p>Your personal data are processed in order to provide the Q8 Applications, the transaction overview and mobile fuelling ('Products/ Services') that we make available to you as described in the Q8 Applications Terms of Use.</p>	<p>Processing for this purpose is necessary for the establishment or performance of the agreement between KPB, KPL and Smiles NV and the data subject (i.e. Q8 Applications Terms of Use) for the Products/Services provided by KPB, KPL and/or Smiles NV.</p> <p>For the processing of optional data (shown in brackets in the Q8 Applications), your consent is requested to provide additional personal data for this purpose to KPB, KPL and Smiles NV so that the Q8 Applications can be personalised better and/or can be tailored to your preferences.</p>
<p><i>Answering and dealing with questions, communications or requests</i></p> <p>If you contact us for help and/or support with using the Q8 Applications (e.g. regarding the functioning of the Q8 App or technical issues), personal data may also be processed.</p>	<p>Processing for these purposes is necessary for our legitimate interest in responding to questions or requests and thus improving our Q8 Applications and strengthening our relationship with you.</p>
<p><i>Providing and managing the Loyalty Programme</i></p> <p>We process personal data in the context of providing and managing the Loyalty Programme, in order to manage your Smiles balance and grant benefits if you meet the conditions, as described in the General Terms and Conditions of the Q8 smiles Loyalty Programme.</p>	<p>KPB/KPL: Processing for these purposes is necessary for the legitimate interest of KPB and KPL in implementing the Q8 smiles General Terms and Conditions between the data subject and Smiles NV.</p>

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	<p>Smiles NV: Processing for this purpose is necessary for the establishment or performance of the agreement between Smiles NV and the data subject (i.e. Q8 smiles General Terms and Conditions).</p>
<p><i>Sending direct marketing</i></p> <p>We process personal data to send direct marketing about Q8 products and services (via the Q8 Applications, push notifications on your phone, and email) and to ensure that you receive the offers and promotions that are most relevant to you, based on an analysis of your usage and purchasing behaviour, your use of the Q8 Applications and your customer profile.</p> <p>If you agree to the use of cookies and similar technologies for marketing and social media via the cookie banner <u>on the Website</u> , we may show you personalised advertisements via social media and/or advertising platforms.</p> <p>If you agree to the use of cookies and similar technologies for marketing and social media <u>in the Q8 App</u>, we may show you personalised advertisements via social media and/or advertising platforms.</p>	<p>We ask for your consent for this processing. You can choose to give or withhold consent separately for each communication channel (consent to communication by email and consent to communication in the app).</p> <p>We also ask for your consent to activate push notifications on your device.</p> <p>Once given, consent is valid for 1 year. After 1 year you will be asked to give consent again.</p> <p>You can find an overview of your choices in your profile. You can also change your direct marketing preferences in your profile at any time. To change your preferences regarding push notifications, you will be redirected from your profile to your device settings.</p> <p>If processing requires the use of non-essential cookies, we will request your consent. More information can be found in our <u>Cookie Statement</u>.</p>

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<p><i>Managing and improving services</i></p> <p>Personal data may also be processed for the purposes of analysing, reporting, managing and improving the Q8 Applications and the services provided in this context (with the exception of processing for direct marketing), evaluating your experience (with satisfaction or other surveys), troubleshooting, adding new features and optimising your user experience.</p>	<p>Processing for these purposes is necessary for our legitimate interest in analysing, evaluating, reporting on, managing and improving the Q8 Applications.</p> <p>The processing may require the use of essential cookies and similar technologies. Specifically, we do troubleshooting to detect potential application problems in time. More information can be found in our Cookie Statement.</p> <p>If processing requires the use of non-essential cookies, we will request your consent. More information can be found in our Cookie Statement.</p>
<p><i>For the provision of location-based features</i></p> <p>For certain features available in the Q8 App (e.g. fuelling via the Q8 App), you will be asked in advance to give us access to your location services so that we can offer you additional features.</p>	<p>Location data are processed on the basis of your consent.</p>
<p><i>Complaint and dispute management</i></p>	<p>Your personal data will also be processed in accordance with our legitimate interest in collecting personal data for use in resolving any complaints and/or disputes.</p>
<p><i>Combating fraud and crimes and conducting legal defences</i></p>	

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<p>Your data may also be used for the prevention or detection of fraud in order to ensure the proper functioning of the Q8 Applications.</p>	<p>This processing is necessary to comply with a legal obligation incumbent on KPB, KPL and/or Smiles NV, or in the absence of such an obligation, for our legitimate interest in tackling fraud, crimes and breaches and/or defending ourselves in legal proceedings.</p> <p>However, if processing requires the use of non-essential cookies, we will request your consent. More information can be found in our Cookie Statement.</p>
<p><i>In the context of a business transaction</i></p> <p>To evaluate or carry out an acquisition, merger, demerger, restructuring, reorganisation, dissolution or other sale or disposal of any or all of our assets, whether by way of transfer of all or part of the company or in the context of a bankruptcy, liquidation or similar proceedings, where personal data held by us are among the assets transferred.</p>	<p>Processing for these purposes is necessary for our legitimate interest in carrying out said business transactions in order to implement our business strategies or grow our businesses.</p> <p>If one of us no longer acts as a joint controller, the other parties will be able to continue to process the data together. If the agreement regarding the processing of these data between us is terminated, KPB will be able to continue to process the personal data under this Privacy Statement as a controller relating to data subjects in Belgium. KPL will be able to continue to process the personal data relating to data subjects in Luxembourg. The foregoing applies subject to compliance with the applicable legal regulations on data protection.</p>

5. SHARING OF DATA WITH THIRD PARTIES

5.1 Within the Kuwait Petroleum Group

We may share your data for the above purposes with other entities within the Kuwait Petroleum Group, which will then act as data processor. They may only process the data on our instructions.

5.2 With external service providers

We also share personal data with other third parties in the context of the Q8 Applications, such as advertising agencies, companies offering mailing services, IT service providers, professional advisers, and customer service providers, which will then act as data processor. They may only process the data on our instructions.

When making payments via the Q8 App, certain personal data may also be shared with a payment service provider (currently CCV), which acts as a third party with respect to KPB, KPL and Smiles NV and the banking institution selected by you to carry out your payment.

5.3 Other recipients

Finally, we may provide personal data to the competent public authorities and the police when this is necessary to ensure, among other things, the protection and safety of you or of third parties, or when we are obliged to do so in accordance with a legal provision or administrative or judicial decision.

5.4 Transfers to countries outside the EU/ EEA

Some third parties are located in countries outside the European Union (EU) or the European Economic Area (EEA). If these countries have a lower level of protection than the EU/EEA, we will take the necessary measures to protect the personal data appropriately.

With regard to transfers to countries outside the EEA that are not subject to an adequacy decision by the European Commission, we may base the transfer on appropriate safeguards, such as the EU standard contractual clauses adopted by the European Commission or other approved transfer or certification mechanisms

together with binding and enforceable obligations on the part of the recipient. In this case, we will assess the transfer and ensure that any additional technical and organisational measures are taken to ensure that an appropriate level of protection is provided.

Data subjects may request a copy of the appropriate safeguards and measures by contacting us using the contact details in section 9 below.

6. YOUR RIGHTS AS A DATA SUBJECT

As a data subject you have the following rights:

- **Right of access:** You have the right to access the personal data that we process about you, as well as the right to obtain a copy of these personal data (subject to certain exceptions).
- **Right to data portability:** Under certain conditions, you have the right to portability of the personal data provided by you to us.
- **Right to rectification and erasure:** You have the option to have us rectify or erase your data free of charge at any time, provided that the legal conditions are met. Data excluded from erasure include any data that we still need for the performance of current orders and data that we are legally obliged to keep.
- **Right to restriction of processing:** You may require us to restrict the processing of your data, if the applicable legal provisions are met.
- **Right to object:** You may object to processing for marketing purposes or processing for which our legitimate interest is the legal basis. With regard to the processing of personal data for direct marketing purposes, you may even do so without stating any reason.
- **Right to withdraw your consent:** If we process your personal data on the basis of your consent, you have the right to withdraw that consent at any time. However, this withdrawal will not affect the lawfulness of the processing of your personal data for the period prior to the moment of this withdrawal, or processing activities for which there is another legal basis.
- **Right to file a complaint with the competent authority:** You have the right at all times to contact the data protection supervisory authority for your usual place of residence, your place of work or, if you believe that a breach of the GDPR has

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been committed, the place of the breach, and, where appropriate, to file a complaint.

To exercise the above rights, send an email to privacy@q8smiles.be or privacy@Q8smiles.lu. The email must be accompanied by your full contact details and a means of verifying your identity (e.g. a copy of the front of your ID card or driving licence on which your photo and/or national register number should be hidden). However, we may reject requests that we consider manifestly unfounded or excessive.

When we obtain personal data directly from you, you are generally free to provide us with the personal data or not, unless there is a legal obligation. If you do not wish to provide your personal data, it is possible that you will not be able to use the products or services we provide, that your questions cannot be answered and/or that you will not be able to conclude an agreement with us (or one of us).

7. STORAGE OF YOUR DATA

Your personal data will be kept for as long as necessary to achieve the purpose for which they were collected, taking into account the applicable statutory retention and/or limitation periods under Belgian law.

Unless otherwise stated in the Q8 Applications Terms of Use, for a User who has registered for a Q8 Account through the Q8 Applications, this means the period of use of the Q8 Applications (including participation in the Loyalty Programme) and ten years thereafter (for evidential purposes).

8. MODIFICATIONS

We reserve the right to modify the Privacy Statement at any time, for example in order to adapt it to changes in services or in legal and/or regulatory requirements. Changes to this Privacy Statement come into effect at the time of publication. We recommend that you always consult the most recent version. The date of this version can be found in section 1.

9. CONTACT DETAILS

9.1 Data controllers

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If you have any questions regarding the processing of your personal data or the exercise of your rights as a data subject, you are free to contact KPB, KPL and Smiles NV using the following contact details:

KPB	<p>By email: privacy@Q8smiles.be</p> <p>By letter: <i>Kuwait Petroleum (Belgium) NV, attn. Data Protection Officer,</i> Brusselstraat 59/1, 2018 Antwerp, Belgium</p>
Smiles NV	<p>By email: privacy@Q8smiles.be</p> <p>By letter: <i>Smiles NV, attn. Data Protection Officer,</i> Quellinstraat 49, 2018 Antwerp, Belgium</p>
KPL	<p>By email: privacy@Q8smiles.lu</p> <p>By letter: Kuwait Petroleum (Luxembourg) SA, <i>attn. Data Protection Officer,</i> Rue de l'Industrie 12, 8069 Bertrange, Luxembourg</p>

9.2 Data Protection Officer

The Data Protection Officer of KPB, KPL and Smiles NV can be contacted at:

privacy@Q8smiles.be or privacy@Q8smiles.lu

9.3 Supervisory authority

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In addition you are always free to contact the Data Protection Authority (for Belgium) or the National Data Protection Commission (for Luxembourg) with any questions or complaints:

Data Protection Authority

Drukpersstraat 35, 1000 Brussels,
Belgium

+32 (0)2 274 48 00

+32 (0)2 274 48 35

contact@apd-gba.be

National Data Protection Commission

15, Boulevard du Jazz, 4370 Belvaux,
Luxembourg

+352 26 10 60 -1

info@cnpd.lu