

# Personal Data Protection Policy



Colares, 24 de maio de 2018

## 1. What is the legal statement?

The Coisas da Terra comes through Rosarinho Gabriel.

From childhood she was seduced by the colors, shapes and textures. With a natural aesthetic sensibility and innate intuition, he carries out any type of project in the area of decoration and interior architecture: from a house to a hotel, an apartment to an event ... He began by expressing his artistic language in the world of rags. "(fashion), where he developed and improved the taste for textiles, a feature clearly visible in his current projects.

Near Sintra, in the early 1990s, in a small village between the mountains and the sea, Rosarinho Gabriel transformed an old +/- 1500 m2 winery into the Things of the Earth space. Directed to professionals in the area, including hotels and restaurants. A world of objects, furniture, pieces of curiosity, art, antiques ... In this showroom, with over 1200 pieces, there is also its architecture and interior studio, where it welcomes its clients, where it develops all kinds. of projects related to the area.

Soul of the spaces it touches, does not believe in "ugly places" or impossible to transform. The important thing is to have freedom to challenge creativity. Because each place is unique! A new place ... a new dwelling! To create is to play! Your place I will turn into a place to love! - concludes Rosarinho Gabriel

The multiplicity of national and Community legislation to which Things of the Earth is subject and the rigor, requirement and responsibility that the activities of Things of the Earth require, together with the entry into force of Regulation (EU) 2016/679 of the European Parliament and 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data, immediately justifies the establishment of a Data Protection Policy, not only for the purpose of strict compliance with the legal rules in force, but also for each Employee and Supplier to adopt a conduct that is consistent with the high ethical standards, quality and rigor that Things of the Earth demands.

The adoption of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data (General Regulation on the Data Protection - "Regulation" or "RGPD"), and the consequent need to adapt processes and methodologies applicable to the way personal data will be processed, makes it essential to know the rules that, as of May 25, 2018, apply to the processing of personal data.

The Coisas da Terra Data Protection Policy (hereinafter the "Policy") is a document that is directly geared to all our Employees, Suppliers and Customers, whose main purpose is to

transmit the rules for the processing of personal data, to the purpose of their collection and the way in which they are processed, in accordance with the provisions of personal data protection legislation and the forthcoming Regulation.

This document contains the identification of the set of principles governing the activity of Things of the Earth, as well as a set of procedural and ethical rules to which the Members of the Statutory Bodies (hereinafter “EOM”), Employees and all their Suppliers are bound, always in conjunction with the legal provisions regarding the protection of personal data.

This Policy also aims to convey the high standards of action and conduct of Things of the Earth and also in the relationship between EOM, Employees, Customers, Suppliers, Partners, Official Entities and Partners, and the Community contributing to the transparency of its activity, to that can be seen as a reference policy of excellence, transparency, honesty, commitment and rigor.

This document is subject to periodic review to ensure continuous improvement and legal and regulatory compliance..

## 2. What is personal data?

- “Personal Data” shall mean information relating to an identified or identifiable natural person (data subject).
- A natural person who can be identified, directly or indirectly, in particular by reference to an identifier, such as a name, an identification number, location data, electronic identifiers or one or more specific elements of the identity is identifiable. physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.
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- Examples of personal data:
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  - Name;
  - Identification number (ID, ID, driving license, passport);
  - Identification and location addresses (Physicalists such as the Electronic address: email address, web page, Facebook page, etc...);
  - Biometrics (Height, Weight, Miscellaneous Physical Connotations, Genetics);
  - Health (Syndromes, Diseases, Physical or Mental Performance, Diagnostic Data such as Blood Pressure or ECG);
  - Economic;
  - cultural;
  - Religious;
  - Social;
  - Politicians;

## What are the rights of data subjects?

As regards the rights of data subjects, the Regulation gives data subjects to processors a set of rights that should be safeguarded by the data controller.

In order to have full information on the rights of data subjects, we will briefly discuss each of them:

### i. **Right of Access**

Data subjects have the right to know whether or not personal data concerning them are being processed, whether the data have been transmitted to another entity, and to access their data and all information concerning the data processing processes. treatment.

In other words, data subjects have the right to obtain information about the personal data being processed and information about them, such as the purposes of the processing and the retention periods of the personal data.

In principle, the right of access should be free, however, fees may be created to allow such access in the case of unfounded or excessive requests;

### ii. **Right of Rectification**

Data subjects are assured the right to have their personal data corrected if they are out of date, incorrect or incomplete.

### iii. **Right of Deletion**

Also referred to as “the right to be forgotten”, it gives data subjects the right to request the data controller to delete their data.

Thus data subjects are guaranteed, within the limitations established by law, the right to have their personal data deleted provided that:

- Data proves unnecessary for the purposes for which it was collected or processed;
- The holder withdraws consent when the processing is necessarily based on this and there is no other legal basis for the processing of the data;
- The holder opposes the processing of personal data used for automated and / or profiling purposes;
- When personal data have been processed illegally.
- It should be noted that there are limitations to the right to delete, in particular those concerning the retention periods for reasons of public interest, national security, billing, commercial, tax and other reasons.

**iv. Right to Limitation of Treatment**

In parallel to the right of deletion, the right to limitation of processing arises, ie the data subject has the right to require limitation of the processing of his personal data in the following situations:

- Contest the accuracy of personal data for a period that allows the controller to verify its accuracy;
- The processing is unlawful and the data subject opposes the deletion of personal data and requests, in return, the limitation of its use;
- The controller no longer needs personal data for processing, but such data is required by the data subject for the purpose of declaring, exercising or defending a right in legal proceedings;
- If you objected to processing until the legitimate reasons of the controller prevail over those of the data subject.

**v. Data Portability Right**

The right to portability gives the owners of personal data the right to request the controller to process their personal data in a commonly used format and even to transfer it to another controller provided that this is technically possible.

**vi. Opposition Rights and Automated Individual Decisions**

The data subject has the right to object at any time, on grounds relating to his particular situation, to the processing of personal data concerning him, based on legitimate interests or public interest, including profiling based on in those provisions.

**vii. Right to Information**

Also according to the RGPD, the holders of personal data subject to processing are entitled to be informed in a concise, transparent, clear and precise manner, either in writing or by any other appropriate means.

### **3. What is the Processing of Personal Data?**

The processing of personal data consists of an operation or set of operations carried out on personal data or personal data sets, by automated means or not, namely collection, registration, organization, structuring, conservation, adaptation, retrieval, consultation, use, disclosure, dissemination, comparison, interconnection, limitation, deletion or destruction.

The Regulation lays down stricter rules on the handling of special categories of personal data - for example, racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health data or data on sexual life or sexual orientation - while maintaining as sources of legitimacy the law and consent.

The principles of legitimacy, loyalty, transparency, purpose and accuracy are expressly referred to. As regards the rights of data subjects, the rights to information, access, rectification and opposition are in force and the general principle of the prohibition of automated individual decisions is established.

## **4. In what situations we treat your Personal Data?**

There are situations that legitimize the processing of personal data. Coisas da Terra will treat personal data exclusively in the following situations:

### **Legitimate interest**

A situation of legitimate interest exists when data processing is necessary for the purposes of legitimate interests pursued by Things of the Earth or third parties, unless the fundamental interests or rights and freedoms of the data subject requiring the protection of personal data prevail, in particular if the holder is a child, such as data processing to maintain contracted services, to improve service quality, to detect fraud;

### **Contracting and Pre-Contracting**

Where processing is necessary for the performance of a contract to which the data subject is party, or for pre-contractual inquiries at the request of the data subject.

### **Consent**

Consent emerges as a legitimizer of the processing of personal data, however, there are requirements for consent to be taken into account.

To be valid, consent must be a free, specific, informed and explicit expression of willingness whereby the data subject accepts, by means of an unambiguous positive statement or act, that personal data concerning him or her are of treatment.

Consent may be provided through validation by visiting the Coisas da Terra website, selecting technical parameters for information society services, or through another statement or conduct that clearly indicates in this context that you accept the proposed processing of your personal data.

Silence, pre-validated options or omission will not constitute a form of consent;

### **Compliance with legal obligation**

Data processing will also be lawful when it is necessary to fulfill a legal obligation to which Coisas da Terra are subject;

## 5. For What Purposes We Treat Your Personal Data?

Goal	Samples
<b>Marketing</b>	<p>Your personal data will only be processed for this purpose by providing consent in the newsletter and disclosure of new products and services.</p> <p>If you consent, you will receive information via email.</p>
<b>Pre-Litigation and Litigation Management</b>	<p>If a litigation or pre-litigation situation arises, Things of the Earth will handle your data for judicial and extrajudicial claims collection and other conflict management that may arise..</p>
<b>Compliance with legal obligations</b>	<p>Whenever this proves necessary your personal data will be processed to comply with court orders, replies to judicial entities, regulatory authorities and supervisory entities.</p>

## 6. What is the storage and retention period of your Personal Data?

The length of time for which your personal data may be stored and stored varies depending on the purpose for which your personal data has been provided and will be processed.

Please note that there are legal rules requiring you to keep personal data for a certain period of time.

Thus, where there is no legal requirement for the retention of your personal data, it will be stored and retained only for the period necessary for the pursuit of the purposes that motivated its collection or further processing, as defined by law or until consent is revoked.

Here are some examples of the storage and retention period of your personal data:

- The maximum period of retention of tax-relevant data is 10 (ten) years from the date of termination of the Contract, as stipulated in paragraph 4 of article 123 of the IRC Code (Wording of Law 7 A / 2016 of March 30, applying to tax periods beginning on or after January 1, 2017);
- The maximum period of retention of documentation relevant to labor matters is 10 (ten) years from the date of termination of the Contract, also as stipulated in paragraph 4 of article 123 of the IRC Code.
- The maximum period for retention of personal data contained in correspondence, commercial bookkeeping and related documents is 10 (ten) years, in accordance with article 40 of the Commercial Code, as amended by Decree-Law no. 76-A / 2006 of March 29th.
- The period of retention of personal data relating to work time records and work records provided to compensate for periods of absence from work is five (5) years, as stipulated in article 202 of the Labor Code.
- The period of retention of personal data related to Work Accident Insurance and occupational diseases (payrolls to the Worker stating the name, profession, days and hours of work, remuneration and other benefits that are regular or copies of the paid to Social Security) is five (5) years, pursuant to Article 16 (b) of Rule No. 12/99 R of 8 November, as amended by Rules No. 11/2000 R, 13 November, 16/2000 R, 21 December, and 13/2005 R, 18 November (Uniform occupational accident insurance policy for employees)
- The maximum period for retention of other personal data is 18 (eighteen) months from the date of termination of the Agreement

## **7. How and When We Collect Your Personal Data**

Your personal data is collected upon your consent, as a rule, at a pre-contractual stage to obtain our services.

The collection of your personal data will always be made in writing with prior consent.

Some personal data are indispensable to the performance of the contract and, in case of lack or insufficiency of the contract, either by omission or refusal to make them available, Things of the Earth does not guarantee the provision of the service in question and may not be subject to any liability.

The collected personal data may be processed by computer and in an automated or non-automated manner, ensuring in all cases the strict compliance with the personal data protection legislation, being stored in specific databases created for this purpose and under no circumstances. the data collected will be used for a purpose other than that for which it was collected or given the consent of the data subject.

## 8. Who is responsible for processing personal data

The person responsible for the collection and processing of your personal data will be the "COISAS DA TERRA – ARTE E DECORAÇÃO, LDA", which provides the contracted service and, in the context of this, decides which data collected, determines the purposes and the means of processing the data. personal data.

The measures to be implemented will take into account the nature, scope, context and purposes of data processing, as well as the risk that this may entail for the rights and freedoms of natural persons.

### ➤ **The Data Protection Officer**

The Data Protection Officer, also known as the “Data Protection Officer” (“DPO”), plays a key role in ensuring that Things of the Earth fulfills all legal obligations under the RGPD. of Things of the Earth contact with the CNPD and acting as mediator with the holder of the personal data. With respect to Things of the Earth, the DPO checks compliance with this Policy and sets clear rules for the processing of personal data.

The Earth Things Data Protection Officer performs the following functions:

- a) inform and advise the controller or processor, as well as workers and other employees who process the data, about their legal obligations;
- b) monitor compliance with the RGPD and other applicable data protection provisions;
- c) advise, upon request, on the data protection impact assessment and monitor its implementation;
- d) Cooperate with CNPD;
- e) It is the contact point for the CNPD on data processing issues.

### **Contacts**

For questions regarding the processing of your personal data you should contact us by the following means:

**Phone:** (+351) 219280362

**Address:** Av. Dr. Brandão de Vasconcelos, nº 31 . Almoçageme . 2705-019 . Colares . Portugal

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