

PINTO & PALMA SROC

Data Protection Policy

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1. Introduction

We present below the Privacy and Data Protection Policy adopted by **Pinto & Palma SROC, Lda.** (hereinafter also referred to as "**Pinto & Palma SROC**" or "the Company"), making known to all interested parties their rights, as well as the procedures implemented by the Company regarding the collection and the use of the personal data, that it may be provided with.

At **Pinto & Palma SROC**, we are committed to using the data that are provided to us, or that are obtained through access to databases, or even those from any source of public information, strictly for the purposes that are clearly identified.

In order to ensure this objective, the Company has adopted various security measures, of a technical and organizational nature, so as to protect the personal data collected against its disclosure, loss, misuse, alteration, unauthorized processing or access, as well as against any other form of unlawful processing.

Finally, it should also be noted and ensured that the work carried out by **Pinto & Palma SROC** in the pursuit of its corporate purpose does not materialise in the collection and/or processing of personal data, including those under protection and special protection by Regulation (EU) 2016/679 of the European Parliament and the Council of April 27th, 2016 – hereinafter mentioned as "General Data Protection Regulation" or, abbreviated as "GDPR". However, for situations related to the good, effective and relevant communication that is necessary to carry out in order to develop the services requested by the Company, it may be necessary to use personal data and, only in exceptional situations, the use of sensitive personal data.

2. Responsible entity

2.1. Identification

Pinto & Palma SROC, Lda. has its head office at Campo Grande 137 1^o Dt^o, 1700-089 Lisbon, Alvalade parish, Lisbon municipality, and also an office at Av. do Brasil, nr. 43 – 3rd Drt.- Space 5, 1700-062 Lisbon, Campo Grande parish, Lisbon municipality, is registered in the Commercial Registry Office of Lisbon under the single registration and corporate taxpayer number 504 953 877, and is the responsible entity for the correct protection and maintenance of the privacy of the personal data in its possession.

2.2. Exercise of Rights

The personal data subject, or his/her legal representative with powers for such purpose, may exercise his/her rights free of charge, unless this is a manifestly unfounded or excessive request, in which case a reasonable fee may be charged taking into account the costs incurred and/or generated by the request.

Pinto & Palma SROC shall endeavour to respond to all and any requests within a maximum period of 30 days, except in cases that are manifestly complex.

The above-mentioned rights may be exercised by the following means:

- **By letter sent to the following address:**

Pinto & Palma SROC, Lda.

Av. do Brasil, nr. 43 – 3rd Drt- Sala 5.

1700-062 Lisboa

- **By email to:** geral@pintopalma.pt

Nevertheless, if the rights' holder, following the exercise of any or some of his/her rights, is not satisfied with **Pinto & Palma SROC's** response, he/she is entitled to file a complaint before the National Data Protection Commission (CNPD – “Comissão Nacional de Proteção de Dados”) about matters pertaining the processing of his/her personal data.

3. Definitions

3.1. Personal data

'Personal data' within the meaning of the GDPR, are all and any information relating to a natural person ('data subject') that is identified or identifiable, directly or indirectly, in particular by reference to an 'identifier'.

3.2. Identifier

An 'identifier' can be, for example, a name, an identification number, any location data, any electronic identifiers, or one or more specific elements of the physical, physiological, genetic, mental, economic, cultural or social identity of the 'data subject'.

3.3. Special personal data

Under the GDPR, 'special personal data' are the ones that disclose racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union affiliation, genetic information, biometric data leading to the unambiguous identification of a person, health data, and data relating to sexual life or sexual orientation, unless there is a legitimate basis for the collection and processing of such data or information.

3.4. Processing of personal data

"To process", "process", "processing" or "processed" shall mean any operation or set of operations performed by automated or non-automated means, involving personal data, including, without limitation, accessing, collecting, recording, organizing, structuring, preserving, storing, adapting or altering, retrieving, consulting, using, disclosing, disseminating or otherwise making available, aligning, combining, blocking, limiting, erasing and destroying personal data, as well as any other identical definition or definitions provided for in the GDPR, in case of those being more comprehensive than this definition.

3.5. Personal data subjects

The 'personal data subjects' are the customer or the potential natural person customer, or the representatives of a legal person to whom the personal data refers to, and who enjoys, or intends to enjoy, the products and/or services made available by **Pinto & Palma SROC**.

4. General provisions

This document aims at establishing and making known to all interested parties the rules for guaranteeing the privacy of personal data received and kept on file by **Pinto & Palma SROC**, following the contacts established and related to the products marketed by it and/or the services provided by it.

Throughout this document, it is mentioned the control and guarantee mechanisms implemented in order to achieve the highest possible level of privacy on personal data, as well as in order to inform interested parties as to their rights.

4.1. Collection of personal data

Personal data may be, *inter alia*, directly (*i.e.*, in direct contact with any employee from **Pinto & Palma SROC**) or indirectly (*i.e.*, collected by any another person in the context of further professional and commercial relations) collected by **Pinto & Palma SROC**, in the following circumstances:

- For the purpose of drawing up a business proposal, placing products with customers, awarding services, supporting the conclusion and execution of contracts;
- In person, by telephone, by letter or by other written means on its website (www.pintopalma.pt) when the Company is asked, *inter alia*, any of the following requests for:
 - ✓ Issuing a business proposal;
 - ✓ Scheduling a meeting;
 - ✓ Answering technical and non-technical queries or questions; or
 - ✓ Filling out surveys;
- When the person agrees to receive our regular communications, having given us his/her consent to that effect, as a result of a direct request, or as a result of the absence of a request to remove contacts from our database;
- When a person participates in events organized by our partners and/or customers and, with express consent, that person's data are made available to us for the purposes indicated in the request for consent.

For all due purposes, and pursuant to the legislation in force and this Privacy and Data Protection Policy, it is regarded that the personal data processed by **Pinto & Palma SROC** are deemed lawful when at least one of the following occurs:

- the data subject, or his/ her legal representative empowered for such, has given his/her explicit consent;
- if the data collected are necessary for the provision of services or the performance of contracts in which the data subject is an interested party;
- the data are necessary for the Company to comply with obligations or legal responsibilities to which it is, or will be, linked and/or bound by;
- when acquired, directly or indirectly, from public databases, **Pinto & Palma SROC** assumes for this purpose that the originating entity holding these data is in full compliance with the legislation in force in what concerns the collection and processing of personal data.

The personal data subject has the right, at any time, to withdraw the consent previously given with respect to the processing of the data collected, and such action does not compromise the lawfulness of the processing carried out on the data up to that time.

The personal data collected and processed by **Pinto & Palma SROC** will not be of a special nature and may include:

- ✓ Name;
- ✓ Address;
- ✓ Email address;
- ✓ Land and mobile phone numbers;
- ✓ Taxpayer number;
- ✓ Other data that prove necessary for the proper and correct execution of the services that are requested and awarded to **Pinto & Palma SROC** and/or, where applicable, for the invoicing of the inherent service rendering fees.

4.2. Fundamentals for the processing of personal data

The fundamentals that legitimise the processing of personal data are as follows:

- **Consent:** personal data may be processed by the freely, express, informed and explicit expression of will, in which the user accepts, by means of an unequivocal positive statement or act, that his/her personal data will be processed for the purposes indicated;
- **Pre-contractual steps and/or execution of a service contract:** personal data may be necessary for the clarification of doubts, presentation of a proposal, and/or for the conclusion, execution and management of the services contracted or to be contracted;
- **Compliance with a legal obligation:** personal data may be necessary for the fulfilment of a legal obligation to which the responsible entity is subjected;
- **Legitimate interest:** personal data may also be used to improve and monitor the quality of the services provided, *e.g.*, the analysis and processing of information concerning the quality and

performance of the various means and processes of providing the services, the management of complaints and/or the fulfilment of a legal obligation imposed on the Company.

In the event of a client being a legal person, and in order to be able to fulfil its contractual obligations, **Pinto & Palma SROC** will or may need to collect some personal data (name, email address and telephone / mobile phone) from the representative(s) or from the employee(s) of that client, for the sole purpose of allowing the proper execution of the corresponding contract.

In such circumstances, the said legal person shall ensure that the data collected from its representative(s) / employee(s) are lawfully transmitted to **Pinto & Palma SROC** and shall confer on personal data subjects – its representative(s) or employee(s) – the right to information with regards to the processing and retention of such data.

4.3. Processing of personal data

It is our commitment that all data to be legitimately collected and processed by **Pinto & Palma SROC** will be:

- Lawfully, fairly and transparently processed;
- Collected and processed exclusively for purposes that are agreed or previously stated;
- Kept adequately and securely, allowing the identification of data subjects, for a period compatible with the purpose for which they are intended.

Furthermore:

- Data that are inaccurate and/or outdated will be removed from the database or rectified as soon as this is perceived and/or communicated to us;
- The processing and storage of personal data will be carried out in compliance with adequate levels of protection, avoiding the access, consultation, processing, copying or any other unauthorized or unlawful action, as well as its accidental loss and/or destruction.

4.4. Purpose of collecting and processing personal data

Pinto & Palma SROC's purposes in collecting and processing personal data are as follows:

- Customer and customer's contractual position management;
- Sending of regular technical communications;
- Management of supplier relations;
- Selection and recruitment of human resources; and
- Compliance with obligations and legal responsibilities to which the Company is, or will be, bound by.

4.5. Sharing and transmitting personal data

Pinto & Palma SROC undertakes not to transmit or communicate any personal data to third parties without obtaining proper authorization from the respective subject, or from his/her duly mandated legal representative.

Pinto & Palma SROC transmits personal data only when necessary and for the purposes described above, in particular with a view to providing the services requested.

Suppliers and/or service providers subcontracted / to be subcontracted by **Pinto & Palma SROC** are / will be subjected to the same terms and conditions of processing of personal data.

Accordingly, they are / will be expressly prohibited from using, processing, transferring, disclosing or recording the personal data of the subject for any purpose other than that for which they were specifically (sub)contracted, whether or not the express consent of the respective subject applies, depending on whether or not the processed data is subject to the consent regime.

In its field of business, **Pinto & Palma SROC** may be obliged to comply with certain legal duties that imply the processing of personal data without the consent of the respective subject. In this context, compliance with such legal obligations may imply the need to process personal data, such as:

- Compliance with legal, regulatory and/or administrative provisions;
- Compliance with legal obligations relating to the reporting or response to public authorities, or agencies in charge of the pursuit of public functions;
- Compliance with obligations related to statistical purposes;
- Prevention and the fight against fraud and/or money laundering and financial crime.

4.6. Data retention period

The personal data that may be collected by **Pinto & Palma SROC** will be kept throughout the contractual or commercial relationship that is established with the customer. Once that relationship or contractual relationship has ceased, the data obtained shall be deleted after a period of 10 years, unless another time limit of an imperative nature results out of the law or if there are any ongoing judicial proceedings concerning those data.

However, **Pinto & Palma SROC** may retain personal data for periods longer than the duration of the service contracts established, on the basis of the user's consent, in order to ensure rights and duties related to situations in which **Pinto & Palma SROC** has a legitimate interest, while always respecting the period necessary to pursue the purpose for which they were collected.

Personal contact details (name, address, telephone / mobile phone and email address) will be kept after the end of the contractual or commercial relationship for statistical purposes and in order to send regular technical communications until the respective subject or legal representative asks for them to be removed.

Personal data obtained in other situations not included above will be kept for a maximum period of 3 years.

Once the maximum retention period has been reached, personal data will be irreversibly anonymised (anonymised data may be stored) or destroyed in a safe manner.

5. Rights of the personal data subjects and response to requests from data subjects

Pinto & Palma SROC guarantees the applicability and enforcement of all the rights of the personal data subjects provided for in the GDPR and other applicable legislation in force.

Whenever a communication that may involve the collection and processing of personal data by **Pinto & Palma SROC** is initiated, the other party shall be informed of the Privacy and Data Protection Policy in force in the Company, and such knowledge may be carried out through one of the following means:

- Verbally;
- Through this document, in its printed or digital form;
- With reference to the **Pinto & Palma SROC** website on which this document remains available.

Furthermore, it is assumed that the other party is aware of the laws that apply with respect to the protection of personal data (notably, the GDPR), so that the failure to make this document available cannot be understood as malevolent, nor will that result in the possibility of imputation of any responsibilities or burdens to **Pinto & Palma SROC** or any of its collaborators, by third parties.

5.1. Right of access

The respective subject has the right to obtain confirmation from **Pinto & Palma SROC** whether his/her personal data are, or not, processed and, where applicable, the subject has the right to access his/her personal data and the information relating to the processing of such.

5.2. Right of rectification

The subject also has the right to obtain from **Pinto & Palma SROC**, without undue delay, the rectification of inaccurate personal data concerning him/her, having also the right to correct and/or complete his/her personal data.

5.3. Right of data portability

Whenever the processing of personal data is based on the express consent of their subject, or whenever it is carried out with a view to the performance of a contract, or when it is carried out by automated means, the personal data subject has the right to receive the personal data concerning him/her and which he/she has provided to **Pinto & Palma SROC**, in a structured, commonly used and automatic reading format. He/she has also the right to transmit such data to another controller (if technically possible).

5.4. Right of opposition

The personal data subject has the right to object, at any time, to the processing of his/her personal data, when there are no compelling and legitimate reasons for the processing that prevail over his/her interests, rights and freedoms, or for the establishment, exercise or defence of legal claims.

It should also be noted that the subject has the right to object, at any time, to the processing of his/her personal data for direct marketing purposes, including the definition of profiles related to such marketing and/or direct marketing. In this case, **Pinto & Palma SROC** undertakes to cease the processing of the data for such purpose.

5.5. Right to withdraw consent

The personal data subject may, at any time, change his/her consent, limit it to certain types of processing or even withdraw it. However, the withdrawal of consent does not compromise the lawfulness of the treatment previously performed on the basis of the consent previously provided. Thus, if the data subject decides to withdraw his/her consent, **Pinto & Palma SROC** will no longer be able to process his/her personal data, unless, under the law, there is another basis that can validly justify such processing.

5.6. Right to be forgotten

The data subject is entitled to have his/her data deleted by **Pinto & Palma SROC** and without undue delay, provided that:

- the personal data are no longer necessary for the purpose that motivated their processing
- whenever consent is withdrawn and there are no other valid grounds for their retention;
- whenever there is opposition to the processing and there are no prevailing legitimate interests that justify it, which situation is to be assessed on a case-by-case basis;
- under a legal or contractual obligation to which **Pinto & Palma SROC** is subject or bound, the personal data must be erased;
- personal data have been unlawfully processed;
- as well as in other cases legally set out.

The right to be forgotten does not apply where the processing of personal data is necessary:

- to the exercise of freedom of speech and information; or
- to the compliance with a legal obligation requiring processing of data; or
- for reasons of public health interest; or

- for the purposes of public interest, scientific, historical research or statistical purposes, whenever the exercise of the right to erasure the data is likely to seriously and irreversibly jeopardise or undermine the achievement of the objectives of such processing; or even
- for the establishment, exercise or defence of legal claims.

5.7. Right to restriction of processing

In certain situations, the personal data subject has the right to obtain from **Pinto & Palma SROC** the limitation of the processing of his/her data, specifically and in particular:

- if he/she disputes the accuracy of his/her personal data for a period that allows **Pinto & Palma SROC** to verify their accuracy;
- if the processing is unlawful and the data subject opposes the erasure of personal data and requests only the limitation of their use;
- whenever personal data are no longer necessary for the purposes of the processing, but are required by the subject for the purpose of the establishment, exercise or defence of legal claims; and
- whenever the personal data subject objects to the processing (until it is proved that the reasons for **Pinto & Palma SROC's** legitimate interest prevail over his/her own), as well as in any other cases legally provided for.

5.8. Right to not be subjected to any automated decision

The personal data subject has the right not to be subject to any decision taken solely by the automated processing of his/her personal data, including the definition of profiles that have effects in his/her legal sphere and/or that significantly affect him/her in a similar way.

6. Procedural and technical security measures

Pinto & Palma SROC uses physical, technological and organisational security measures appropriate to the protection of personal data in order to ensure their protection against any misuse, accidental or unlawful destruction, accidental loss, alteration, disclosure, dissemination or unauthorized access, in particular where the processing involves their transmission over the network, as well as against any other form of unlawful processing.

Pinto & Palma SROC has a computer system capable of resisting, with a high level of trust, accidental events or malicious or unlawful actions aimed at compromising the availability, integrity and confidentiality of personal data stored or transmitted.

On its website, **Pinto & Palma SROC** uses cookie technology to locate the routes followed to its website, in order to help record the user's activity and to evaluate and improve its website.

Information about individual users is not recorded using this technology. In the Internet browser, users of our website can always pre-set the non-acceptance of cookies or a warning in case cookies are sent.

The measures adopted include:

- ✓ All staff bound by the obligation of strict professional secrecy;
- ✓ The use of antivirus, firewall, anti-malware and other data encryption software;
- ✓ The use of encrypted and dual-validated remote accesses;
- ✓ The use of individual access profiles for each employee;
- ✓ The access to information systems through unique and non-transferable credentials
- ✓ The implementation of active password quality rules
- ✓ The performing of regular backups;
- ✓ A clean desk policy in our facilities.

7. Use of the website

7.1. Content and information

As regards the use of any content on the **Pinto & Palma SROC** website, as well as the information, texts, images or graphics contained therein, these may solely be used for personal use, and never for commercial purposes.

All data, trademarks, and all general content on the **Pinto & Palma SROC** website are the property and for the exclusive use of **Pinto & Palma SROC**, and are protected under the general terms of law as well as under the national and international intellectual property protection laws, including those relating to Copyright and Related Rights, and Industrial Property Rights.

As mentioned above, reproduction for personal use is allowed. However, unauthorized modifications, imitations, reproductions, publications, loans, rentals, transmission and/or the sale of any content, in its whole or in part, of the **Pinto & Palma SROC** website, without the Company's prior written consent, are prohibited.

All rights not expressly granted by **Pinto & Palma SROC** constitute reserved rights. In this context, all texts, images, illustrations, photographs, advertising, trademarks and other elements of the website are protected by law, and any copy, reproduction, dissemination or transmission, use, modification, sale, publication, distribution or any other use, in whole or in part, by whatever means, is expressly prohibited. The free usages authorised by law, in particular the right to quote, are the exception of this prohibition, provided that the respective source is clearly identified.

Authorization is granted for the use of documents (such as press releases, communications or other information) from the **Pinto & Palma SROC** website, provided that the copyright notice appears in all copies thereof. The use of these documents shall be used exclusively for informational and non-commercial or personal purposes, and may not be copied or placed on any network computer or disseminated via any other means of communication, and provided that no modifications are made to the documents. The infringers will be subject to competent judicial proceedings.

Despite the personal data that may be provided to **Pinto & Palma SROC** through its website is covered by what is defined in this Privacy and Data Protection Policy, we understand that all information communicated to us through the Internet (including suggestions, material or ideas) will be our sole property and use, although restricted. Such information will not have to be treated by us as confidential.

Some parts of the website may contain images that are subject to their owners' copyright.

Regarding the use and risk of its use, **Pinto & Palma SROC** specifically disclaims any liability for direct, indirect, accidental, consequential or special damages arising from or, in any way, associated with the access to or the use of the **Pinto & Palma SROC** website, which may affect any computer equipment, or the confidence in the information obtained through the aforementioned website.

Information on the **Pinto & Palma SROC** website should be seen as informative. Notwithstanding **Pinto & Palma SROC's** efforts to keep content up to date and reliable, it may contain inaccuracies, typographical errors or outdated contents, and these may be altered at any time without **Pinto & Palma SROC** having an obligation to give prior notice of such facts or circumstances.

7.2. Links to and from other websites

We warn that **Pinto & Palma SROC** is not responsible for the privacy practices of third parties whose websites have, or may have, a link to our website, and **Pinto & Palma SROC** cannot therefore guarantee or be liable, in any way, for the (in)accuracy or authenticity (or lack thereof) of the information contained therein. We cannot guarantee the quality of these websites, nor do we assume any responsibility either for their content or themes, or for the management of any of their features. We therefore advise you to read the privacy policies of these websites attentively.

Pinto & Palma SROC does not guarantee the accuracy, completeness or authenticity of the information contained in any other portal, including any website that has given access to its portal or access to it through its portal. The personal data entered on other websites that are linked to the Company's website, by mere accessibility, will be the sole responsibility of the data subject or the owner of the relevant website.

8. Final provisions

8.1. Privacy and Data Protection Policy Update

Pinto & Palma SROC reserves the right to update this policy at any time, in accordance with the legal requirements and/or needs of its commercial activity or any other. The user is, therefore, invited to visit our website to confirm our privacy and data protection policy in force at any given time.

This **Pinto & Palma SROC** Privacy and Data Protection Policy was updated for the last time on September 2nd, 2022.

8.2. Applicable Law and Dispute Settlement

This Privacy and Data Protection Policy, and other related matters, are governed by Regulation (EU) 2016/679 of the European Parliament and the Council of April 27th, 2016, commonly referred to as the "General Data Protection Regulation" (or "GDPR"), as well as by other applicable legislation.

In the event of a dispute arising out of this Privacy and Data Protection Policy, in particular as regards its validity, interpretation, application and enforcement, or any questions related to the collection, processing or transmission of personal data, this shall be analysed and/or resolved in light of the aforementioned legislation, which complements the information presented herein.

If it proves necessary to resort to the courts of law for the resolution of eventual conflicts, the courts of the District of Lisbon are henceforth defined as competent, with express waiver of any other courts, unless a different solution results from the rules of territorial jurisdiction set forth in the civil procedural law.