

# PRIVACY POLICY

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## 1. INTRODUCTION

This privacy policy sets out how we, Eminentia Trading Limited, a company duly incorporated and existing under the laws of the Republic of Cyprus with registration number HE 32582 and registered office address at 53 Prodromou, Flat 1, Nicosia 1090, Cyprus, trading as Thermomix (hereinafter referred to as “**we**”, “**our**” or “**us**”), use, collect, process and protect personal data provided to us by users of our website [www.cyprus.thermomix.com](http://www.cyprus.thermomix.com), prospective clients, clients, prospective employees, employees and independent contractors (hereinafter referred to as “**you** or “**your**” (hereinafter collectively the “**Privacy Policy**”).

Here at Eminentia Trading Limited, we respect and commit ourselves, in our capacity as data controllers, to protect your privacy and personal data in compliance with applicable laws and regulations.

The Privacy Policy provides important information on how we collect, use and process your personal data and explains your statutory rights. You are therefore kindly requested to carefully read the Privacy Policy.

## 2. INFORMATION WE MAY COLLECT ABOUT YOU

Information relating to you that may, directly or indirectly, identify you, including, without limitation, your name, identification number, location data, your postal address, contact information such as your telephone and/or facsimile number, and/or email address, and/or bank account details and/or social insurance number and/or credit or debit card details and/or information on technical data regarding the internet protocol (IP) address used to connect your device to the internet, your login information to our website [www.cyprus.thermomix.com](http://www.cyprus.thermomix.com) (hereinafter referred to as the “**Website**”), browser details, operating system and platform of your device, the Uniform Resource Locators (URL) details, products you viewed or searched for, page response times, download errors, lengths of visits to certain pages, page interaction information, and/or browsing methods (hereinafter collectively referred to as the “**Personal Data**”).

In addition to the above, in case you have submitted an employment application to us or if you are employed by us or provide services to us we may collect Personal Data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and genetic data, biometric data for the purpose of uniquely identifying you, data concerning health or data concerning a natural person's sex life or sexual orientation (hereinafter referred to as the “**Special Categories of Personal Data**”).

## 3. WHEN WE MAY COLLECT INFORMATION ABOUT YOU

We may collect and process your Personal Data in the following circumstances:

- (a) when you visit our website [www.cyprus.thermomix.com](http://www.cyprus.thermomix.com) (hereinafter the “**Website**”) and/or when during such visit you provide us with your Personal Data at the time of your registration with us and/or through submittal to us of the “Contact Us” form found on the Website; and/or

- (b) when you attend any one of our presentations and/or cooking classes and/or other events and you provide us with your Personal Data through our questionnaire and/or surveys that we may carry out; and/or
- (c) when you purchase products from us and you provide us with your personal data through our order form; and/or
- (d) when you request us to repair and/or update any product that you have purchased from us; and/or
- (e) when we receive your Personal Data from our partners, affiliates and/or associates, (including without limitation demonstrators, sub-contractors providing technical, payment and delivery services, analytics providers, search information providers and credit reference agencies), (hereinafter the “**Partners**”) in the event you, inter alia, access and/or use any website of the Partners, the link of which may be provided on the Website; and/or
- (f) when you have submitted an employment application to us and/or purport to enter into a services agreement with us or if you are employed by us or provide services to us, and to that end you provide us with your Personal Data. In such an instance, we may, in addition to the foregoing, also collect and process the Special Categories of your Personal Data.

We do not store any credit or debit card details or details of any other online payment method, unless you voluntarily choose to save your details. We rely entirely on our Partners, in particular our payment partners to provide you with secure payment services and all credit or debit card payment details are securely transmitted to such partners for processing.

In some cases, we may collect information that does not constitute Personal Data. This is statistical information about our Website users’ browsing actions and patterns and does not identify any individual.

#### **4. COOKIES**

When you visit our Website, we may obtain information about your general internet usage and the usage of the Website by using a cookie file which is stored on your browser or the hard drive of your device. Cookies contain various information, including without limitation, information on your browser type, domain names and access time, which is transferred to your device’s hard drive. Cookies stored on your browser or the hard drive of your device as aforesaid, help us improve the Website, deliver a better and more personalized service, including without limitation, provide you with customized content and features, inform us of your language preferences, help you fill in forms on the Website more easily, and help us in choosing the advertisements we show you. Some of the cookies we use are essential for the Website to operate and/or be maintained. The majority of web browsers accept cookies, but a change in the browser’s setting may restrict the transfer. Access and use of the Website by you shall be subject to your prior consent which we will request of you upon your access to the Website.

#### **5. STORING AND PROCESSING YOUR PERSONAL INFORMATION**

Any Personal Data and/or Special Categories of Personal Data you provide us with or we obtain in accordance with paragraph 3 herein above, will be retained and stored on our systems and will be processed and used by us for the purposes specified in paragraph 6 herein below.

Your Personal Data and/or Special Categories of Personal Data will be retained and stored by us for as long as is reasonably necessary for the purposes listed in paragraph 6 herein below. In some circumstances we may retain your Personal Data and/or Special Categories of Personal Data for longer periods of time, for instance where we are required to do so in accordance with legal, regulatory, tax or accounting requirements.

In specific circumstances we may, subject to and in accordance with the GDPR and applicable Cyprus laws and regulations, also retain your Personal Data and/or Special Categories of your Personal Data for longer periods of time so that we have an accurate record of your dealings with us in the event of any complaints or challenges, or if we reasonably believe there is a prospect of litigation relating to your Personal Data and/or Special Categories of Personal Data or dealings.

Where your Personal Data and/or Special Categories of your Personal Data is no longer required we will ensure it is either securely deleted or stored in a way which means it will no longer be used by us.

Any storing and/or processing of your Personal Data and/or Special Categories of your Personal Data by us shall be in compliance with the General Data Protection Regulation (GDPR) (EU) 2016/679 (hereinafter referred to as the “**GDPR**”), applicable Cyprus laws and regulations and the Privacy Policy. Subject to the foregoing, your Personal Data and/or Special Categories of your Personal Data maybe:

- (a) transmitted and/or transferred to, and stored at a destination within the European Economic Area (hereinafter referred to as the “**EEA**”) where our hosted servers are located; and
- (b) transmitted and/or transferred to, and stored outside the EEA, and processed by staff operating outside the EEA who work for us or for one of our Partners or suppliers. Such staff maybe engaged in, among other things, the fulfillment of your order, the processing of your payment details and the provision of any products that you may have requested.

Ahead of transmitting and/or transferring your Personal Data and/or Special Categories of your Personal Data in accordance with and subject to the above, we may request you to provide us with your express written consent for such transmission and/or transfer. In all cases, we will take all reasonable steps to ensure that your Personal Data and/or Special Categories of your Personal Data is treated securely and in accordance with the Privacy Policy.

Your Personal Data and/or Special Categories of your Personal Data will not be disclosed to any third parties except to our Partners for any one or more of the purposes referred to under paragraph 6 below.

## **6. USING YOUR INFORMATION**

We may use and process your Personal Data and/or Special Categories of your Personal Data, held or received by us under the circumstances referred to in paragraph 3 herein above, for any one or more of the following purposes:

- (a) To improve our products and/or services and the Website and ensure that content from the Website is presented in the most effective and user-friendly manner; and/or
- (b) To supply and/or deliver to you the products and/or services that you requested from us; and/or
- (c) To provide and/or market to you, information, products and/or services that you may request from us, and which we feel may interest you where you have asked or consented to be contacted for such purposes; and/or
- (d) To allow you to participate in interactive features of our service, when you choose to do so; and/or
- (e) To notify you about changes and/or updates to our products and/or services, where you have asked or consented to be contacted for such purpose; and/or
- (f) For our own market research purposes, including without limitation, inviting you to provide us with feedback on our products and/or services, where you have asked or consented to be contacted for such purpose; and/or
- (g) To administer the Website, including without limitation, internal operations for, inter alia, troubleshooting, security purposes, data analysis, testing and statistical survey purposes; and/or
- (h) To repair and/or update the products you have purchased from us; and/or
- (i) To award you with a referral gift; and/or
- (j) If we have offered you a position with us or if you are employed by us, we will process your Personal Data and/or Special Categories of your Personal Data for any one or more of the following purposes (as the case may be):
  - (i) to evaluate and process your employment application, including, without limitation, to carry out pre – employment checks; and/or
  - (ii) to determine, review and/or pay your salary or fees, incentives, bonuses and other benefits, and make the required under the law necessary deductions, e.g. to the Social Insurance Fund; and/or
  - (iii) to consider your promotion, career development, training, secondment or transfer, performance, monitoring, health and safety administration, security and access control; and/or
  - (iv) to enforce our rights under employment law or any other applicable laws, to defend our rights under such law, including, but not limited to, any disciplinary action or actions relating to the termination of employment.

## 7. LEGAL BASIS FOR USING YOUR INFORMATION

Any processing of your Personal Data and/or Special Categories of Personal Data shall be performed by us on any one or more of the following legal bases:

- (a) with regards to processing of your Personal Data:
  - (i) that you have provided your consent for such processing; and/or
  - (ii) that such processing is necessary for the performance of a contract to which you are a party or in order to take steps at your request prior to entering into a contract; and/or
  - (iii) that such processing is necessary for the purposes of carrying out the obligations and exercising our or your specific rights in the field of employment and social security and social protection law; and/or
  - (iv) that such processing is necessary for compliance by us with a legal obligation to which we are subject to; and/or
  - (v) that such processing is necessary for the purposes of the legitimate interests pursued by us or by a third party, except where such interests are overridden by the interests of your fundamental rights and freedoms which require protection of your Personal Data; and/or
  - (vi) where such processing is carried out in reliance on any other legal basis provided under the GDPR.
- (b) with regards to processing of Special Categories of your Personal Data:
  - (i) where you have provided your explicit written consent to such processing; and/or
  - (ii) where such processing is carried out in reliance on any other legal basis provided under the GDPR.

If you provide your explicit consent to permit us to process the Special Categories of your Personal Data, you may withdraw your consent to such processing at any time. However, you should be aware that if you choose to do so there may be potential consequences which we will tell you about at that time.

## 8. DISCLOSING YOUR INFORMATION

Subject to the GDPR and Cyprus laws and regulations, we may disclose your Personal Data and/or Special Categories of your Personal Data to third parties if:

- (a) If we or substantially all of our assets or business are acquired by a third party, in which case Personal Data and/or Special Categories of your Personal Data held by us relating to customers and/or employees and/or partners and/or associates and/or service providers will be one of the transferred assets or business, as the case may be.
- (b) If we are under a duty to disclose or share your Personal Data and/or Special Categories of your Personal Data in order to comply with any legal obligation or to enforce or apply our terms and conditions of use of the Website, or to protect our rights and property, or our safety and that of our customers and/or of any third

parties. This includes exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction.

As we work with many third parties to help manage our business and deliver our services, these third parties may from time to time need to have access to and/or process your Personal Data and/or Special Categories of your Personal Data. Such third parties may include our Partners, service providers who help manage our IT and client record systems as well as any regulators and law enforcement agencies in the EU and around the world.

## **9. SECURITY**

We are committed to ensuring that your Personal Data and Special Categories of Personal Data are secure. In order to prevent unauthorized access, use or disclosure we have put in place suitable physical, electronic and managerial procedures to safeguard and secure the information that we collect. Our security technologies and procedures are regularly reviewed to ensure that they are up to date and effective.

We will take all steps reasonably necessary to ensure that your Personal Data and Special Categories of Personal Data is treated securely and in accordance with the Privacy Policy, the GDPR and Cyprus applicable law and regulations.

Information, including Personal Data, you provide to us through the Website is stored on our secure servers that are protected through access codes and a firewall. Unfortunately, the transmission of information via the internet is not completely secure. While we will take reasonable steps to protect all information and Personal Data submitted to us and/or received by us through the Website in accordance with the Privacy Policy, we cannot guarantee the security of any information transmitted to the Website by you and as such, any transmission is at your own risk.

You must keep confidential any personal security codes and passwords, including without limitation your log-in details, that we may give you (or that you choose) for your access to certain areas of the Website, and comply with any instructions that we may, from time to time, give you in order to keep such details confidential and safe. The processing of payment transactions by our payment partners is via secure payment pages and is compliant with the Payment Card Industry Data Security Standard (PCI DSS). It is your responsibility to ensure that:

- (a) your device has an anti virus and firewall and/or any other spyware and/or malware software installed in order to ensure security of information, including Personal Data, submitted to us by you through the Website; and
- (b) any payment transactions you make are made in a secure environment.

## **10. YOUR RIGHTS AND CONTROL OF YOUR INFORMATION**

You have a number of rights in relation to your Personal Data and/or Special Categories of your Personal Data.

You may request access to your Personal Data and/or Special Categories of your Personal Data, correction of any mistakes in our files, erasure of records where no longer required, restriction on the processing of the Personal Data and/or Special Categories of Personal Data, objection to the processing of such data, and data portability. You may also exercise a right to complain with the Office of the Commissioner for the Protection of Personal Data. More information about your rights are set out below:



You have the right under the GDPR, at any time, to:

- (a) Access the Personal Data and/or Special Categories of your Personal Data we hold on you and/or request us to provide you with information about your Personal Data, including, without limitation, what data we hold, what we use it for, who we disclose it to, whether we transfer it abroad and how we protect it, how long we keep it for, what rights you have, how you can make a complaint, where we got your data from and/or request us to provide you a copy of such data.
- (b) Ask us to obtain a copy of, or reference to, the safeguards under which your personal data is transferred outside of the EEA.

We may redact data transfer agreements or related documents (i.e. obscure certain information contained within these documents) for reasons of commercial sensitivity.

- (c) Receive your Personal Data and/or Special Categories of your Personal Data, in a structured, commonly used, machine-readable format, or you can ask to have it 'ported' directly to another data controller, but in each case only where the processing is based on your consent or on the performance of a contract with you.
- (d) Request the rectification of inaccurate Personal Data and/or Special Categories of Personal Data concerning you and/or update such data held by us. We may seek to verify the accuracy of the data before rectifying it.
- (e) Object to any processing of your Personal Data which has our "legitimate interests" as its legal basis (paragraph 7(a)(v) herein above), if you believe your fundamental rights and freedoms outweigh our legitimate interests.
- (f) Ask us to erase your Personal Data and/or Special Categories of your Personal Data from our records without undue delay upon your request when any of the following occurs:
  - (i) such data is no longer needed for the purposes for which they were collected; or
  - (ii) you have withdrawn your consent (where the data processing was based on consent); or
  - (iii) following a successful right to object to processing of your Personal Data for our marketing purposes; or
  - (iv) it has been processed unlawfully; or
  - (v) to comply with a legal obligation to which we are subject to.

We are not required to comply with your request to erase your personal data if the processing of your personal data is necessary:

- For compliance with a legal obligation that we are subject to; or
- For the establishment, exercise or defence of legal claims;

There are certain other circumstances in which we are not required to comply with your erasure request, although these two are the most likely circumstances in which we would deny that request.

- (g) You can ask us to restrict (i.e. keep but not use) your Personal Data and/, but only where:
- (i) its accuracy is contested by you, to allow us to verify its accuracy; or
  - (ii) the processing is unlawful, but you do not want it erased; or
  - (iii) it is no longer needed for the purposes for which it was collected, but we still need it to establish, exercise or defend legal claims; or
  - (iv) you have exercised the right to object, and verification of overriding grounds is pending.

We can continue to use your personal data following a request for restriction, where:

- we have your consent; or
- to establish, exercise or defend legal claims; or
- processing is necessary for compliance with a legal obligation, imposed under law or regulations enacted pursuant thereto or EU Regulations, to which we are subject to.

We take the confidentiality of all records containing personal data seriously and reserve the right to ask you for proof of your identity if you make a request in respect of such records.

- (h) Lodge a complaint with our local supervisory authority, the Office of the Commissioner for Personal Data Protection, about our processing of your Personal Data.

In the event you wish to do any of the above actions at any time, you may contact us with your request via the “Contact Us” tab on the Website or by e-mail at [info@eminentia.com.cy](mailto:info@eminentia.com.cy); or by telephone at 0035722667242; or by SMS at 80007242.

The Website may, from time to time, contain links to and from the websites of our Partners, business partners and other third-party websites of interest (hereinafter the “**Other Websites**”). If you follow a link to any of the Other Websites, you will have left the Website and you should note that we do not have any control over such Other Websites nor we own and/or maintain them. We do not accept any responsibility or liability for the content and material provided on the Other Websites and for the protection and privacy of any information, including Personal Data and/or Special Categories of Personal Data, you provide whilst visiting the Other Websites. The parties that own and maintain and/or are associated with the Other Websites may have full responsibility, whether civil or criminal, for the security, legality or reliability of their website contents and services, exclusive of any liability from us. Please check the applicable privacy policies of the Other Websites before you submit any Personal Data and/or Special Categories of Personal Data to such websites.

## 11. CHANGES TO THIS PRIVACY POLICY



We may occasionally update the Privacy Policy for any reason whatsoever. We will make all possible effort to indicate any changes in the Privacy Policy with a notice on the home page of the Website. The continuing use and access to the Website by you after the date of any changes to the Privacy Policy will be conceived as unconditional acceptance of such changes by you.

We encourage you to periodically review the Website and the Privacy Policy to stay informed on any updates on how we are using and protecting your information, including Personal Data and/or Special Categories of Personal Data, that is provided to us and/or collected by us in accordance with the Privacy Policy.

## **12. CONTACT INFORMATION**

If you would like to contact us about any matter set out herein and/or if you have any questions, suggestions and/or complaints please contact us via the “Contact Us” tab maintained on the Website or via e-mail at [info@eminentia.com.cy](mailto:info@eminentia.com.cy) ; or via telephone at 0035722667242.

For the purposes of the GDPR and applicable Cyprus laws and regulations, the data controller is Eminentia Trading Limited, with registration number HE 32582 and registered office address at 53 Prodromou, Flat 1, Nicosia, 1090, Cyprus and the data protection officer is Miranda Georgiou.