

# PRIVACY POLICY

This document uses terminology and concepts defined in Regulation EU 2016/679, also known as the General Data Protection Regulation (GDPR).

Privacy is a matter of great importance to the company HARDLEVEL - ENERGIAS RENOVÁVEIS, SA , hereinafter referred to as HARDLEVEL, taxpayer no. 507 93 83 48 with headquarters at Travessa da Urtigueira, 270 Fracção B, Lugar da Rechousa, Canelas, 4410-235 Vila Nova de Gaia, Portugal. In addition to showing its concern with the issue, HARDLEVEL intends to demonstrate that it respects the legislation in force by adopting procedures leading to compliance with the GDPR. HARDLEVEL will always give priority to meeting the requests of subjects, particularly when they decide to exercise their rights over their personal data.

HARDLEVEL respects the privacy of data subjects in full compliance with the legislation in force, in particular the GDPR.

## 1. SCOPE

This document presents the privacy policy for the processing of personal data, whether collected remotely through electronic means (e.g. websites) or in person at HARDLEVEL physical spaces.

## 2. PERSONAL DATA

HARDLEVEL only collects and processes personal data that is necessary, appropriate and relevant to the performance of HARDLEVEL's duties and obligations. The principles advocated by the GDPR, namely the minimization of data, and that of lawfulness, loyalty and transparency towards the subject, are respected.

HARDLEVEL has internal rules to standardise the use of the IT system. Users are covered by rules of conduct and confidentiality that promote the lawful processing and care of personal data, and are encouraged through training initiatives to disseminate good practices in the use of the technology and the principles advocated by the GDPR.

The lawfulness of the processing of the data collected (i.e. name, address, taxpayer number, telephone, mobile phone and e-mail), is based on the execution of a supply or service contract and the legitimate interest of the controller, in particular in processes of:

- i. -- Internal or external budgeting (e.g. products, services, implementations, etc. ), requisition processing (e.g. order forms or equivalents), issuance of financial documents (e.g. invoices, credit or debit memos, etc.), reminders or notifications of pending current accounts (e.g. settlement of overdue invoices), and issuance of treasury documents (e.g. receipts, payments, compensations, cash closures, etc.);
- ii. -- Logistics such as notifications (e.g. SMS or e-mail about order status, repairs, etc.), documents or proof of delivery (e.g. guides, pick-up documents, etc.), documents made available by third parties for subcontracting shipments or dispatches (e.g. carriers, freight forwarders, etc.); documents proving pick-up (e.g. products ordered or equipment repaired or unrepaired, etc.);
- iii. -- Repair or technical intervention (e.g. incidence records, worksheets, repair budgets, repair orders or cancellations, etc.);
- iv. -- Commercial recommendation of interest to the data subject about products or consumables of products purchased or regularly purchased (e.g. anticipation of price changes or availability for delivery);

- v. -- Technical recommendation of interest to the data subject about products, consumables of products or services, for equipment in the process of pre-repair, repair or post-repair (e.g. feasibility of repair, anticipation of changes in purchase price or availability for delivery);
- vi. -- Other commercial recommendations compatible with the initial collection purposes, and other documents, processes or responsibilities to which HARDLEVEL is legally subject (e.g. exercise of data subjects' rights, etc.); and
- vii. -- In the case of employees, the data may be used for salary processing or in the fulfilment of other legal or fiscal responsibilities to which the controller is subject (e.g. labour law, tax law, etc. ).

### **3. STORAGE**

HARDLEVEL has the technical and organizational means to promote confidentiality, security, integrity and availability of data and its computer system. It is committed to keeping the system up-to-date and equipped with the necessary mechanisms to promote data privacy. HARDLEVEL is attentive to technological evolution and common risk exposures and vulnerabilities.

Personal data is stored on servers located in the European Union (EU) or in countries with a European adequacy decision, and is protected and maintained following good security practices.

Data will be kept only for the time necessary for the purposes for which they are processed, respecting the principle of limiting the storage of the GDPR (e.g. time defined in the consent if any, time limit for legal obligations, legitimate interests pursued by the controller or third parties, etc.). In this context HARDLEVEL will delete the personal data of the subjects when the initial collection purposes are no longer fulfilled and they are not necessary for the fulfilment of legal, fiscal or judicial obligations.

The elimination of e-mail, telephone and mobile phone will take place as soon as it is verified that the aforementioned data is not necessary for the pursuit and fulfilment of legal or fiscal obligations.

In the case of employees, the data will be deleted when the legally required deadlines for filing have expired.

Data collected under a job application process (e.g. curricula vitae) will take place no later than 24 months after collection, thus allowing candidates to be re-selected for further recruitment processes.

### **4. DISCLOSURE AND SHARING**

Personal data held by HARDLEVEL will never be disclosed to third parties without the prior consent of the respective subjects, with the exception of the obligations provided for by law (i.e. labour law, tax or contributory law, and other national, community and international legislation). HARDLEVEL does not negotiate or sell personal data. All data processing is carried out under strict confidentiality measures and in compliance with the principles of legality, loyalty and transparency defended by the GDPR. Data will always be processed within the EU, in countries with an adequacy decision or with an international treaty with Portugal or the EU.

The data can be made available to:

- i. Manufacturers or their intermediaries (e.g. importers, dealers, authorized distributors, service centres, etc.) for registration of products, services or guarantees (e.g. issue of certificates of origin, guarantee or equivalent, extension of guarantee, support or equivalent periods, etc.);
- ii. Assistance centres indicated or recommended by manufacturers, representatives or intermediaries, for external technical intervention processes covered or not by warranty;
- iii. Companies competent in specific technical areas for troubleshooting or malfunctioning of products or services (e.g. electronics, data recovery, etc.);

- iv. Manufacturers or their intermediaries (e.g. importers, dealers, authorized distributors, etc.) for budgeting of products or services;
- v. Logistics companies for outsourcing the national or international delivery of products or equipment in repair processes; and
- vi. Accounting, tax and related companies for handling HARDLEVEL's obligations (e.g. legal or fiscal obligations, etc.).

In the specific case of employees, HARDLEVEL can provide their data to:

- a. Accounting, tax, human resource management and related companies for salary processing, tax and contribution handling, and other labour and tax law related responsibilities;
- b. External training companies to provide training and organise the respective dossiers; and
- c. Companies related to the provision of health, hygiene and safety services at work or equivalent.

The data may also be transmitted to public bodies or private companies in order to fulfil legal obligations to which HARDLEVEL is subject (e.g. tax authority or equivalent, social security or equivalent, insurance companies to fulfil labour obligations, etc.).

HARDLEVEL, as the entity that processes personal data on behalf of other entities (sub-contractor), may transmit data to public bodies or private companies in order to fulfil legal obligations on behalf of the respective controller (e.g. tax authority or equivalent, social security or equivalent, Portuguese Environment Agency, insurance companies to fulfil labour obligations, etc.).

## **5. USE OF PERSONAL DATA**

HARDLEVEL only processes personal data for the specified, explicit and legitimate purposes for which it was collected.

The data shall not be used for purposes that are incompatible with the purposes stated to the data subject at the time of collection, in accordance with the principle of lawful, fair and transparent processing.

HARDLEVEL complies with its legal obligations, in particular with regard to the processing of personal data, and fully respects all the rights of the subjects enshrined in the GDPR, which are also recalled below.

## **6. RECTIFICATION OR UPDATING**

HARDLEVEL is committed to keeping personal information up-to-date and accurate. The subject may request the updating of his/her personal data whenever necessary.

To request the data update, the subject must fill out the registration form that can be requested and made available via e-mail at [rh@hardlevel.pt](mailto:rh@hardlevel.pt). Once completed, the form should be sent to [rh@hardlevel.pt](mailto:rh@hardlevel.pt).

Upon receipt, HARDLEVEL will update the records as soon as possible.

HARDLEVEL reserves the right not to process the application or to request additional information from the subject when it is not possible to prove the identity of the author of the application or if there are doubts about the requested change.

## **7. DELETION OR RIGHT TO FORGET**

HARDLEVEL undertakes to delete personal data if the subject so wishes.

HARDLEVEL undertakes to respect the subject's wishes by deleting his/her data when requested to do so. However, it will only delete data that do not compromise the fulfilment of legal obligations and legitimate interests pursued by HARDLEVEL and third parties. The right to deletion may be exercised by the data subject to [rh@hardlevel.pt](mailto:rh@hardlevel.pt).

HARDLEVEL reserves the right not to process the application or to request additional information from the subject when it is not possible to prove the identity of the application's author. After deletion HARDLEVEL will communicate the completion of the deletion in writing to the e-mail address provided by the subject.

## **8. ACCESS OR CONSULTATION**

HARDLEVEL undertakes to prepare and submit a report of the personal data to the subject at his/her request.

HARDLEVEL undertakes to respect the subject's request for access to the data by submitting a report with his/her personal details. The right of access must be exercised by the data's subject to rh@hardlevel.pt.

HARDLEVEL reserves the right not to process the application or to request additional information from the subject when it is not possible to prove the identity of the application's author. The report will be sent in electronic format after validation of the identity of the subject and on delivery a declaration will be signed by the subject confirming receipt.

## **9. PORTABILITY**

HARDLEVEL undertakes to provide the subject with his/her personal data in a structured format when requested.

HARDLEVEL undertakes to respect the subject's request for data portability by providing him/her with a structured file containing his/her personal data. The right of portability must be requested by the data's subject to rh@hardlevel.pt.

The information may be delivered to the data subject or to another entity indicated by him/her. If the subject requests the delivery of his/her data to another person or entity, the same must be accompanied by a power of attorney that grants these powers identifying in an objective and unequivocal way the entity of the attorney.

Upon delivery a declaration will be signed by the subject confirming receipt of his/her personal data in a structured format, after correct validation of his/her identity.

HARDLEVEL reserves the right not to process the request or to request additional information from the subject when the identity of the persons or entities involved (i.e. data subject or other person or entity indicated by the subject) cannot be proven.

## **10.OBJECTION OR LIMITATION TO PROCESSING**

The right to object shall define the right of the data subject to object to the processing of his/her personal data, in particular to *profiling* or to decision-making on the basis of automatic processing only.

HARDLEVEL undertakes to respect the subject's right to object and will not use his/her personal data to define profiles or to make automatic decisions without the prior consent of the data subject. If they have given their consent for these purposes, the subjects have the right to change their opinion and withdraw this consent whenever they wish. The right to object should be requested by the data subject to rh@hardlevel.pt.

HARDLEVEL reserves the right not to process the application or to request additional information from the subject when it is not possible to prove the identity of the application's author. When the application is processed, the data subject will be notified thereof in writing.

## **11.OTHER RIGHTS**

The data subject has the right to lodge a complaint with the supervisory authority if he/she considers that he/she has suffered damage as a result of a processing operation and to claim compensation for the material or immaterial damage suffered as a result of a breach of the GDPR if the event causing the breach is attributable to HARDLEVEL

## **12.PERSONAL DATA BREACH NOTIFICATION**

HARDLEVEL undertakes to notify the supervisory authority whenever personal data breaches occur and if the breach is likely to involve a high risk to the rights and freedoms of the data subjects, it also undertakes to notify them. Subjects may be notified by individual or public communication (e.g. public announcement) depending on the number of subjects involved in the personal data breach accident.

HARDLEVEL has technical and organisational means at its disposal to prevent the destruction, loss, alteration, unauthorised disclosure of or access to personal data. Should a data breach nevertheless occur, this will be reported to the competent authorities within the legally prescribed period. If the breach is of high risk to the rights and freedoms of the data subjects, they will also be notified. The notification to the subjects, if applicable and if made individually, will be made by *e-mail* (to the subject's *e-mail*). The form of notification shall be chosen in accordance with the urgency underlying the data involved in the breach and the technical and organisational means available at the time of the post-breach incident.

## **13.COOKIES**

HARDLEVEL websites may use cookies to monitor usage and to provide a better user experience for users on the Internet.

Cookies are small files manipulated by Internet browsers, which store information regarding the navigation and the person browsing. The use of this type of mechanism allows websites to interact with the user, recognizing the user from previous browsing sessions.

## **14.CONCLUSION**

HARDLEVEL reiterates its concern with issues related to privacy and will always be attentive to the evolution of the technological offer related to the promotion of data security. It is committed to always consider with common sense the increase of protection mechanisms in order to promote the increase of confidentiality, security, integrity and availability of data and the system. HARDLEVEL also undertakes to be attentive to legal changes related to the processing of personal data, always giving priority to their implementation.

This document describes procedures for communications with subjects. HARDLEVEL is in the habit of acknowledging receipt of all communications it receives. If you do not get any feedback from a communication sent (consider 3 business days when sending it by e-mail), please report this fact by an alternative means (e.g. telephone).

In cases not provided for in this document, the GDPR and other legislation in force shall apply.

This document may be changed without prior notice and it is therefore recommended that you read it periodically.

Vila Nova de Gaia, 1 January 2020

THE END