

GENERAL INFORMATION NOTE

Personal data processing

1. Introduction

1.1. Application of the information note and its aiming

This document is designed to explain how **While1 Software B.V.**, private limited company, as "Controller", (having its registered office in Weena 290 10e verdieping, 3012NJ Rotterdam, The Netherlands, registered with the Kamer van Koophandel under KvK: 75503891, tax identification number NL860305594B01, contact@while1.nl, Tel: +31 68 222 58 43), processes your personal data and how they ensure their protection, in compliance with the legislation in force, including *(EU) Regulation 2016/679 on Protection of natural persons with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (GDPR)*.

This note is applied in connection with the data processing performed by **While1 Software B.V** both online (while1.biz domain, their subdomains and all the contents of the domains or subdomains), as well as offline and it is relevant for you, regardless of your position: customer or potential customer, contractual partner – individual, representative of a partner – legal entity, applicant for a tender or a person who contacts us for other purposes (e.g.: requests or complaints), a visitor to our office/working point, visitor of our website, a representative of a public authority or institutions, etc.

2. Content

2.1. Personal data collected by us

Even if most of While1 Software customers are legal persons, the company is processing personal data, because any customer who is a legal person acts via individuals. While1 Software will process the personal data of persons who represent and/or act and/or sign, on behalf of, as well as on account of the legal person or public institutions/administrations.

Personal data collected by us are, mainly:

- *Surname and forename (s)*
- *Phone number*
- *E-mail address*
- *Position*
- *Information on how you use the applications made available by While1 (date, time, duration, module, changes history, etc.)*
- *Voice (e.g. when you are contacting or are contacted via telephone by While1, for the purpose of executing the contract between While1 and its Customer/ provider, whose representative you are or for the purpose of entering into a contract)*
- *Signature (e.g.: contracts, addenda, protocols, etc. concluded between While1 Software and the Customer/ Provider/ Institution you represent)*

2.2. Obligation of providing personal data

The provision of data is not binding in all cases, however, most of the data mentioned in this note are necessary.

If you do not succeed or do not wish to provide us with your personal data and this provision is optional and voluntary, then this cannot affect the performance of the contract between you/the company you represent and While1 or has no other kind of consequences that can affect you. If you do not succeed or do not wish to provide us with your personal data and this provision is compulsory, then the consequences are liable to affect you: in the absence thereof, we cannot conclude a service contract with you or with the legal person whose representative you are and, subsequently, we cannot fulfill our contractual obligations arising from it (e.g. submission of documents to the company, e-mails, notices, etc.).

It is also necessary for us to keep any documents issued by public authorities or institutions, which may contain personal data of its representatives – such as surnames, forenames, position, signature (e.g.: an address or a notification issued by a public authority/institution, either ex-officio or after a request, reports prepared following an inspection, etc.).

Subsequently, this data must be kept and updated according to the legal provisions in the field of accounting or other legal provisions, depending on the data collected.

2.3. When and how we collect personal data and the categories of data subjects

We collect from and about your personal data via various channels, in different situations, such as:

- When you access our site, While1.biz
- When you contact us through the forms on our website While1.biz
- When you access the While1 eCommerce platform/cloud telephony application (once you become our customer or act as a representative of a While1 customer)
- When you are called on the telephone by one of our representatives
- When you call us in order to request technical support from us or for requesting offers
- When you sign a service contract with While1 Software or you are the representative of a company with which we have concluded a contract
- When you receive e-mails from us
- When you choose to receive our newsletters
- When you create tickets in our technical support application
- When you provide us directly with data, as a customer or visitor (on the site or at the premises), even outside any contractual provisions
- When you communicate with us through social networks belonging to third parties
- When are issued documents concerning us, on behalf of a legal person or on behalf of any authorities or public institutions
- When you visit us at our headquarters or attend meetings with While1

Please keep in mind that we may be able to aggregate personal data from previously described different sources.

We collect personal data directly from you, when you provide them directly to us and are part of the following categories:

- You represent a Customer/Partner/Provider, in a service contract, concluded between While1 Software and the company you represent or when you show your intention to enter into a contract with While1, on your behalf or of a legal person

- You are interested in our offers and services and subscribe to the newsletter
- You represent a public authority or institution issuing ex-officio or on request various documents in connection with the business of the company While1 Software.

We collect personal data by automated means (indirectly) when:

- You exercise your job duty as a representative of a Customer/Partner/Provider of While1 Software and log in with your account in any of the proprietary applications or those used by While1 Software (for example, we collect: username, date, time, duration of action, mode, changes history)
- You exercise your position as a representative of a Customer/Potential Customer/Partner/Provider/Public authority and you are engaged in a telephone call with While1 Software or receive emails from While1 Software
- You are interested in our services and access the website While1.biz, where we collect personal data through certain technologies (cookies, log files (logs), etc.); for more details on how to collect personal data via cookies, visit “About Cookies” page

2.4. Purpose and grounds of your personal data processing

While1 processes your personal data for real, present and legitimate purposes. While1 processes your personal data solely for the purposes for which your personal data are collected initially and, where secondary purposes are identified, requiring the processing of your data, this processing will not be done without your prior information and consent or without a legitimate interest in this respect and without a legal basis.

We use your personal data for the following purposes:

- To conclude or execute the service contract between While1 Software and you, or the company you represent, grounded on the **performance of the contract** and the contractual obligations deriving from it or, where applicable, **our legitimate interest** (when you represent a company entering into a contract with While1 Software)
- To protect its data and IT systems against attacks and other similar acts in the virtual environment, following **its legitimate interests or, where appropriate, fulfilling its legal obligations**, While1 Software has automated monitoring options enabled for accessing its applications by authorized or unauthorized users (e.g. access logs and concerning the activity of users in its softwares, such as IP address or other online identifiers)
- For the provision of our products and services (technical support, good management of relationship with Customers, assurance of a certain level of services, etc.), While1 Software will register the telephone conversations in which you are engaged, in connection with the products and services While1, the processing being founded on your **consent**, explicitly and voluntarily expressed; other personal data processing may be based on the **grounds of the execution of contract** (requests, complaints, requirements by email or in applications, etc.).
- For marketing communications with customers or potential customers, to send you offers and information on our products and services (from our own initiative), the processing is founded on **your consent**.
- To improve your browsing experience on our websites, to adapt our website to the device you are using, to solve the problems you might encounter when accessing, we process various personal data; the basis for processing will, in most cases, be **your consent or our legitimate interest**.

- To know your views communicated to us through social networks (comments on our posts, redistributions, etc.), we will mainly process your data sent by you, **based on your consent**.
- Keeping documents issued by public authorities/institutions, containing personal data, keeping personal data in various registers or communicating answers to various requests of public authorities/institutions, based on the grounds for fulfilling **our legal obligations**.
- In general, for any other situations that may involve the legal obligation of While1 Software to respond to requests from authorities, the performance of transactions or restructuring, the defence of our rights and interests or other persons, prevention of frauds or as an evidentiary matter and for archiving purposes; in all these cases, the processing of your personal data, personal information, regardless of your position, could be based on **our legal obligations or on our legitimate interest**, as appropriate.

We process your data, based on some interests that are legitimate, real and present, while reasonably protecting your rights and freedoms. Our legitimate interests may be removed by your interests, provided that your fundamental rights and freedoms are threatened.

2.5. About third parties' data

If you submit us personal data regarding other persons, you must make sure that you have informed them of this and that you have provided them with this information on how Software While1 processes personal data.

We will inform those persons accordingly about how we process their data, where appropriate.

2.6. Processing the minors' personal data

We do not intentionally collect any personal data belonging to persons under 16 years of age. If While1 Software finds that a person under the age of 16 has provided personal data, While1 Software will take the reasonable measures to remove such information in the shortest possible time and/or to obtain the consent set forth in Art. 8 of the GDPR.

2.7. Recipients of your personal data

As a rule, we will not disclose your data to other natural or legal persons. However, we may need to disclose your data, according to the information below.

We can disclose your data to other companies or individuals, such as: natural or legal persons acting as empowered individuals for us in various fields (such as archiving documents or storing data, payment services, hosting service providers, various services that we can outsource-for example human resources, accounting services), other persons, courts, authorities. Also, While1 Software can communicate your personal data to those partners who offers specialized support to the company such as lawyers, consultants in different fields, judicial executors, etc.

In these cases, we will strictly disclose the data necessary for fulfilling such purpose, for legitimate reasons related to our business.

While1 Software is ensured by contractual regulations that such external service providers are processing personal data in compliance with the European data protection legislation and only in connection with the provision of their services, in the capacity of Processor, to ensure a high level of data protection.

While1 Software can communicate your personal data where this is required by law or if it deems, in

good faith that such disclosure is reasonably necessary for the proper conduct of legal processes, investigations or to reply to any complaints or requests from the authorities.

Provided that your data will be necessary to be disclosed to another recipient, then we will inform you of the time of disclosure and the recipients' names.

2.8. Transferring your personal data outside the European Union or the European Economic Area

While1 Software does not transfer personal data to countries outside the EU or EEA, or to international organizations.

2.9. Safety precautions regarding your personal data

While1 Software takes all reasonable security and confidentiality measures on a continuous basis, in order to protect personal data.

Technical and organisational measures are focused on ensuring an adequate and reasonable level of protection and prevention of: unauthorised and unlawful processing, accidental or unlawful loss, accidental or unlawful destruction of data, accidental or unlawful damages. We use a variety of technologies and security procedures at industry standards to protect your personal data.

If we detect that a breach of the security of your personal data processing has occurred, we investigate the security incident, take all reasonable actions to mitigate the immediate risk of injury and notify the Supervisory Authority of the security incident, if the breach is likely to lead to a high risk for your rights and freedoms. We will inform you directly on the breach of security, if the breach is likely to lead to a high risk for your rights and freedoms, as quickly as possible through appropriate contact channels. We are not obliged to inform you directly, if we have taken the necessary measures to make your personal data be incomprehensible to any person who is not authorized to access them or the high risk for your rights and freedoms, it is no longer possible to produce or involve disproportionate efforts. In such a case, we will inform you, through public networks. We remind you that you assume all risks when you provide us with personal data. No way of sending data over the Internet and no way of storing data is 100% secure.

If you believe that the security of your data has been breached, contact us at dpo@while1.biz.

2.10. Period of storing personal data

We limit the storage time of your personal data to what is necessary for our processing purposes. We store your data in compliance with our personal data storage policy, which assigns a storage period depending on the purpose of processing and the category of processed data. Those periods are based on the legal provisions, where there are indications in this respect (obligation of storing certain data, applicable prescription deadlines, etc.)

Personal data obtained by While1 Software following the telephone conversations in which you are engaged, for the purpose of fulfilling the job tasks or as a result of accessing our sites and applications, are stored for a reasonable time period.

We review, on an annual basis, the need for further keeping of your personal data, in order to filter, selection and maintain processing only for those data where the purpose of processing is current.

We delete your data at the time when you request this, except for the data whose supply and processing is imposed by a legal provision, which we delete within the time stipulated by the law for this end. Storing personal data for a longer time period can be achieved for statistics, improvement of services,

management of active customers' accounts, research/market survey.

2.11. Your rights regarding personal data provided

In connection with your personal data, you may request to exercise the following rights:

- **Right of access by the data subject**
You have the right to request and receive information about the processing of your personal data and a copy of them (does not include anonymous data).
- **Right to rectification**
If data we hold about you should be updated or if you consider that they may be incorrect, you can update them through a written request. We must communicate the rectification of your personal data to the recipients of your personal data (if any). We do not communicate the rectification of your data to the recipients of your personal data if the communication to the recipient is impossible or implies a disproportionate effort.
- **The right not to be subject to a decision based solely on automatic processing, including profiling, which produces legal effects relating to the data subject or similarly affects it to a significant extent**
While1 Software does not make such profiles that are followed by automated decisions with legal or significant effect for its customers or collaborators.
- **Right to erasure (“right to be forgotten”)**
You have the right to request us the deletion of your personal data we hold related to you and, if personal data have been sent to other Controllers or Processors, the submission of the deletion request to them. We do not communicate the deletion of your personal data to recipients to whom we disclose them, if the communication to the recipient is impossible or involves a disproportionate effort. Your request. will be analyzed and following this analysis it is possible to result that While1 Software still holds legal bases or obligations for the processing of your personal data and they cannot be deleted.
- **Right to object/ opposition**
You have the right to oppose the processing of your personal data, if you consider that your interests, rights and freedoms are affected by our legitimate interests.
- **Right to restriction of processing**
You have the right to obtain the restriction of processing, where one of the following applies: the accuracy of the personal data is contested by the data subject; the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead; the data subject requires the personal data for the establishment, exercise or defence of legal claims; the data subject has objected to processing pursuant to [Article 21\(1\)](#) - GDPR pending the verification whether the legitimate grounds of the controller override those of the data subject.
- **Right of portability of data**
If your data are processed under the consent or the contract, by automated means, you have the right to request the receipt of this data or their portability to another controller.
- **Right to withdrawal of consent**
If we process your data under your consent, you have the right to withdraw your consent at any time; the withdrawal of consent will not affect the legality of the processing of your personal data, which I made before the withdrawal.

- **Right to lodge a complaint with a supervisory authority**

If you consider that the processing of your personal data is done with violation of the legal provisions, you can address the competent authorities.

The supervisory authority must inform you within a reasonable time of the progress and outcome of the complaint.

You have the right to exercise, on your own behalf or by authorizing an organization, a judicial remedy at law in the EU and in the EEA against a controller, a processor and a Supervisory Authority.

These rights may be limited in certain situations laid down by law. Such restrictions will be checked individually and will be communicated to the data subject depending on the situation.

2.12. How you can exercise your rights

To exercise one or more of these rights or to address any questions about any provision in this information or on any other matters of your processing by While1 Software, please submit your request relating to the protection of personal data, in writing, to the email address dpo@while1.biz, where they will be taken over by a person responsible for handling your requests regarding the protection of your personal data.

Your request should contain a detailed and precise description of the right you wish to exert.

You may need to provide us with a copy of an identification document in order to confirm your identity, your personal data being used in a limited way to the confirmation activity of your identity, stored for a limited period, according to the purpose declared and any other data contained in the copy of the identification document, which exceed the data requested by While1, such as a photograph or any other personal features, may be concealed by you or will be anonymised in processing.

At the time of identification, you will be informed of the documents or personal data necessary for your verification in our reference system. If you do not agree with the proposed solution and wish to propose alternatives, we will evaluate them on a case-by-case basis.

You will receive our answer to your requests, aiming at your personal data protection on your behalf, to the email address provided/authenticated in our system.

The term during which we handle your request regarding the protection of your personal data is 30 days from the date of receipt of the request.

3. Definitions of the used terms

- **Supervisory authority for the processing of personal data:** an independent public authority which, according to the law, has powers related to supervising the observance of the legislation of personal data protection.
- **Special categories of personal data (sensitive personal data/sensitive data):** personal data revealing racial or ethnic origin, political views, religious confession or philosophical beliefs or membership of trade unions; genetic data; biometric data for the unique identification of a natural person; data on health, sex life or sexual orientation of an individual.
- **Personal data:** any information on an identified or identifiable individual (called the "data subject"). An individual is identifiable if it can be identified, directly or indirectly, in particular by reference to an identification element, for example: name, identification number, location data, online identifier, one/more specific elements, particular for physical, physiological, genetic, mental, economic, cultural or social identity of that person. Thus, for example, in the notion of personal data, the following are included: name and surname; home or residence

address; email address; telephone number; personal identification number (PIN); accessed medical services (they are sensitive data); established diagnosis (they are sensitive data); genetic data (they are sensitive data); biometric data (they are sensitive data); geolocation data. The categories of personal data that concern you and which we process are listed above.

- **Recipient:** a natural or legal person, public authority, agency or other body to whom the personal data are disclosed, whether or not a third party. However, the public authorities to whom personal data may be reported in the context of a particular investigation in accordance with the European Union law or national law shall not be considered as recipients; the processing of such data by those public authorities shall comply with the applicable data protection rules, in compliance with the purposes of the processing.
- **Controller:** a natural or legal person deciding why (for what purpose) and how (by what means) personal data are processed. According to the law, the responsibility for complying with the legislation on personal data rests primarily with the controller. In relation to you, we are the controller and you are the data subject.
- **Processor:** any natural or legal person who processes personal data on behalf of the Controller, other than the controller's employees.
- **Data subject:** the physical person to whom (which "belong") certain personal data. In relation to us (the controller), you are the data subject.
- **Processing of personal data:** any operation/set of operations performed on personal data or on sets of personal data, with or without the use of automated means; for example: collection, registration, organisation, structuring, storage, adaptation or modification, extraction, consultation, use, disclosure by transmission, dissemination or making available in any other way, alignment or combination, restriction, deletion or destruction of such personal data/sets of personal data. These are just examples. Basically, processing means any operation on personal data, whether by automated or manual means.
- **Restriction of processing:** means the marking of stored personal data in order to limit their processing in the future.
- **Purpose of processing:** means the reason for the processing of personal data.

4. Changes to the Information Note

It is possible for us to change this note at any time and for any reason.

We will notify you of any changes thereto by publishing a new information note concerning personal data on www.while1.biz and by modifying the date for "last update".

It is your responsibility to periodically review this Note to find out about any modifications, if any.

This version entered into force on 3.03.2020.