



Privacy Policy

April 2021 Version

1. General

ShopWhizzy with a registered office at Rua Gil Vicente S/N, 4505 Santa Maria da Feira and registered with the Chamber of Commerce under number 212230913 (hereinafter "ShopWhizzy"), considers the protection of personal privacy to be extremely important. ShopWhizzy wishes to inform its customers and users as much as possible about its services while respecting their data and giving them control over what happens to them. ShopWhizzy wants to manage and use its customer data safely, respectfully, and with due diligence to provide better service to its customers and to offer the best possible experience. ShopWhizzy, therefore, starts from the principle that everyone must have control over their data. Below, you will find information about what data ShopWhizzy collects, why, how long for, and how you can control it.

ShopWhizzy invites its customers to take the time to thoroughly review this Privacy Policy, together with the General Terms and Conditions and any other conditions that may apply to its products and services.

2. Applicability

This Privacy Policy applies to all our customers (current, former, and future) and all visitors to the ShopWhizzy website(s).

The European General Data Protection Regulation 2016/679 of 27 April 2016 ("General Data Protection Regulation"), the law of 8 December 1992 ("Privacy Act"), the law of 13 June 2005 ("Electronic Communications Act"), and the accompanying implementing decrees, as well as any future changes hereto, regulate the protection of your data.

ShopWhizzy strives to fulfill its obligations and to respect the rights of the customer whenever ShopWhizzy processes your data.

3. Processing of personal data and responsibilities

"Personal data" means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

The personal data that ShopWhizzy collects and processes primarily concerns the data that customers enter themselves via the various pages of our website(s) and that ShopWhizzy obtains through your use of our website(s) and/or our products and/or services.

ShopWhizzy acts as the responsible party for processing the personal data of its customers for the purposes described in this Privacy Policy.

This does not detract from the fact that the customer has some obligations in connection with the processing of personal data that allows the customer to use ShopWhizzy's products and services. In this capacity, the customer must always obtain, where necessary, the legally required authorizations from the end-users for the processing of their data by ShopWhizzy insofar as necessary within the framework of ShopWhizzy's products and services.

4. Purposes for Processing Personal Data

ShopWhizzy processes personal data for various purposes, whereby the only data processed is that which is necessary to achieve the intended purpose.

Thus, we use personal data:

When we have received permission;

In the context of the preparation or performance of our contract;

To comply with the legal or regulatory provisions to which we are subject; and

When ShopWhizzy has a justified interest in this, such as, for example, as the case may be, direct marketing, fraud prevention, internal administration management, or monitoring of the appropriate network and information security, in which case we always strive for a balance between that interest and respecting the privacy of the person concerned.

Insofar as required, and with permission, ShopWhizzy collects personal data for the following concrete objectives.

To process an application for our products and services.

If you visit our website to collect and/or request information about our products and services, or if you sign up for ShopWhizzy's newsletter, for example, then ShopWhizzy needs your address details. All information that ShopWhizzy receives about you during this pre-contractual phase will only be used by ShopWhizzy to provide you with the requested information, in the way that you want. Also, if you ultimately decide to become a customer at ShopWhizzy, ShopWhizzy will ask you for some personal details, such as name, address, telephone number, e-mail address, and customer number, and ShopWhizzy will also assign certain data to you, such as login details.

To provide the best service and to inform about usage options.

ShopWhizzy uses personal data for setting up, maintaining, and supporting products and services, and for administrative purposes.

To track quality & performance.

ShopWhizzy may use personal data and consumer profiles to evaluate their products and services. This includes, among other things: requesting feedback on services (for example, via market research), data obtained during answers to customer questions, fraud detection, respect for the customer's rights, and quality assurance.

To comply with legal obligations.

In many cases, ShopWhizzy is legally obliged to keep certain personal data and/or communicate them to government agencies, for example, in the context of general tax and accounting obligations. In the context of a police or judicial investigation, ShopWhizzy can be obligated to communicate certain data to the requisite authorities in a confidential manner.

To keep track of studies, tests, and statistics, including trend analysis.

ShopWhizzy may use anonymous, aggregated data to, for example, report internally and externally on the use of its services. The data used for this cannot be traced back to a specific individual. The information that ShopWhizzy derives from these analyses is used to evaluate the current products and services portfolio and ShopWhizzy's processes and to adapt them to new developments.

5. Security

ShopWhizzy strives at all times to protect personal data and privacy, both in its physical offices and on the ShopWhizzy network. ShopWhizzy ensures appropriate organizational and technical measures to secure personal data.

ShopWhizzy's employees are trained to deal with confidential data correctly. In the case of privacy-sensitive projects, an assessment is also made concerning security and the protection of personal data. ShopWhizzy's information security policy, requirements, and management standards are fully modeled on the international ISO 27001 standard, for which ShopWhizzy has been certified since 2017. For the security of data, ShopWhizzy employs specific people who monitor compliance with legislation and ethical aspirations. ShopWhizzy also employs specialized personnel who are responsible for the security of the network, infrastructure, and information systems. Also, ShopWhizzy uses a variety of technical measures to protect personal data, such as password protection, hard disk encryption software, firewalls, antivirus software, intrusion and anomaly detection systems, and access control systems for employees.

If a data breach should occur with adverse consequences for personal data, the customer is personally notified under the conditions provided for by law.

The number of ShopWhizzy employees who have access to personal information is limited and they are carefully selected. These employees are granted access to personal information insofar as they need this information to perform their duties properly.

The existence and content of the personal communication that takes place via the ShopWhizzy network (for example email traffic, and hosting...) are protected by the provisions for telecommunications secrecy. This means that ShopWhizzy and its employees may not have any knowledge of the existence or content of such communication, outside of the exceptions enumerated by the law.

ShopWhizzy websites sometimes mention links to third-party sites (social media, organizers of events sponsored by ShopWhizzy) whose terms of use do not fall within the scope of this Privacy Policy. Please read carefully their policy on the protection of personal data.

6. Provision of data to third parties

ShopWhizzy does not sell personal data to third parties nor is data passed on to third parties unless:

ShopWhizzy passes on personal data to any legal successors and affiliated companies (such as subsidiaries and sister companies) for the same purposes as those stated in this Privacy Policy.

This is necessary for our service provision.

For some aspects of our products and services, we cooperate with third parties or engage subcontractors. These third parties are always selected very carefully and there is always an agreement between ShopWhizzy and these third parties in accordance with

the applicable legislation. Thus, ShopWhizzy uses, among others, service providers for domain name registrations, email service providers, SSL certificate providers, providers of cloud connect services, providers of site builder services, providers of online desktop services, and providers of online fax services. For more information about our sub-contractors, you can always contact us via the contact details under point 10.

If you purchase from ShopWhizzy an (online) product or service from a manufacturer or supplier based outside the European Union, additional measures may be necessary to ensure the security of personal data, such as a certification under the EU-US Privacy Shield and/or a processor agreement with model clauses drawn up by the European Commission.

When a person refuses to have his details passed on, it is possible that some services can no longer be offered by ShopWhizzy.

There is a legal obligation.

For this, ShopWhizzy refers you to point 4 of this Privacy Policy.

There is a legitimate interest for ShopWhizzy or the third party concerned.

This only happens providing the interests or fundamental rights and freedoms of the person concerned do not override that interest.

ShopWhizzy has received permission from the person concerned.

If ShopWhizzy should provide personal data to third parties by other means, this will be done with explicit communication, in which an explanation about the third party is given, together with the purposes of the transfer and processing. Where required by law, ShopWhizzy obtains express and unambiguous consent from the data subject. The data subject also always has an option to object (see below).

Regarding the international transfer of personal data, ShopWhizzy protects all personal data in accordance with the level of protection required by European regulations.

In some cases, ShopWhizzy uses anonymous, aggregated data for commercial purposes or external reporting. This data can never be traced back to a specific individual.

7. Rights of the data subjects

You can exercise several rights regarding the processing of your data with respect to ShopWhizzy, insofar as you have those rights under the applicable legislation.

You can exercise these rights by using the contact details mentioned under point 10 of this Privacy Policy. ShopWhizzy will respond to such requests and may or may not comply

with such requests in accordance with applicable law and principle within one (1) month, also in accordance with applicable law.

To exercise your rights and prevent any unauthorized disclosure of your data, you must provide us with proof of your identity. We, therefore, ask that you preferably attach a copy of the front of your identity card to your application. The application can be sent using the details mentioned under point 10 of this Privacy Policy.

Right of objection

You have the right to object at any time to the processing of your data based on the legitimate interest of ShopWhizzy on grounds relating to your particular situation. If you object, ShopWhizzy will no longer process such personal data unless ShopWhizzy demonstrates compelling legitimate grounds for the processing that override your interests, rights, and freedoms, or for the establishment, exercise, or defense of legal claims.

Right of access and transparency

You have the right to access the data (free of charge) that relate to you and to obtain a copy of this personal data. You can also ask us:

Whether we process personal data about you;

For what purposes do we process them;

Which categories of personal data do we process;

With which categories of third parties we share your data;

What is the origin of the processed data is;

What your rights are.

Right to rectification and erasure

You are entitled to have incomplete, incorrect, inappropriate, or outdated personal data corrected or supplemented as a data subject. For this purpose, our customer service can be contacted from a registered address or your data can be amended via the online portal "service.byte.nl". To keep your data up to date, we request that you notify us of any changes, such as if you move house.

You also have the right, without undue delay, to have your data deleted if and insofar as:

- A. the personal data are no longer required for the purposes;
- B. there is no longer a legal ground for the processing;
- C. you object to the processing, and there are no overriding legitimate grounds for the processing by ShopWhizzy;

- D. the personal data have been unlawfully processed; or
- E. the personal data must be erased for compliance with a legal obligation that applies to ShopWhizzy.

ShopWhizzy will send you a confirmation message after complying with an erasure request. In the case of partial erasure, ShopWhizzy will also explain why the request could not be fully met.

Depending on the nature of the request, it is possible that some services can no longer be offered by ShopWhizzy. ShopWhizzy is also not always able to erase all requested data, for example, to comply with legal obligations (e.g. to meet accounting and fiscal obligations, ShopWhizzy is required to retain invoicing data for a maximum of 7 years).

Right to restriction of processing

As a data subject, you also have the right to have ShopWhizzy restrict the processing of your data, if and insofar as one of the following applies:

- A. you contest the accuracy of the personal data, in which case the processing is limited during a period enabling ShopWhizzy to verify their accuracy;
- B. the processing is unlawful and you oppose the erasure of the personal data and request the restriction of their use instead;
- C. ShopWhizzy no longer needs personal data for processing, but you require them for the establishment, exercise, or defense of legal claims;
- D. you have objected to processing, pending the verification of whether the legitimate grounds of ShopWhizzy override those of the data subject.

In case of restriction of processing, the data may still be stored by ShopWhizzy.

Right to data portability

For personal data that are (i) processed in the context of the performance of the agreement, (ii) provided by yourself, and (iii) processed through automated processes, you as a data subject have the right to obtain these data from ShopWhizzy in a structured, commonly used and machine-readable format, and to request ShopWhizzy to transmit those data directly to another party, providing technically possible, if you wish to switch providers.

8. Retention periods

ShopWhizzy stores and processes your data for as long as is necessary to achieve the objectives described in point 4.

The retention period can therefore differ for each purpose, for example, to meet legal obligations (e.g. to meet our accounting and fiscal obligations, ShopWhizzy is obliged to keep records for up to 7 years) or for the legal necessity to provide certain data as evidence in case of disputes for up to a maximum of 10 years after termination of your contract. These archived data are, of course, only accessible to a limited extent.

9. Cookies & the website

Apart from the information that you voluntarily share with ShopWhizzy when using our websites, ShopWhizzy also uses cookies and other technological means to collect data.

Websites

All information, whether in the form of text, files, or images, or any other form, is made available by ShopWhizzy for information purposes only.

Any interested person may take note of this information, but ShopWhizzy reserves the right, at the time it considers appropriate, to change the rules and conditions concerning access to the use of the website without prior warning, or to subject the entire website or parts thereof to a restriction.

Access to such private sections of the website can be made dependent on the provision of information by the visitor/user of the website. The visitor/user who provides this information explicitly agrees that this information becomes the property of ShopWhizzy and that by the mere communication of information to ShopWhizzy, the latter will be given express permission to use information per the Privacy Policy.

The provision of access to the private section of ShopWhizzy's website through the use of usernames and passwords can be changed or refused by ShopWhizzy at any time without leading to any compensation.

Cookies

On our website, use is made of cookies or similar technologies where information on the device is stored and/or read (for ease of reading, all such techniques are called 'cookies' here). For more information about which cookies we use, why and how, and what your choices are, please click here for our cookie policy.

10. Changes

ShopWhizzy reserves the right to amend this Privacy Policy. Changes will always be published on this website before they come into force. We recommend that you regularly consult this Privacy Policy so that you are aware of these changes.

Bruno Gaiteiro, ShopWhizzy
Aveiro, Portugal
30/09/2023

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