

## PRIVACY POLICY

Last updated: October 2024

### 1. OBJECT

At **TEMBEZA INTERNATIONAL S.L.U.** (hereinafter, "**TEMBEZA**", "**we**", "**our**", "**us**") want to offer you, as a user (hereinafter, the "**User**", "**you**", "**you**" and "**yours**"), a secure experience and service in our web environment, located in <<https://tembeza.com>> (hereinafter, the "**Website**").

Consequently, we have implemented this Privacy Policy that complies with the security measures required by Organic Law 3/2018, of 5 December, on the Protection of Personal Data and guarantee of digital rights ("**LOPDGDD**"), by the EUROPEAN DATA PROTECTION REGULATION 679/2016, OF 27 APRIL, ON THE PROTECTION OF NATURAL PERSONS WITH REGARD TO THE PROCESSING OF PERSONAL DATA AND ON THE FREE MOVEMENT OF SUCH DATA ("**GDPR**") and by Law 34/2002, of 11 July, on information society services and electronic commerce ("**LSSICE**"), all with the aim of guaranteeing your privacy and being transparent with the use of your data.

In fact, by means of this Privacy Policy, the User is informed that the personal data you provide through the Website, as well as the data derived from your browsing and any other data that you may provide in the future, will be processed by us as the Data Controller according to the legal definition of the GDPR and in the terms explained below. Therefore, the User must carefully read this Privacy Policy, which has been drafted in a clear and simple way, to facilitate its understanding.

### 2. IDENTIFICATION

- **Owner:** TEMBEZA INTERNATIONAL, S.L.U.
- **Registered office:** Moll Barcelona S/n, World Trade Center P.2 Ed.sur 08039, Barcelona, Spain
- **CIF:** B67356253
- **Registry data:** Mercantile Registry of Barcelona, Volume 47742, Folio 91, Sheet number B-529139, 1st Entry
- **Email:** [rgpd@tembeza.com](mailto:rgpd@tembeza.com)

### 3. OBLIGATION TO PROVIDE DATA

The data requested in the forms on the platform are, in general, mandatory (unless otherwise specified in the required field) in order to comply with the purposes for which they are being collected, obtaining only those that are strictly necessary to guarantee the correct functioning of the Website. Therefore, if they are not provided or are not provided correctly, the services offered through the Website cannot be adequately provided.

### 4. FOR WHAT PURPOSE WILL TEMBEZA PROCESS THE USER'S DATA?

The User's personal data will be processed by **TEMBEZA** in accordance with the following purposes:

- Provision of services and functionalities to Users, as well as communication of relevant information in relation to such services and functionalities of the application, such as (i) New updates; ;(ii) New benefits.
- Response to questions raised through the contact forms and/or the different communication channels offered to the User.
- Attention to the exercise of the User's rights.
- Optimization and maintenance of services, functionalities and contents, as well as the detection of errors and problems with the Website.
- Sending personalized commercial communications.

### 5. WHAT USER DATA WILL TEMBEZA PROCESS?

User Data processed by TEMBEZA:

- (i) Identification data.
- (ii) Contact details.
- (iii) Personal characteristics data.
- (iv) Browsing data in **TEMBEZA**.
- (v) Other data provided by the User in the open fields of the forms or functionalities offered by **TEMBEZA**.

## **6. WHAT IS THE LEGITIMACY OF THE PROCESSING OF USER DATA BY TEMBEZA?**

The processing of the User's data by **TEMBEZA** is legitimized by (i) their consent, (ii) in compliance with the agreement for the provision of services existing between the parties, (iii) in the legitimate interest of **TEMBEZA** and, (iv) in compliance with the legal obligations that affect **TEMBEZA**. In particular, **TEMBEZA** processes the data on the following legal bases:

### **a) Provision of services and functionalities to Users, as well as communication of relevant information in relation to said services and functionalities of the Website, such as (i) New updates; (ii) New benefits.**

All processing derived from this purpose will have as a basis of legitimacy the fulfilment of the contractual relationship. Where appropriate, commercial communications via electronic or newsletter may also be based on the User's consent when completing the corresponding forms and ticking the appropriate checkboxes and acceptance.

### **b) Response to questions raised through the contact forms and/or the different communication channels offered to the User.**

The processing of data derived from this purpose is the fulfilment of the contractual relationship or for the application of pre-contractual measures at the User's request.

### **c) Attention to the exercise of the User's rights.**

All processing derived from this purpose will have as a basis of legitimation compliance with legal obligations, in accordance with the provisions of the applicable regulations on data protection.

### **d) Optimization and maintenance of services, functionalities and contents, as well as the detection of errors and problems with the Website.**

All processing derived from this purpose will have as a basis of legitimacy the legitimate interest, recognized to the data controller by data protection regulations. This legitimate interest is based on being able to offer Users the services of **TEMBEZA** with the highest quality and best possible experience.

### **e) Sending personalized commercial communications.**

The processing derived from this purpose will have as a legitimate basis the legitimate interest, recognized to the data controller by the applicable regulations. This legitimate interest is based on the consideration of the interest of Users as customers of **TEMBEZA** in offering them services through direct marketing, through email or *push* notifications on their devices, where applicable. Likewise, and as previously reported, it may be the case that commercial communications via electronic or newsletter are based on the User's consent when completing the corresponding forms and ticking the appropriate checkboxes and acceptance.

Finally, it is worth mentioning that it could be that the User has given their consent for **TEMBEZA** to **process** the data for some purpose other than those mentioned in this Privacy Policy, where the User will be duly informed of such processing, and the User is entitled to revoke said consent by contacting **TEMBEZA** through the following email:

**E-mail:** [rgpd@tembeza.com](mailto:rgpd@tembeza.com)

Again, we would like to inform you that we will respond to your complaints or queries as soon as possible and, in any case, within a maximum period of one (1) month.

## **7. WITH WHOM WILL THE USER'S DATA BE SHARED?**

The personal data provided by the User through the Website may be communicated to:

- (i) The Public Administrations in the cases provided for by law.
- (ii) Courts and Tribunals in the cases provided for by law.
- (iii) The State Security Forces and Corps in the cases provided for by law.
- (iv) Our suppliers in the event that they act as Data Processors in accordance with the provisions of the GDPR. In this case, a data processor contract will be formalized in accordance with the provisions of data protection regulations with these suppliers to guarantee the security and lawful processing of your data.

## **8. INTERNATIONAL DATA TRANSFERS**

**TEMBEZA** does not carry out international data transfers. Notwithstanding the foregoing, the User is informed that **TEMBEZA**, in the event that it contracts services with third party companies that are located outside the European Economic Area and that have access to the Users' data, will adopt the appropriate guarantees in accordance with the GDPR, maintaining in all cases the security, confidentiality and duty of secrecy regarding the data. For example, **TEMBEZA** could sign with suppliers the Standard Contractual Clauses approved by the European Commission.

## **9. DATA RETENTION**

The personal data provided by the User will be kept for the following periods:

### **a) Provision of services and functionalities to Users, as well as communication of relevant information in relation to said services and functionalities of the Website, such as (i) New updates; (ii) New benefits.**

The data provided for the provision of services and functionalities of the Website, as well as communications, will be kept for the time in which the User makes use of the Website and, once this relationship has ended, for the period of limitation of the legal actions that may arise from it.

### **b) Response to questions raised through the contact forms and/or the different communication channels offered to the User.**

The data provided through the contact forms and the different communication channels made available to the User will be kept for the period necessary to process and respond to the request and, once this has been completed, for the period of limitation of the legal actions derived from the aforementioned request.

### **c) Attention to the exercise of the User's rights.**

The data used to exercise the Users' rights will be kept for the period necessary to process the right requested by the User and, once this right has been fulfilled, they will be kept until the statute of limitations of any liabilities arising from this processing.

### **d) Optimization and maintenance of services, functionalities and contents, as well as the detection of errors and problems with the Website.**

The data used for the optimization of the services and detection of errors and problems on the Website will be kept for the period necessary to process and carry out the aforementioned optimization and error detection work and, once the same has been carried out, for the limitation period of any legal actions that may arise from them.

### **e) Sending personalized commercial communications.**

The data used to send personalized commercial communications will be processed until the User opposes or withdraws their consent.

In any case, **TEMBEZA** will duly block the personal data of the Users, not having access to them at the time when they are no longer necessary to comply with the purpose for which they were collected, being processed only in the event that it is required to do so by the competent judicial or administrative authority in the cases expressly established in the Law.

## **10. RESPONSIBILITY OF THE USER**

The User guarantees that he/she is over eighteen (18) years of age and that the data he/she provides to **TEMBEZA** is true, accurate, complete and up to date. To this end, the User is responsible for the veracity of all the data provided and will keep the information provided suitably updated, so that it corresponds to their real situation. In the same way, the User guarantees that they have informed and obtained the authorization of the third parties for whom they provide their data on the aspects contained in this document, as set out above. In any case, the User will be responsible for any false or inaccurate information provided through the Website and for any direct or indirect damages that this causes to third parties.

## **11. EXERCISE OF USER RIGHTS**

The User may send a letter to **TEMBEZA**, at the address indicated in the heading of this Privacy Policy, or by email to the address: [rgpd@tembeza.com](mailto:rgpd@tembeza.com), at any time and free of charge, to exercise the following rights. However, and only in the event that there are reasonable doubts about the identity of the User, the User may be asked to provide a copy of his/her ID card for the purpose of proceeding only to diligently identify the same.

### **a) Right of Access:**

You have the right to be informed about whether or not we are processing your personal data and, if so, you will be able to access such data and receive information about the purposes for which they are processed, the categories of data affected by the processing, the recipients to whom your personal data were communicated and the expected period of data retention, among other information.

### **b) Right of Rectification and Deletion:**

You have the right to request the deletion of your personal data provided that the applicable legal requirements are met, and the rectification of inaccurate data concerning you when, among other reasons, these are no longer necessary for the purposes for which they were collected.

### **c) Limitation of processing, Revocation of consent and Total or partial opposition to processing:**

In certain circumstances (for example, in the event that the applicant contests the accuracy of their data, while the accuracy of the same is verified), you may request that the processing of your personal data be restricted, which will only be processed for the exercise or defense of claims.

You also have the right to revoke your consent and object to the processing at any time, on grounds relating to your particular situation, if the processing is based on our legitimate interest or the legitimate interest of a third party (including processing for the purpose of direct marketing and profiling). In this case, we will cease the processing, unless there are legitimate reasons.

### **d) Portability of your data**

You will have the right to receive the personal data you have provided to **TEMBEZA** in a structured, common and machine-readable format, and to be able to transmit them to another data controller without being prevented from doing so by the data controller to whom they were provided, in the cases legally provided for this purpose.

### **e) Automated individual decisions**

In addition, in addition to the above-mentioned rights, in the event that automated decisions, including profiling, are taken that produce legal effects on you or similarly significantly affect you, you have the right to

obtain human intervention from **TEMBEZA** and to express your point of view and to challenge the decision. However, as a rule, we do not make automated individual decisions.

#### **(f) Other**

You may file a complaint regarding the protection of your personal data with the Spanish Data Protection Agency at the address C/Jorge Juan, 6, 28001 – Madrid ([www.aepd.es](http://www.aepd.es)) when you consider that we have violated the rights that are recognized by the applicable data protection regulations.

Finally, and as has been repeated on several occasions in this Privacy Policy, we will resolve your requests as soon as possible and, in any case, within a maximum period of one (1) month.

## **12. SOCIAL NETWORKS**

**TEMBEZA** might have corporate profiles on certain social networks such as Instagram or LinkedIn, among others. Thus, by virtue of the provisions of the regulations and legislation applicable to the protection of personal data, the company behind each social network is considered responsible for the processing of the data.

This means that, if you decide to join our corporate profile as a follower or by liking our content or profile, both the company behind the social network and we will be the data controllers and, as far as we are concerned, the conditions set out herein in relation to the processing of your personal data will apply. However, we inform you that there is no link between **TEMBEZA** and these platforms or social networks, so **TEMBEZA** is not responsible for the use or processing of your data by these social networks.

## **13. SECURITY MEASURES**

**TEMBEZA** will treat the User's data at all times in an absolutely confidential manner and maintaining the mandatory duty of secrecy with respect to them, in accordance with the provisions of the applicable regulations, adopting for this purpose the necessary technical and organizational measures to guarantee the security of your data and prevent its alteration, loss, processing or unauthorized access, taking into account the state of technology, the nature of the data stored and the risks to which they are exposed.

## **14. CHANGES**

**TEMBEZA** reserves the right to revise its Privacy Policy at any time it deems appropriate, in which case, it will be communicated to Users. For this reason, please check this privacy statement regularly to read the most recent version of the Privacy Policy and to be fully aware of the processing activities carried out by **TEMBEZA**.

## **15. ACCEPTANCE AND UNDERSTANDING**

The User declares to have been informed of the conditions on the protection of personal data, accepting and understanding the content of this Privacy Policy. Otherwise, do not accept the Privacy Policy or use the Website.

## **16. COOKIES**

The Website uses third-party cookies or similar to monitor and improve certain functionalities and services. If you want to consult what our policy is in this regard, as well as configure the installation of cookies according to your preferences on the Website, visit our [Cookies Policy](#).

## **17. OTHER LEGAL TEXTS**

This Privacy Policy is complemented by the [Cookies Policy](#) and the [Legal Notice](#). All this without prejudice to any other regulation or legal text that may need to be added, complemented, or taken into account in compliance with the provisions of the legislation in force at any given time.