

# INFORMATION NOTE REGARDING THE PROCESSING OF PERSONAL DATA ON DIGI-COMMUNICATIONS WEBSITE

Effective date: 15 th October 2018

This document includes information on the following subjects:

|  |   |   |    |
|--|---|---|----|
| 1. WHO WE ARE .....                    | 1 | 5. HOW WE SHARE THE INFORMATION .....                 | 4  |
| 2. WHAT DATA WE PROCESS ABOUT YOU .    | 1 | 6. CONTACT INFORMATION .....                          | 5  |
| 3. YOUR RIGHTS .....                   | 2 | 7. COOKIES .....                                      | 5  |
| 4. THE RIGHT TO MAKE A COMPLAINT ..... | 4 | 8. AMENDMENTS REGARDING THE<br>INFORMATION NOTE ..... | 12 |

## 1. WHO WE ARE

**DIGI COMMUNICATIONS N.V.** (hereinafter referred to as „Digi” or „we”/„us”) is a public limited liability company (*naamloze vennootschap*) incorporated under the laws of the Netherlands, having its official seat in Amsterdam, the Netherlands and is registered with the trade register of the Dutch Chamber of Commerce under number 34132532 and it has its fiscal address at Dr. N. Staicovici 75, 4<sup>th</sup> Floor, Forum 2000 Building, Bucharest – 5<sup>th</sup> District, Romania, tel: 031.400.65.05, fax: 031.400.65.05 and tax identification code in Romania: RO37449310.

We collect and process different categories of personal data from you as a user of the website [www.digi-communications.ro](http://www.digi-communications.ro) (hereinafter referred to as the "website" or "webpage"), which, in accordance with the EU legislation on the protection of personal data, makes us the controller for such data.

Protecting your personal data is very important to us. This Information Note on the processing of personal data presents our practices regarding the collection and use of your personal data as a result of your interaction with our website.

**Please read carefully this Information Note in order to understand how we process your personal data.**

***If you want to read about the cookies we use, go to Section 7 – COOKIES.***

## 2. WHAT DATA WE PROCESS ABOUT YOU

We process the following data concerning you, when you access our website:

- |  |  |
|--|--|
| 2.1 Using the website  | 2.2 Creating a user account.           |
| 2.3 Purchasing a product or a service.                               | 2.4 Asking for technical support.      |
| 2.5 Subscribing to our newsletters                                   | 2.6 Making the profiling of our users. |
| 2.7 What happens when you do not provide us with your personal data? |  |

### 2.1 Use of Website

The website automatically collects certain information and stores them in the log files. This information includes the Internet Protocol (IP) address, the general location of your computer

or device (at city-level), the browser type, the operating system, the time of access, the link to the visited page, the page viewing history of our website.

We use this information to design our site in a way that it better adapts to our users' needs. We may also use your IP address to help diagnose problems related to our servers and manage our webpage, to analyze trends, to track visitors' movements, and to gather general demographic information that helps us identify visitors' preferences. The basis of the processing is our legitimate interest to monitor the activity on the website and ensure the security of the website. The information is kept for one year as of the visit date.

Our webpage also uses cookies, which you can read about at Section 7 below. As a general rule, we need your consent to place cookies that are not strictly necessary for the functionality of the webpage, and we ask your consent when you enter the website. You may change your *cookie choices* at any time. Instructions in this regard are included in the Cookies Policy (Section 7 below).

## **2.2 When you subscribe to our newsletters**

We will not use your data to send you business communications (news, special offers, etc.) unless you specifically opt for such communication. When you subscribe to receive our newsletters, we will process your name, company, email address and country for this purpose, and the legal ground of the processing is your consent.

In all cases, we will make sure that you have a simple option to unsubscribe at any time either in the proper communication or by contacting us as specified at Section 6 below. When you unsubscribe, the business communication will cease.

Your email address will be shared with your e-mail delivery provider. Your data will not be transferred outside the European Union.

## **2.3 What happens when you do not provide us with your personal data?**

You can visit our webpage without giving any personal data. However, if you want to subscribe to our newsletters, you need to create an account and provide us with your data. We have set up the required fields so that we require the minimum information to send you the solicited newsletters.

## **3. YOUR RIGHTS**

In capacity of data subject, you have specific legal rights on the personal data we collect from you. Digi will respect your rights and answer your requests properly.

- (a) The right to withdraw your consent:** If you gave consent for processing your personal data, you may withdraw such consent at any time. In case of business communications, such withdraw may be done from each communication or from account settings, in addition to the contact method set out in Section 6 below.
- (b) The right to access personal data:** You may request information about the personal data we hold about you, including information about the categories of data we hold or control, for what they are used, the source from which we collected them if we obtained them indirectly, and to whom such data are disclosed, if applicable. We will give you a copy of your personal data, upon request. If you request multiple copies of your personal data, we can charge you a reasonable fee based on administrative costs. You are entitled to receive information about the protection measures we apply for transferring your personal data to a country outside the European Union and the European Economic Area, if you ask us to confirm whether we are processing your personal data, and we will transfer your personal data to a country outside the European Union and the European Economic Area.
- (c) The right to rectify personal data:** You have the right to obtain from us the rectification of your personal data. You can use the account settings in this regard, and you can contact us in the way set out in Section 6 below.

- (d) **The right to restrict the processing:** You have the right to obtain from us the restrictions on the processing of your personal data under certain conditions:
- you dispute the accuracy of your personal data for the period when we need to check the accuracy of your personal data;
  - the processing is illegal but you oppose the erasure of your personal data requiring us to restrict their use;
  - we no longer need your personal data, but you require them in order to set out, exercise or defend a right in Court; or
  - you oppose the processing for the period when we check whether our legitimate rights prevail over yours
- (e) **The right to personal data portability:** You have the right to obtain from us the personal data you provided us, and if it is technically practical, to require us to send your personal data (provided to us) to another organization.
- You may exercise the two rights mentioned above provided that the following conditions are met cumulatively:
- our processing of personal data is made by automatic means;
  - our processing of personal data is performed according to your consent or the processing is necessary for the performance of an agreement in which you are a contracting party;
  - your personal data are provided by you; and
  - Delivery of your personal data does not affect the rights and freedoms of others.
- You have the right to receive your personal data in a structured, commonly used and readable format.
- Your right to receive your personal data will not have a negative effect on the rights and freedoms of others. This might happen if delivery of your personal data to another organization also involves the delivery of personal data to others (who do not consent to such delivery). The right to have your personal data delivered by us to another organization is a right you have if such delivery is technically practical.
- (f) **The right to erase personal data:** You have the right to obtain from us the erasure of your personal data, without unjustified delays, under certain conditions such as:
- your personal data are no longer needed to fulfil the scopes for which they were collected;
  - you oppose the processing for reasons related to your particular situation;
  - personal data have been illegally processed;
  - personal data must be erased in order to comply with a legal obligation binding upon the controller,
- except when the processing is required:
- to exercise the right of freedom of speech and information;
  - to comply with a legal obligation;
  - to be archived in the public interest, for science or for historical studies, or for statistical purposes; or
  - for finding, exercising or defending a right in Court.
- (g) **The right to opposition:** If the processing does not require your consent and is subject to legitimate interests of us or of third parties, you may object at any time to the processing of your personal data for reasons related to your personal situation. In this case we will cease to process your personal data, except for the case when (i) we may prove legitimate and compelling reasons that justify the processing and prevail over your interests, rights and freedoms, or (ii) the scope is to establish, exercise or defend a right in Court. If you object to the processing, please specify to have your personal data erased, otherwise we will only restrict them. You may always oppose the processing of your personal data for marketing subject to our legitimate interest,

whichever your reason. If the marketing was based on your consent, you may withdraw your consent.

**Please remember:**

- **Time Period:** We will try to answer your complaint within one month, which can be extended up to maximum 2 months due to specific reasons related to the specific right invoked or to the complexity of your request. However, if this period is extended, we will inform you on the extension and the reasons leading to the extension.
- **Restriction of Access:** In certain circumstances, we might not be able to grant you access to all or part of your personal data because of legal restrictions. If we refuse your access request, we will inform you on the reason of our refusal.
- **Impossibility of Identification:** In certain circumstances, we might not be able to identify your personal data because of the identification elements provided by you in your request. In such cases, if we cannot identify you as the data subject, we will not answer to your request under this section, unless you provide us with additional information to allow us to identify you. We will notify you and give you the opportunity to provide us with such additional information.
- **Exercise of Rights:** In order to exercise your rights, you may contact us in writing (including electronically) using the contact information provided at Section 6 below.

#### **4. THE RIGHT TO LODGE A COMPLAINT**

If you have a complaint about the way we process your data, we would prefer you to contact us directly in order to settle your issue. However, you may contact the supervisory authority from our headquarters (Romania, with the contact details below) or the supervisor authority from your country of residence. Therefore, you may contact the National Supervisory Authority for Personal Data Processing in Romania ([www.dataprotection.ro](http://www.dataprotection.ro)).

#### **5. HOW WE SHARE THE INFORMATION**

We will not disclose your personal data except for the purposes and to the third parties described below. We will take appropriate steps to ensure that your personal data are processed, secured and transferred in accordance with the legal requirements.

##### **5.1 Disclosure to Third Parties**

We will share the required part of your personal data only to the extent necessary and to the following categories of third parties:

- (a) Companies that provide us relevant services for the website such as: traffic analysis, IT systems providers, and maintenance service providers. A list of these services may be received on request. Regarding the companies that place cookies through the website, you may find such information in Section 7 below.
- (b) Other entities such as the public authorities and institutions, accountants, auditors, lawyers and other external professional counselors, if their work requires knowledge of personal data, or if the law requires us to disclose them.

We will also disclose your personal information:

- (a) to third parties, if you require so or give us your consent to do so;
- (b) to the individuals who can demonstrate that they have the legal authority to act on your behalf;

- (c) if it is our legitimate interest to do so in order to manage, expand or develop the commercial activity, for example if Digi (or a substantial part of its assets) is acquired by a third party, in which case the personal data owned by Digi will constitute one of the transferred assets;
- (d) if we have an obligation to disclose your personal data to comply with a legal obligation, any legal request from the government or executive authorities, and as may be necessary, to meet certain national security requirements or enforce law or to prevent certain illegal activities;
- (e) to answer any claim, to protect our rights or of a third party, to protect the safety of any person or to prevent any illegal activity.

## 6. CONTACT INFORMATION

You may address your questions on data protection and any request for the exercise of your rights to the following contact information of our Data Protection Officer:

To the attention of: Data Protection Officer  
 E-mail: [responsabilprotectiadatelor@rcs-rds.ro](mailto:responsabilprotectiadatelor@rcs-rds.ro)  
 Address: Bucharest, Dr. Staicovici 75, Forum 2000 Building, Phase 1, fl. 2, district 5

## 7. COOKIES

### 7.1 What are cookies and why we use cookies?

Cookies are text files stored on your computer or mobile device when you visit our website. Your first party cookies are set on the domains you are currently visiting. Third party cookies are set on domains other than those of the websites you visit, such as cookies set by services used by the domain you are visiting. The information collected by cookies does not retain the names, the data filled in the forms or other personal data of this kind, but they contain a unique ID to differ one visitor from another, which makes such ID a personal data.

Cookies may be used for various scopes. First of all, they may be necessary to ensure the proper functioning of the website. For example, without cookies, it may be difficult for the website to remember that you are logged in or what products you added in your shopping cart. These are called **necessary cookies**, and are active automatically not depending on the visitor's consent.

The **analytics cookies** collect information about how visitors use a web page, such as which are the most popular pages, which method of linking the pages is the most effective and whether users receive error messages from the web pages. Such cookies enable us to give you a high-quality user experience and also allow us to measure the audience of the web pages. Cookies are designed to help us improve the way our website works. Even if cookies are unique, website usage statistics are not related to individuals.

To choose not to be tracked by Google Analytics, please visit <http://tools.google.com/dlpage/gaoptout>

### 7.2 What cookies do we use?

The cookies stored when you visit our site are as follows:

- (a) strictly necessary cookies, strictly required

| Name | Scope | Lifetime |
|------|-------|----------|
|------|-------|----------|

|                          |  |                 |
|--------------------------|--|-----------------|
| <b>cookie_disclaimer</b> | is used to retain the option from the cookies pop-up alert.  | 1 year          |
| <b>ci_session</b>        | this file is used to establish the connection session of the user who visits the website. This is a type of identification and management of the connection status of a concrete user. | Browser Session |

**(b)** traffic analysis cookies:

| Family           | Name               | Scope  | Lifetime     |
|------------------|--------------------|--|--------------|
| Google Analytics | _ga                | Google Analytics is a web analytic service. It generates the unique ID of a user to store the visits made by such user to our site and its interaction with our site. In addition, it indicates the end of the session, the location (at city level), and the keywords used (if the user goes to the webpage through Google Search).<br><br><u><a href="#">Read here Google's Privacy Policy in Google Analytics.</a></u><br><br><u><a href="#">In addition, you can read here more about how Google uses the Traffic Analysis Service and stored cookies.</a></u> | 2 years      |
|                  | _gid               |  | 24 hours     |
|                  | _gat               |  | 1 minute     |
|                  | AMP_TOKEN          |  | up to 1 year |
|                  | _gac_<property-id> |  | 90 days      |
|                  | __utma             |  | 2 years      |
|                  | __utmt             |  | 10 minutes   |
|                  | __utmb             |  | 30 minutes   |
|                  | __utmc             |  | Close tab    |
|                  | __utmz             |  | 6 months     |

### 7.2.2 Your Cookies Choices

Cookie Choices may be configured from our website - you can choose the level you want, the default level being that which accepts only the necessary cookies. Using these settings on our site may not delete the cookies already set. You can delete cookies from your web browser settings as described below; however, this option will delete persistent cookies that could store your preferences and customized settings on our page, meaning that you might need to re-select (and eventually re-authenticate your accounts). Note also that your browser may allow you to specify which websites always have or never have the permission to use cookies. For more details on how to delete cookies or how to manage cookies on different browsers, you may visit the following links:

[Cookies settings in Internet Explorer](#)

[Cookies settings in Firefox](#)

[Cookies settings in Chrome](#)

[Cookies settings in Safari web and iOS](#)

IAB made available the web page below to specifically provide information about privacy issues related to Internet advertising: <http://www.youronlinechoices.com/en/>

Comprehensive information on how the organizations are using cookies is available on: [www.allaboutcookies.org](http://www.allaboutcookies.org)

**8. AMENDMENTS WITH REGARD TO THE INFORMATION NOTE**

We reserve the right to amend the data protection practices whenever we consider appropriate, and to update and modify this note at any time. For this reason, we encourage you to periodically check this note. This information note is updated at the date specified at the beginning of the document.