

PRIVACY POLICY
Customers and Corporate contacts



ACTE AS
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1 PURPOSE

This internal policy contains guidelines for how personal data in relation to consumers and contacts at corporate customers shall be processed by the Company. These guidelines should be followed by all employees that process such personal data.

This policy supplements the General Internal Handling Policy.

2 REGISTER

The Company shall maintain an updated register of the processing of consumers' personal data in relation to contacts at corporate customers. The register is in the tool Microsoft Excel. In the register, there is information about what personal data are being processed, for what purposes, in what databases and systems the data are stored in etc.

3 CONTROLLER

The Company is the controller for the processing of the personal data.

However, if a payment solution is provided by external suppliers on the Company's website, the Company is not the controller in respect of the personal data that was expressly collected and processed by the external supplier, for example. Klarna. However, if the external supplier should share personal data with the Company for any reason, e.g. personal data that are necessary for the Company to administer the purchase, the Company will become the controller in relation to the Company's handling of the personal data.

4 TYPES OF PERSONAL DATA THAT ARE BEING PROCESSED

4.1 Consumers

The Company processes the following information from consumers: ACTE AS are currently not doing business direct with private consumers.

- Name
- Address
- Phone number
- E-mail address
- Purchasing history

Contacts at corporate customers and private businesses

The Company collects the following information in respect of contacts at corporate customers.

- Name
- Address
- Phone number
- E-mail address
- Civic registration number of private businesses
- Purchasing history.

5 PURPOSE AND LEGAL GROUND

Each form of processing of personal data must have a specific **purpose**. In addition, there must be a **legal ground** for the processing/purpose. A legal ground e.g. can be consent, agreement or a balancing of interests.

5.1 Consumers

5.1.1 Customer administration

The consumers' names and contact details are processed for **the purpose** of the Company being able to administer consumer orders and handle any returns and similar customer administration. The **legal ground** is that it is necessary for the Company to be able to fulfill the agreement with the consumer.

The consumers' purchasing history is processed for the purpose of handling any returns or handling warranty claims. The **legal ground** is a balancing of interests. The consumer's purchasing history may only be saved during the period in which the consumer has a right to return, in order to offer the consumer good service in connection with a possible return. If the Company offers a certain warranty period for the purchase, the purchasing history may be saved during the warranty period to fulfill the warranty commitment.

If the consumer's purchasing history is to be used for other purposes, e.g. to profile the consumer and send marketing to the consumer based on this, see below.

5.1.2 Direct marketing (not profiled)

The Company may use consumer e-mail address for **the purpose** of direct marketing to a certain and limited extent, provided that the consumers are customers of the Company. The processing is carried out based on a balancing of interests as a **legal ground**, where the Company's legitimate interest to market itself to the consumer is considered to override the consumer's privacy interest.

The following instructions should be observed in particular.

- An existing customer's e-mail address can be used to send marketing e-mails about goods/services similar to those purchased by the customer, for up to 12 months after the customer relationship ended, ie. after completion of the purchase.
- When the customer provided the e-mail address, the customer should have been clearly informed that the e-mail address might be used for direct marketing.
- The customer should have had the opportunity to oppose the marketing at the same time as he provided the e-mail address.
- The marketing e-mails sent out should contain an easy way for the customer to unsubscribe from further e-mails. The consumer should also be able to unsubscribe from the Company's marketing e-mails by contacting the Company at [E-MAIL ADDRESS].
- Marketing enquiries for products/services that are not similar to those purchased by the customer may not be sent to the customer without the customer's explicit consent. Such consent must be given in accordance with the Norwegian Marketing Practices Act and thus be voluntary, specific and informed.

The persons included in lists ordered from external players are processed for marketing purposes. These data are processed based on a balancing of interests. Direct marketing via e-mail to recipients who are not already customers of the Company, following the procedure set out above, requires consent. However, regular mail marketing is allowed provided that the recipient is not on a list of recipients who do not wish to receive marketing material, or specifically has indicated to the Company that it does not wish to receive marketing material. Even in regular mail marketing, the privacy policy must be provided to the recipient either in paper format or as a reference to a website where the policy is available.

5.1.3 *Direct marketing (profiled)*

If the Company shall save the consumer's purchasing history for **the purpose** of creating a customer profile and based on this profile, shall send targeted marketing to the consumer, the consumer's written consent must first be obtained. The customers may at any point object to profiling. The processing shall thus be based on consent as a **legal ground**. The same applies if the Company profiles the consumer in another way. Consent must be specific for this purpose, and shall be separate from the privacy policy that the consumer accepts in connection with purchase of the product. The consumer shall be able to choose to purchase the Company's products without needing to agree that the Company saves the customer history in order to send profiled marketing to the consumer.

The customer should be sufficiently informed of profiling and explicitly informed of the fact that a customer at any point has the right to object to profiling at the latest at the time of the first communication with the customer. This should be presented to the customer clearly and separately from any other information.

For example, consent can be obtained by having a special box on the website that the consumer can choose to tick, in connection with purchasing. The box should **not** be ticked in advance. The box should contain a text that clearly indicates what the consumer is consenting to, and that satisfies the GDPR's formulation of consent.

5.2 **Contacts at Customers and Private Businesses**

5.2.1 *Customer administration*

The name and contact details of contacts at each corporate customer and the name of private business that consist of a personal name and purchasing history are processed for the purpose of the Company being able to administer the customer's orders and other conventional customer administration, and to be able to exercise its rights and obligations under the agreement with the customer. The processing can be carried out with a balancing of interests as a legal ground i.e. the company's interest of processing the contacts' data overrides the privacy interest of the contacts.

The Company also saves corporate customers' purchasing history. Saving a corporate customer's purchasing history should not be problematic because the profile is linked to a company and not an individual, provided that the Company does not just save person-specific profiles for a particular purchasing manager or the like.

However, the Company cannot save the individual company's purchasing history straight off. If the Company issues a certain warranty for a sold product, it may be justified to save information about the purchasing history of a private business to handle any warranty claims during the warranty period. However, it is not permitted to save information about the purchasing history of a private business in order to send profiled/tailored marketing to the customer, unless the customer has consented to this.

5.3 **More details about chat forum**

In the Company's chat forum, the following information is collected: name, e-mail and phone number, time zone, IP address, browser, operating system and user agent for **the purpose** of being able to answer the customer's questions and administer the customer issue. Based on these data, a profile is created, which enables recognition of the person if they chose to return at a later date. All previous chat history with the person is also saved in this profile.

The legal basis for processing these personal data can be based on a balancing of interests, i.e. the Company's interest of processing the persons' data overrides the privacy interest of the persons. The information in a chat forum should be erased or anonymised when the issue the client sought help with is resolved.

5.4 Marketing dispatches via subcontractors

The company sends names and e-mail addresses for consumers and contacts at suppliers to a subcontractor that offers an e-mail marketing tool. **The purpose** of this processing of personal data is marketing. The data is collected (i) from the consumers and contacts who register for the Company's newsletter, (ii) from the persons who make purchases on the Company's website.

Our assessment is that the processing in cases where the person registered for newsletters is based on consent.

As regards marketing in cases other than what the registered person consented to receiving marketing material, items 5.1 and 5.2 apply, and the processing is based on a balancing of interests. Profiled marketing to consumers can only be sent if the consumer has provided consent that meets GDPR's consent requirements.

If the subcontractor uses cookie technology, information about this must be included in the policy communicated to the consumers and the contacts at suppliers.

6 INFORMATION TO CONSUMERS AND CONTACTS AT CORPORATE CUSTOMERS

Consumers and contacts at corporate customers shall be informed about the Company's processing of their personal data through the Company's privacy policy for customers.

The privacy policy should be available on the Company's website.

The Company shall obtain the customer's acceptance of the privacy policy when the customer orders a product from the Company on the website. This can happen, for example, by the customer clicking a box that links to the privacy policy, with the following accompanying text: *"I confirm that I have read, understood, and approve the ACTE AS privacy policy."*

The privacy policy should be separated from the terms and conditions of purchase and any separate consent obtained for profiled marketing. The purchase may be subject to the customer's acceptance of the privacy policy, as opposed to consent must be separate and optional.

When starting a chat via a chat forum or similar service, there should be a reference to the privacy policy, for example, via a link.

In the marketing e-mail that is sent via a subcontractor or similar service, reference should be made to the privacy policy, for example via a link, and there should be an opportunity to easily unsubscribe from e-mails.

During marketing to recipients whose contact details have been obtained through external players, the Company should refer to the privacy policy in the first contact e.g. via a link. During marketing by mail, the privacy policy should be enclosed.

7 PROCESSORS

In Microsoft Excel, there is a list of companies that store or in another way process customers' personal data on behalf of the Company, so-called processors.

The company shall enter into a personal data processing agreement with every processor. For this purpose, the Company has created a template, which is available c:\AXSHARED\ACTE.NO\GDPR\

8 OTHER RECIPIENTS OF PERSONAL DATA

In addition to processors, the Company provides personal data in respect of consumers to the suppliers listed in Microsoft Excel.

Recipients who do not process personal data on behalf of the Company are not to be regarded as processors. Thus the Company does not need to enter into personal data processing agreements with such recipients. However, the Company must ensure a legal basis for transferring personal data to a third party.

9 TRANSFER OUTSIDE THE EU/EEA

Please see the General Handling Policy for instructions about applies in connection with transfer outside the EU/EEA.

10 ERASURE

In the case that specific legislation (e.g. bookkeeping legislation) requires that certain customer information is stored, the data in question shall be saved for that purpose, regardless of what is stated below.

10.1 Erasure in relation to consumers

The company erases consumer data in accordance with the following principles.

- Data that are collected for customer administration shall be erased when the customer has paid for the product and the product has been delivered, not later than when the time for returning the product has expired.
- In the case where there is a warranty period on the purchase, the customer's contact details and purchasing history will be saved so that the Company is able to fulfil any warranty commitments to the consumer.
- If the conditions for sending out marketing e-mails are met, the Company can save the customer's e-mail address for marketing purposes for up to 12 months after the purchase.

In the event that the customer has specifically consented to the Company saving its purchasing history in order to send profiled marketing, the Company may save the purchasing history for the period specified in the consent. This period of time should not be longer than three years.

10.2 Erasure in relation to contacts at corporate customers and private businesses

The company erases personal data in respect of contacts at corporate customers in accordance with the following principles.

- The data of the contacts are saved as long as it is necessary to administer the customer's orders, possible returns and warranty claims and other conventional customer administration, and in order for the Company to be able to exercise its rights and obligations under the agreement with the customer, or if the Company otherwise needs certain data for some relationship that is related to the Company's contractual relationship with the customer.
- The contact's email address can be saved for marketing purposes for up to five years after the customer's last purchase, provided that the marketing is relevant to the contact person's professional role at the customer and that the Company otherwise complies with what is stated above regarding e-mail marketing.
- In the event that the contact's employment at the customer is terminated or the contact otherwise ceases to be the customer's contact, the contact's data should be removed from the Company's contact register.

- If it is necessary to save the contact person's data in order to the Company to be able fulfil a legal obligation that requires processing according to applicable law, or for the Company to be able to establish, exercise or defend legal claims, the data should be saved for the purpose.

10.3 Specifically regarding credit information

Credit assessments of customers or potential customers should be based on current information. Data that can no longer be considered relevant for a credit check, and which therefore will not be used in a future credit check, should be deleted if the data shall not be saved for any other reason, for example obligations under money laundering legislation or the consumer credit legislation. Lenders often perform credit assessments of their customers based on data obtained from credit agencies.
