



## **PRIVACY NOTICE**

Entered into force on 01 September 2022



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## 1. INTRODUCTION

GROHE INTERNATIONAL RO SRL as controller (hereinafter: „*Controller*” or „*Company*”) wishes to provide you information on the processing of personal data of natural persons by this document (thereinafter: “*Privacy Notice*”). This Privacy Notice shall be governed primarily by the below legislation:

- Regulation (EU) 2016/679 of the European Parliament and of the Council on the 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)
- Law 190/2018 on measures to implement Regulation (EU) 2016/679 of the European Parliament and the Council of April 27, 2016 regarding protection natural persons regarding the processing of personal data and regarding the free circulation of this data and the repeal of Directive 95/46/EC (GDPR)

Please read this document carefully and contact our colleague if you have any questions.

## 2. WHO MANAGES YOUR DATA?

Name: **GROHE INTERNATIONAL RO SRL**

Registered address: 6 Matei Millo Street, 1<sup>st</sup> floor, 1<sup>st</sup> district, Bucharest, Romania

Tax registration number: RO43732760

Company registration number: J40/2584/2021

Represented by: Mihai Andrei Stanuica, Thomas Schachner, Ivan Keca, Persson Brennwald Per Olof Jonas as directors

Phone: +21 212 50 50

Email: [info-RO@grohe.com](mailto:info-RO@grohe.com)

Data Protection Officer: [DataProtection\\_RO@grohe.com](mailto:DataProtection_RO@grohe.com)

## 3. OUR PRINCIPLES

Personal data may be processed only for specified and explicit purposes, exercising of certain rights and fulfilment of obligations. The purpose of processing must be satisfied in all stages of data processing operations; recording of personal data shall be done under the principle of lawfulness and fairness („*lawfulness, fair procedure and transparency*”).

The personal data processed must be essential for the purpose for which it was recorded, and it must be suitable to achieve that purpose. Personal data may be processed to the extent and for the duration necessary to achieve its purpose („*purpose limitation*”).

Personal data shall be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed („*data minimization*”).



The accuracy and completeness, and - if deemed necessary in the light of the aim of processing - the up-to-datedness of the data must be provided for throughout the processing operation, and shall be kept in a way to permit identification of the data subject for no longer than is necessary for the purposes for which the data were recorded („*accuracy*”).

Personal data shall be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed. Personal data shall preserve its personal character until connection thereof with the data subject may be restored. Connection may be restored with the data subject if the controller has the technical conditions necessary for the restoration. („*storage limitation*”).

Personal data shall be processed in a manner that ensures appropriate security of the personal data, including protection against unauthorized or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organizational measures („*integrity and confidentiality*”).

The Controller shall be responsible for, and be able to demonstrate compliance with the above principles („*accountability*”).

#### **4. DEFINITIONS**

„*data subject*” means natural person identified or identifiable by any information;

„*personal data*” means any information relating to the data subject;;

„*consent of the data subject*” means any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her;

„*controller*” means the natural or legal person, and the organization without legal personality which - within the framework determined by Act or legally binding act of the European Union - alone or jointly with others, determines the purposes and means of the processing of personal data, makes and executes decisions concerning data processing (including the means used) or have it executed by a data processor;

„*data processing*” means any operation or the totality of operations performed on the data, irrespective of the procedure applied; in particular, collecting, recording, registering, classifying, storing, modifying, using, querying, transferring, disclosing, synchronizing or connecting, blocking, deleting and destructing the data, as well as preventing their further use, taking photos, making audio or visual recordings, as well



as registering physical characteristics suitable for personal identification (such as fingerprints or palm prints, DNA samples, iris scans;

„*data transfer*” means ensuring access to the data for a third party;

„*data process*” means overall data processing operation performed by the data processor on behalf of or by the will of the controller;

„*processor*” means the natural or legal person, or organization without legal personality which - within the framework and with the conditions determined by Act or legally binding act of the European Union - performs data processing operation on behalf of or by the will of the controller;

„*third party*” means the natural or legal person, or organization without legal personality other the data subject, controller, processor and persons who, under the direct authority of the controller or processor process personal data;

„*personal data breach*” means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorized disclosure, publication of, or access to, personal data transmitted, stored or otherwise processed;

„*profiling*” means any form of automated processing of personal data consisting of the use of personal data to evaluate, analyses or predict personal aspects relating to a natural person, in particular aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behavior, location or movements;

„*recipient*” means a natural or legal person, or organization without legal personality to which the personal data are made accessible by the controller or the processor.

## 5. HOW DO WE MANAGE YOUR PERSONAL DATA?

<p><b>Categories of processed personal data:</b></p>	<p><b>Personal data you provide to us directly:</b> Personal identification data: Name, Surname, National Identification Number Contact information data: E-mail address, Telephone number, Address Account log in information: Log in ID (nume utilizator), password or other security codes</p> <p><b>Personal data/information collected automatically:</b> When you visit or use our website <a href="https://groheservice.ro/">https://groheservice.ro/</a> or applications, or otherwise interact with the Company through our digital channels we may collect information sent to us by your computer, mobile phone or other access device ranging in any of the following categories:</p> <p>Device related information: Hardware model, IMEI number and other unique device identifiers,</p>
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	<p>MAC address, IP address, operating system version, device settings used to access the services, and device configuration</p> <p>Log information: Time, duration and manner of use of our services or services connected to ours</p> <p>Location information: Your location (derived from your IP address, Bluetooth beacons or identifiers, or other location-based technologies), that may be collected when you enable location-based products or features such as through our apps.</p>
<p><b>The purpose of the data processing:</b></p>	<p>Enforcement of claims and rights</p> <p>Identification of data subjects in connection with pursuing our legitimate interests, including: (i) to ensure that information stored in our database is secure, (ii) to administer and generally conduct business within the Company, (iii) to prevent or investigate suspected or actual violations of law, breaches of a business contract</p> <p>Providing customer support via communication channels (e-mail, phone calls), product service communications in connection with product warranty claims, account management, respond to customer requests</p>
<p><b>The legal basis of the data processing:</b></p>	<p>Performance of a contract - Compliance with a legal obligation to which the Controller is subject, Legitimate interest - legitimate interests pursued by the Controller or by a third party</p> <p>(GDPR Article 6. (1) (b), (c) and (f))</p>
<p><b>Data retention period:</b></p>	<p>The data retention period in relation to enforcement of a warranty claim or fulfilment of Obligations under product warranty, on the basis of</p> <p>of</p> <p>Romanian Civil Code, shall be 4 years as of the</p>

delivery of the product under the agreement with the data subject, plus an additional 2 months following the end of the applicable limitation period (so we are able to identify any personal data of a data subject who may bring a claim at the end of the applicable period), The Controller is subject to a general obligation under Accounting Law 82/1991 to retain and archive the data recorded in the invoices to clients for a period of 10 years after the issuance of such invoices.

**Addressee (if any):**

**Transfers of personal data to third countries or international organizations (if any):**



## **6. RECIPIENTS, DATA PROCESSING**

- In addition to the contracted data processors, only the employees of the Controller who are absolutely necessary for the performance of their duties have the right to get acquainted with the personal data. The contracted processor shall carry out the data processing in accordance with the instructions of the Controller, it shall not make a decision on the substance of the data processing, it shall process the personal data it has been granted access to only in accordance with the instructions of the Controller, it shall not carry out data processing for its own purpose, and the personal data shall be stored, kept and kept confidential by the processor in accordance with the instructions of the Controller. The processor shall not make use of additional processor without the prior written authorization of the Controller granted on a general or case by case basis.

## **7. SAFETY MEASURES, AUTOMATED DECISION MAKING**

In accordance with Article 13 subsection (2) paragraph f) of GDPR we inform you that automated decision making is not carried out within the processing of data made by the Controller.

The Controller ensures the security of the data in proportion with the risks and makes the technical and organizational measures and creates procedural rules that are necessary to enforce the regulation of the GDPR, and other regulations on the protection of data and privacy. The Controller protects the data in proportion with the risks in particular against unauthorized access, alteration, transfer, publishment, deletion or destruction, accidental destruction and loss and against inaccessibility from the change of applied technique.

The Controller, in proportion with the risks, protects the electronically processed data with firewalls, antivirus programs, encryption mechanisms, content filter and other technical and process solutions, executes backups in order to prevent data loss and corruption and ensures that, in case of malfunctioning, the systems installed can be restored. Documents on paper format that also contain personal data are stored by the Controller in a lockable premise with limited access and equipped with fire and property protection. Documents containing personal data and processed manually, in order to comply with the legal obligation of the Controller to retain the documents, are to be stored in archives which is also a lockable premise equipped with fire and property protection. If necessary, the Controller shall carry out impact assessment prior to the introduction of new data processing and shall continuously monitor the possible data breaches. If the personal data breach is likely to result in a high risk to the rights and freedoms of natural persons, the Controller shall, without undue delay, fulfil its legal obligation to communicate/notify.

## **8. RIGHTS OF DATA SUBJECTS AND EXERCISE THEREOF**

Your rights enlisted below shall be exercised by submission of your application to the Controller. Section 2 of this Privacy Notice contains the contact information of the Controller. The Controller shall provide information on action taken on a request to the data subject without undue delay and in any event within



one month of receipt of the request. That period may be extended by two further months where necessary, taking into account the complexity and number of the requests.

## **8.1. INFORMATION ON PROCESSING OF YOUR PERSONAL DATA**

The data subject shall be informed upon submission of his/her application to the Controller on the data of the data subject that are processed by the Controller and by the processor on behalf of or by the will of the controller, the source thereof, the purpose and period of the data processing, the name, address and the processing activity of the processor, context and effect of the data breach and the measures taken to prevent it, and in case of transfer of the personal data on the legal basis and the recipient of the transfer.

## **8.2. ACCESS TO THE PERSONAL DATA**

The data subject shall have the right to obtain from the controller confirmation as to whether or not personal data concerning him or her are being processed, and, where that is the case, access to the personal data and the following information:

- a) the purposes of the processing;
- b) the categories of personal data concerned;
- c) the recipients or categories of recipient to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organizations;
- d) where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
- e) the existence of the right to request from the controller rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing;
- f) the right to lodge a complaint with a supervisory authority;
- g) where the personal data are not collected from the data subject, any available information as to their source;
- h) the existence of automated decision-making, including profiling, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.

Where personal data are transferred to a third country or to an international organization, the data subject shall have the right to be informed of the appropriate safeguards.

The controller shall provide a copy of the personal data undergoing processing. For any further copies requested by the data subject, the controller may charge a reasonable fee based on administrative costs. Where the data subject makes the request by electronic means, and unless otherwise requested by the data subject, the information shall be provided in a commonly used electronic form.

The right to obtain a copy shall not adversely affect the rights and freedoms of others.





### **8.3. RIGHT TO RECTIFICATION**

The data subject shall have the right to obtain from the Controller without undue delay the rectification of inaccurate personal data concerning him or her. Taking into account the purposes of the processing, the data subject shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

### **8.4. RIGHT TO ERASURE (RIGHT TO BE FORGOTTEN)**

The data subject shall have the right to obtain from the controller the erasure of personal data concerning him or her without undue delay and the controller shall have the obligation to erase personal data without undue delay where one of the following grounds applies:

- a) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- b) the data subject withdraws consent on which the processing is based and where there is no other legal ground for the processing;
- c) the data subject objects to the processing and there are no overriding legitimate grounds for the processing;
- d) the personal data have been unlawfully processed;
- e) the personal data have to be erased for compliance with a legal obligation in Union or Member State law to which the Controller is subject;
- f) the personal data have been collected in relation to the offer of information society services.

Where the Controller has made the personal data public and is obliged to erase the personal data in accordance with the above, the Controller, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform controllers which are processing the personal data that the data subject has requested the erasure by such controllers of any links to, or copy or replication of, those personal data.

Erasure of personal data shall not be obtained to the extent that processing is necessary for exercising the right of freedom of expression and information; for compliance with a legal obligation which requires processing by Union or Member State law to which the controller is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller; for reasons of public interest in the area of public health; for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in; for the establishment, exercise or defense of legal claims.



## **8.5. RIGHT TO RESTRICTION OF PROCESSING**

The data subject shall have the right to obtain from the controller restriction of processing where one of the following applies:

- a) the accuracy of the personal data is contested by the data subject, for a period enabling the controller to verify the accuracy of the personal data;
- b) the processing is unlawful, and the data subject opposes the erasure of the personal data and requests the restriction of their use instead;
- c) the controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defense of legal claims;
- d) the data subject has objected to processing pending the verification whether the legitimate grounds of the controller override those of the data subject.

Where processing has been restricted as stated above, such personal data shall, with the exception of storage, only be processed with the data subject's consent or for the establishment, exercise or defense of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member State.

A data subject who has obtained restriction of processing shall be informed by the controller before the restriction of processing is lifted.

The controller shall communicate any rectification or erasure of personal data or restriction of processing to each recipient to whom the personal data have been disclosed, unless this proves impossible or involves disproportionate effort. The controller shall inform the data subject about those recipients if the data subject requests it.

## **8.6. RIGHT TO DATA PORTABILITY**

The data subject shall have the right to receive the personal data concerning him or her, which he or she has provided to a controller, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller without hindrance from the controller to which the personal data have been provided, where:

- a) the processing is based on consent or on a contract; and
- b) the processing is carried out by automated means.

In exercising his or her right to data portability as stated above, the data subject shall have the right to have the personal data transmitted directly from one controller to another, where technically feasible. The exercise of this right shall be without prejudice to the right to erasure. That right shall not apply to processing necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. The right referred to this section shall not adversely affect the rights and freedoms of others.



## **8.7. RIGHT TO WITHDRAWAL**

The data subject shall have the right to withdraw his or her consent at any time. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.

## **8.8. SUBMISSION OF COMPLAINTS ADDRESSED TO THE SUPERVISORY AUTHORITY**

The data subject may initiate the investigation of Autoritatea Națională de Supraveghere a Prelucrării Datelor cu Caracter Personal (hereinafter: „ANSPDCP”) following a complaint of any data subject if the data subject consider that the Controller and the processor on behalf of or by the will of the Controller violate the provisions on data protection determined in Romanian legislation or legally binding act of the European Union as the GDPR, during processing the data of the data subject.

Complaints addressed to the ANSPDCP must be formulated in writing, in Romanian or English, can be submitted to the general registry at the ANSPDCP headquarters or can be sent by post, including the electronic one, or by using the electronic form, available on the ANSPDCP website.

Complaints submitted should be signed by hand or electronically, and in the case of electronic submissions that cannot be signed, ANSPDCP can request confirmation of the correctness of the data sent electronically

For the receipt and valid registration of complaints, it is mandatory to provide the identification data of the Controller or processor, such as name, address/headquarters, or at least the available information held by the data subject, in order to identify them. When submitting complaints, it is mandatory to specify in detail the alleged breach of personal data protection, the steps taken by the data subject in relation to the alleged breach by Controller or processor of the personal data, as the case may be, the information available to support the complaint, as well as to append any conclusive evidence, to the extent that the data subject is in possession of such evidence.

Contact details of ANSPDCP for the submission of complaints are the following: Name: Autoritatea Națională de Supraveghere a Prelucrării Datelor cu Caracter Personal

Seat: B-dul G-ral. Gheorghe Magheru 28-30  
Sector 1, cod postal 010336, Bucharest, Romania

Phone:  
+40.318.059.211  
+40.318.059.212

Fax: +40.318.059.602

Email: [anspdcp\[at\]dataprotection.ro](mailto:anspdcp[at]dataprotection.ro)

Website: [https://www.dataprotection.ro/?page=Plangeri\\_pagina\\_principala](https://www.dataprotection.ro/?page=Plangeri_pagina_principala)



## **8.9. RIGHT TO TURN TO THE COURT**

The data subject may turn to the court against the Controller, and in relation to the processing operations within the scope of activities of the processor, against the processor if the Controller and the processor are considered to process the personal data of the data subject in a way that violates the provisions on data protection determined in legislation or legally binding act of the European Union.

The Controller and the processor shall be obliged to prove that the processing is in accordance with the provisions on data protection determined in legislation or legally binding act of the European Union.

The data subject may bring the lawsuit, at its choice, to the regional court of jurisdiction by reference either to the place of permanent residence of or to the habitual residence of the data subject. Any person who otherwise do not have legal capacity may be a party in the lawsuit. The Authority may join to the data subject in the lawsuit.

## **9. FINAL PROVISIONS**

The Data Controller reviews the contents of the Privacy Notice regularly and reserves the right to amend it at any time in accordance with its discretion and applicable laws. Amendments of the Privacy Notice shall enter into force simultaneously with the publishing.

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