

## E-COMMERCE PRIVACY POLICY

Your privacy is important to us. We recommend that you spend a few minutes reading, understanding and, where applicable, accepting our Privacy Policy.

Document updated 02/08/2021.

### 1. Who is the data controller?

Tendam Retail, S.A. (hereinafter, TENDAM) - Tax ID: A08099459.

Avenida del Llano Castellano, 51 - Madrid, Spain.

+34913873401

DPO: [dpo@tendam.es](mailto:dpo@tendam.es)

### 2. What data do we process for you and what sources do they come from?

#### 2.1. Details provided by the interested party:

TENDAM can collect personal data that gives us information directly through the various forms established. When you register as a customer or make a purchase, your personal data, as well as the transactions carried out and ongoing are stored in our information systems. You can change all the details at any time in the user control panel.

You can check how one of the fields is marked as compulsory on these forms, which means that without this information we will not be able to provide you with the requested service. These details are strictly necessary to process your order. Generally, they are: full name, delivery address (type of street, street name, door, staircase, city, province, post code, country), telephone number, contact email, and DNI (National ID) only in the case of delivery to the Canary Islands, Ceuta and Melilla due to tax requirement. If you request a legal invoice, your tax details will be required so that we can issue it.

TENDAM customers provide the data voluntarily when they register through the website. A user profile will then be created, the purpose of which is to manage the order formulated by you as a customer. The creation of these user profiles is necessary for the correct development of the commercial relationship between TENDAM and the customer.

Additionally, the development of our relationship generates information such as transactional data (for example, information that you provide us about your purchase receipts, orders, refunds, etc.), connection and browsing data through the different web pages, claims history and incidents. TENDAM processes this information at a statistical level with the aim of analysing the services it provides to its customers.

TENDAM is present, through its brands, on social networks and in addition to these, makes it easier for users to communicate through different social media channels. The processing of the data of the persons who follow, establish a link or relate to TENDAM through the social networks or the media available to

them will be governed by the legal notice of our website and the terms and conditions of use, privacy policies and regulations for access, use and similar of the corresponding social network or media. The user is aware of these and will have previously accepted them.

Finally, and only if you authorise us to do so, we can process your truncated card number (i.e. partially encrypted) to remember your payment method and to make the purchase process easier. To ensure your payment information is kept secure, we will never hold your full card number.

## **2.2. Data not consciously provided by the person concerned resulting from the provision of the service (inferred data):**

It is true that, increasingly, companies use data that have not been provided directly by data holders. These data, known as "inferred data" results from us applying algorithms to analyse a variety of data, including such as social media and procurement records in order to create profiling, for example, to know our customers' interest in certain products, shopping times, tastes, shopping history, consumed promotions, satisfaction surveys, information on calls to our Customer Service Centre, browsing the TENDAM websites, etc. You can obtain further information on this in the following section of the Privacy Policy that details the purposes of the processing.

## **3. For what purpose and legitimisation do we process your data?**

The following table details the different purposes for which your data may be processed, depending on the relationship you maintain with TENDAM and its legal bases:

### **3.1. To successfully manage the commercial and contractual relationship.**

Your data will be processed to provide the requested service, which, among other activities, may involve: (i) your customer registration; (ii) order preparation and delivery management through any of the available channels; (iii) to process and answer your queries, queries or claims.

Failure to accept this purpose will mean that we cannot subscribe to the contract(s) to provide you with the services you are interested in.

To learn more about the contracts:

[Online Store Terms and Conditions Agreement Cortefiel.](#)

[Online Store Terms and Conditions Agreement Pedro del Hierro](#)

[Online Store Terms and Conditions Agreement Springfield](#)

[Online Store Terms and Conditions Agreement Women'ssecret](#)

### **Legal Basis:**

Contract execution

**Data category:**

Identification and contact details;  
Transactions of goods and services;  
Other data categories;  
Data derived from the use of the service.

**3.2. Send you commercial information on Products and Services of our Brands, as well as Products and Services of other brands manufactured and/or marketed by TENDAM.**

Whenever you request it through the boxes enabled on the different forms, we will send you commercial information on the offers, promotions and discounts of the TENDAM group of brands. We may also send you information about products or services owned by third parties, with whom TENDAM has agreements in place for distribution or production under licence.

This information will be sent by the various means of contact (electronic and non-electronic): mobile phone (SMS, RCS), amongst others.

**Legal Basis:**

Consent

**Data category:**

Identification and contact details;  
Data derived from the use of the service.

**3.3. Profiling**

For this purpose, TENDAM collects and processes data on the analysis of purchases (amounts, frequency, details of the physical store where you shop and/or online store), if you benefit from being a member of one or more of our loyalty clubs, of your interests and preferences, so that this information allows TENDAM to offer you products and services that may interest you, and not others.

The processing of data for the purpose of profiling and marketing is based on the legitimate interest of TENDAM. To this end, TENDAM has weighted the interests and rights of the interested parties, and the measures taken by the person responsible to comply with their general obligations in terms of proportionality and transparency, and has concluded that:

- The impact on people's fundamental rights and public freedoms is reduced.

- Such processing can be reasonably planned by the interested party who is interested in receiving personalised offers and, on the contrary, is bothered by generic advertising;

- The processing of data for the above purposes does not result in exclusion, discrimination, defamation, or situations that jeopardize the reputation of the interested party and/or the power of negotiation.

The purpose of the analysis will be to identify which products and services are more closely related to different user groups that share common features (e.g.: age) or similar purchasing habits (e.g.: dates on which they usually shop). You can request additional information on how we have valued our legitimate interest and your own interests by contacting us under the terms set out in section 8 of this Privacy Policy.

**Legal Basis:**

Legitimate interest in order to improve the service and offer the most accurate products to our customers. You can exercise your right of opposition under the terms set out in section 7 of this Privacy Policy.

**Data category:**

Identification and contact details;  
Personal characteristics;  
Transactions of goods and services;  
Other data categories;  
Data derived from the use of the service.

**3.4. Answer your request for information about the nearest store based on geolocation.**

The geographic location is disabled by default. Only in cases where you request, with the user's consent, information about our nearest store will be activated to respond to the request sent.

Although browsing, considering the geographical location, is always a user's choice, in cases where you withdraw access to the location data, the website will not be able to offer you the functionalities based on this location. Under no circumstances will the website monitor the user's location continuously.

The personal data provided will not be stored once the information request has been answered.

**Legal Basis:**

Consent

**Data category:**

Identification and contact detail Geolocation.

### **3.5. Web browsing management and analysis**

User web browsing management. We process the information to allow and facilitate access and browsing through our digital means. For example, to offer you the version of the website that best suits the characteristics of the device you choose to enter our website, your language, among others. Furthermore, prior to your consent, we will carry out navigation analyses in order to adapt to your needs. You can consult our Cookie Policy [here](#).

#### **Legal Basis:**

Execution of the contract (mandatory cookies) and consent of the interested party (optional cookies).

#### **Data category:**

Identification and contact details;  
Personal characteristics;  
Transactions of goods and services;  
Other data categories;  
Data derived from the use of the service.

### **3.6. Compliance with legal obligations.**

TENDAM is subject to different regulations that involve the need to process personal data to comply with them. (E.g.: tax regulations). In compliance with these obligations, TENDAM may communicate your data to the Public Administrations or competent Courts, provided that the request is made through the established legal channels.

#### **Legal Basis:**

Legal obligation

#### **Data category:**

Identification and contact details;  
Personal characteristics;  
Transactions of goods and services;  
Other data categories;  
Data derived from the use of the service.

### **4. How can I stop receiving commercial offers?**

In all commercial communications sent to you by electronic means, a link will be enabled -UNSUBSCRIBE or similar- which will allow you to manage your privacy and request that we not send you any new commercial communications.

You can also revoke your consent or express your opposition by any of the following means:

- By sending an email to the email address [dpo@tendam.es](mailto:dpo@tendam.es). In this case, it must be sent from the same email address that was created by the user.

- Managing your privacy options through the MY ACCOUNT section for users who have registered their account on one of our websites or who are members of one of our loyalty clubs.

- By postal communication addressed to TENDAM RETAIL S.A., A/A DPO, Avda. del Llano Castellano 51, 28034 Madrid, Spain.

Your request will be processed within approximately 48-72 hours so you may continue to receive commercial communications during this time.

#### **5. How long do we store your data?**

If you have registered as a customer on our website, your personal data will be retained until you unsubscribe, as we understand that in the meantime you remain interested in maintaining your account regardless of whether your activity as a customer may be interrupted for a period of time. If you have not registered as a customer, but you make an online purchase, your details will be kept until you confirm that the order has been delivered without incident and that there are no claims.

Once you request cancellation or confirm that the order has been delivered without incident and that there are no claims, your data will be deleted according to the data protection regulations which means blocking the data, being available only at the request of judges and courts, the tax authorities or the competent public administrations during the limitation periods of the actions that may arise, to be subsequently eliminated.

The limitation periods vary depending on the type of service, for example, the limitation period for most personal civil actions is generally five years.

#### **6. Will we share your data with third parties?**

To fulfil the purposes described in this Privacy Policy, we must communicate your personal data to the following entities according to the legal basis that supports this communication:

Based on the execution of the contract, your payment details are collected by the financial institution or the gateway that manages the collection.

To comply with the applicable legal obligations, we may communicate your data to:

- Competent Courts or Tribunals, provided that the request is made through the established legal channels.
- Tax Agency and other competent authorities, for the fulfilment of legal obligations of any kind.

To fulfil our legitimate interest in maintaining centralised customer management, we will be able to communicate your data to other entities of the TENDAM Group ( <https://www.tendam.es/nuestras-companias/> (Spanish version) and <https://www.tendam.es/en/our-companies/> (version in other languages) for internal administrative purposes. You can request additional information on how we have valued our legitimate interest and your own interests by contacting us under the terms set out in section 8 of this Privacy Policy. You can exercise your right of opposition under the terms set out in section 7 of this Privacy Policy.

We provide our services with the support of different suppliers acting under our instructions as "data processors." Some of these data processors may be located outside the European Economic Area, with an international data transfer taking place in this regard. In this case, TENDAM will cover this transfer in any of the guarantees established in the applicable regulations. You can obtain more information about our processing managers and the details regarding international transfers by contacting us on the terms set out in section 8 of this Privacy Policy

### **Right of Access**

You will have the right to obtain from TENDAM confirmation of whether or not we are processing personal data that concern you, in addition to information on: the purpose of the data processing; the categories of the data being processed; the recipients or the categories of recipients to which they have communicated or will be communicated; if possible, the expected time limit for the personal data to be stored or, if not possible, the criteria used to determine this period. In these cases, TENDAM will provide you with a copy of the personal data subject to processing. Furthermore, when requested by electronic means, the information will be provided in a common electronic format.

In cases where manifestly unfounded or excessive requests are made, especially for repeat requests, TENDAM may charge a fee that compensates the administrative costs of meeting the request, which will correspond to the real cost of processing the application.

TENDAM will inform you of the actions arising from your request within one month (which can be extended by two more months in the case of particularly complex applications, an extension that we would notify you on within the first month). If TENDAM decides not to attend to an application, it will inform you of this and we will give you the reasons for the refusal within one month of the date you submitted the application.

### **Right to rectification**

You have the right to request that TENDAM rectify personal data when inaccurate or when incomplete. If you are registered on our Platform, it may be easier to correct them directly by modifying the profile.

### **Right of erasure/right to be forgotten**

You have the right to request from TENDAM the deletion of any personal data concerning you in the event of the following circumstances:

- They are not necessary in relation to the purposes for which they were collected or processed;
- That you withdraw consent and processing is not based on another legal basis;
- That you oppose the processing and that no other legitimate grounds for treatment prevail;
- That have been processed unlawfully.

Where the deletion derives from the exercise of the right to oppose for direct marketing purposes, TENDAM may retain your identifying data in order to prevent future processing for these purposes.

When TENDAM has made the personal data public and is obliged to delete such data, TENDAM, taking into account the available technology and the cost of its application, shall adopt reasonable measures, including technical measures, with a view to informing those responsible that are processing your personal data request for the deletion of any link to these personal data, or any other copy or replica thereof.

### **Right to restrict processing**

You will be entitled to obtain from TENDAM the restriction of processing your data in the following circumstances:

- When you have challenged the accuracy of your personal data, during the period that allows TENDAM to verify their accuracy;
- If you consider that the data has been unlawfully processed and Tendam was opposed to the deletion of personal data and you request instead to limit its use;
- That TENDAM no longer requires the personal data for the purposes of processing, but you need them for the formulation, exercise or defence of claims;
- If you have objected to the processing, while it is checked whether the legitimate reasons of TENDAM prevail over yours.



When you have obtained the processing restriction in accordance with this section, you will be informed by TENDAM before the lifting of this limitation. TENDAM will communicate any rectification or deletion of personal data or restriction of processing to each of the recipients to whom the personal data has been communicated, unless it is impossible or requires a disproportionate effort. TENDAM will inform the interested party about these recipients, if you request it.

### **Right to portability**

You have right to receive any personal information concerning you, which you have provided to TENDAM, in a structured, commonly usable, machine-readable format, as well as the right for us to send it to another person responsible for processing when the processing is based on consent or a contract, and it is carried out by automated means.

When exercising your right to the portability of data, you will have the right for personal data to be sent from one person responsible for processing to another, where this is technically possible. The exercise of this right will be accepted without prejudice to the powers granted by the right to deletion.

The right to portability shall not apply to processing required to fulfil a task in the public interest or in the exercise of public powers conferred on TENDAM. The right to portability shall not extend to information TENDAM may have inferred from data deriving directly from TENDAM's use of the services rendered.

### **Right to object**

You have the right to oppose the processing of data concerning you, at any time, including for profiling purposes. In the event that you exercise this right, TENDAM will stop processing your personal data, unless we have compelling legal reasons where processing takes precedence over your interests, rights, and liberties; or to formulate, exercise, or defend any claims.

Where the processing of personal data is for the purpose of direct marketing, you will have the right to oppose at all times the processing of personal data that concerns you, including the creation of profiles to the extent that it is related to the aforementioned marketing strategy. So, personal data will no longer be processed for these purposes.

### **Automated individual decision**

You have the right not to be the subject of a decision based solely on automated treatment, including profiling, that produces legal effects on you or significantly affects you in a similar way. However, it will not be possible to exercise such right if the decision is necessary for the conclusion or execution of a contract between yourself and TENDAM; TENDAM is authorised by the applicable law, provided that it establishes appropriate measures to safeguard your legitimate rights, freedoms and interests; or it is based on your explicit consent.

## **7. What are your rights when you provide us with your data?**

Read and know your rights. If you have any queries, please contact us via email at: [dpo@tendam.es](mailto:dpo@tendam.es)

Your rights against TENDAM due to the processing of personal data are as follows: the right to access your personal data, rectify inaccurate data, request its deletion, limit any processing or oppose any use (e.g. subsequently oppose the sending of advertising) and portability of your data. To request the exercise your rights, please email: [dpo@tendam.es](mailto:dpo@tendam.es) or send a letter to TENDAM RETAIL, S.A., A/A DPO, Avda. del Llano Castellano nº 51, (28034 Madrid). You also have the right to file a claim with the Control Authority.

#### **8. Modifications and consultations.**

Tendam reserves the right to modify its privacy policy in order to adapt it to new legislation, jurisprudence, or in accordance with its business judgment or practice. If the Privacy Policy is modified, we will communicate it to you through our website or any other means of communication, in order to ensure that you are informed of the new applicable privacy terms. If you continue to make use of the services available via this website after we have informed you of the changes introduced to our Privacy Policy, this will imply that you agree to the new terms, except for possible purposes of data processing for which your consent is required.

For any questions or clarifications regarding our privacy policy, please contact us at: [dpo@tendam.es](mailto:dpo@tendam.es).

#### **9. Cookie policy**

You can consult our full Cookie Policy [here](#).