

# Privacy Statement

for [www.upground.ro](http://www.upground.ro)

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## 1 Introduction

**Globalworth Asset Managers SRL** is a Romanian limited liability company having its registered office in Globalworth Tower, 26th floor, 201 Barbu Văcărescu Boulevard, 2nd district, 020276, Bucharest, Romania, registered with the Bucharest Trade Registry under number J40/17685/2006 unique registration code 14757841 and **Upground Estates SRL** is a Romanian limited liability company having its registered office in Globalworth Tower, 26th floor, 201 Barbu Văcărescu Boulevard, 2nd district, 020276, Bucharest, Romania, registered with the Bucharest Trade Registry under number J40/7079/2007 unique registration code 21527195 (both companies referred to as , “**Globalworth**”, “**us**”, “**we**” or a similar reference).

Globalworth, as data controller with regard to the website [www.upground.ro](http://www.upground.ro) (“**Website**”) strives to comply with applicable laws and regulations related to Personal Data Protection. This Privacy Statement details the steps we take to protect your personal information when you visit our Website or applications that contain a link to this Privacy Statement or when you contact us.

When collecting and using personal data, we guide ourselves and respect the following principles:

- We are transparent about the purposes we use your personal data;
- We keep your personal data safe;
- We ensure that we always have a legal ground for processing your personal data;
- We collect and use the minimum required personal data, thus respecting the principle of data minimization;
- We maintain updated, accurate and complete personal data;
- We do not store personal data more than it is required, making sure that there are certain retention periods for situations not stipulated otherwise by applicable legislation;
- We respect the rights of individuals with respect to their personal data;
- We do not transfer personal data outside the European Union or to countries which have not been deemed adequate by the European Union.

## 2 How to contact us

Your opinion matters to us – if you have any questions about our Privacy Statement or wish to exercise your privacy rights, you can email us at [compliance@globalworth.com](mailto:compliance@globalworth.com) , or send us a written letter at the registered address indicated above in this Privacy Statement.

## 3 Types of information collected, purpose and legal basis

### 3.1 When you access our Website

The Website collects certain information automatically and stores it in log files. The information may include internet protocol (IP) addresses, the region or general location where your computer or device is accessing the internet, browser type, operating system, device type and other usage information about the use of the website, including a history of the pages you view.

We use this information to help us design our site to better suit our users' needs. We may also use your IP address to help diagnose problems with our server and to administer our Website, analyse trends, track visitor movements, and gather broad demographic information that assists us in identifying visitor preferences.

The legal basis for this processing is our legitimate interest to monitor the Website activity and to ensure the Website security. The data is stored for 1 year starting from the date of the visit, with the exception of cookies whose lifespan is listed in our Cookie Policy available at <https://www.upground.ro/cookies.pdf>.

Our Website also uses cookies and other technologies, and you can read about these in our Cookie Policy available at <https://www.upground.ro/cookies.pdf>. As a general rule, the placing of cookies which are not strictly necessary for the functioning of the Website is based on your consent, which is requested when you access the Website. Your options regarding cookies may be changed at any time, following the instructions included in the Cookie Policy.

### 3.2 When you contact us

Our Website gives you the ability to send us a message via a contact form. This includes fields such as name, phone number, email address and message. The data that you input in the contact form is processed based on our legitimate interest to respond to your inquiry and/or to keep a record of your request, feedback and the like.

## 4 Your rights

As a data subject you have specific legal rights relating to the personal data we collect from you. Globalworth will respect your individual rights and will deal with your concerns adequately.

- (a) **Right to withdraw consent:** Where you have given consent for the processing of your personal data, you may withdraw your consent at any moment.
- (b) **Right to rectification:** You may obtain from us rectification of personal data concerning you. We make reasonable efforts to keep personal data in our possession or control which are used on an ongoing basis, accurate, complete, current and relevant, based on the most recent information available to us. In appropriate cases, we provide self-service internet portals where users have the possibility to review and rectify their personal data.
- (c) **Right to restriction:** You may obtain from us restriction of processing of your personal data, if you contest the accuracy of your personal data, for the period we need to verify the accuracy, the processing is unlawful and you request the restriction of processing rather than erasure of your personal data, we do no longer need your personal data but you require them for the establishment, exercise or defense of legal claims, or you object to the processing while we verify whether our legitimate grounds override yours.

- (d) **Right to access:** You may ask from us information regarding personal data that we hold about you, including information as to which categories of personal data we have in our possession or control, what they are being used for, where we collected them, if not from you directly, and to whom they have been disclosed, if applicable. We will provide you with a copy of your personal data upon request. If you request further copies of your personal data, then we can charge you with a reasonable fee that we base on the administrative costs. You have the right to the information about our safeguards for the transfer of your personal data to a country that is outside the EU and the EEA if you request that we confirm whether or not we process your personal data, and we transfer your personal data to a country that is outside the EU and the EEA.
- (e) **Right to portability:** You have the right to receive your personal data that you have provided to us, and, where technically feasible, request that we transmit your personal data (that you have provided to us) to another organization.

You have these rights if:

- we process your personal data by automated means;
- we base the processing of your personal data on your consent, or our processing of your personal data are necessary for the execution or performance of a contract to which you are a party;
- your personal data are provided to us by you; and
- the transmission of your personal data does not adversely affect the rights and the freedoms of other persons.

Your right to receive your personal data must not adversely affect the rights and the freedoms of other persons. This may be the case if a transmission of your personal data to another organization also involves the transmission of the personal data of other (non-consenting) individuals.

Your right to have your personal data transmitted from us to another organization is a right you have if such transmission is technically feasible.

- (f) **Right to erasure:** You have the right to request that we delete the personal data we process about you. We must comply with this request if we process your personal data, unless the data is necessary:
- for exercising the right of freedom of expression and information;
  - for compliance with a legal obligation that binds us;
  - for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes; or
  - for the establishment, exercise or defence of legal claims.
- (g) **Right to object:** You may object – at any time – to the processing of your personal data due to your particular situation, provided that the processing is not based on your consent but on our legitimate interests or those of a third party. In this event we shall no longer process your personal data, unless we can demonstrate compelling legitimate grounds and an overriding interest for the processing or for the establishment, exercise or defense of legal claims. If you object to the processing, please specify whether you also wish the erasure of your personal data, otherwise we will only restrict it.

You may always object to the processing of your personal data for direct marketing that was based on our legitimate interest, regardless of any reason. If the marketing was based on your consent, you can withdraw consent.

**Please note:**

- **Time period:** We will try to fulfil your request within 30 days which may be extended due to specific reasons relating to the specific legal right or the complexity of your request. In all cases, if this period is extended, we will inform you about the term of extension and the reasons that led to it.
- **Restriction of access:** In certain situations, we may not be able to give you access to all or some of your personal data due to statutory provisions. If we deny your request for access, we will advise you of the reason for the refusal.
- **No identification:** In some cases, we may not be able to look up your personal data due to the identifiers you provide in your request. In such cases, where we cannot identify you as a data subject, we are not able to comply with your request to execute your legal rights as described in this section, unless you provide additional information enabling your identification. We will inform you and give you the opportunity to provide such additional details.
- **Exercise your legal rights:** In order to exercise your legal rights, please contact us in writing (including electronically) at the contact details provided in section 2.

## 5 Right to lodge a complaint

If you have a complaint about the way in which we process your personal data, we would prefer that you contact us directly in order to solve your problem, us via one of the means specified in Section 2 (How to contact us) of this Privacy Statement.

However, you have the right to refer your complaint to the Romanian data protection supervisory authority, Autoritatea Națională de Supraveghere a Prelucrării Datelor cu Caracter Personal, using different means of communication available on their website <http://www.dataprotection.ro/>;

## 6 Keeping your personal information secure

We have specialised security teams who constantly review and improve our measures to protect your personal information from unauthorised access, accidental loss, disclosure or destruction.

Communications over the internet (such as emails) aren't secure unless they've been encrypted. Your communications may go through several countries before being delivered, as this is the nature of the internet.

We cannot accept responsibility for any unauthorised access or loss of personal information that is beyond our control.

Our website may provide links to third-party websites. We cannot be responsible for the security and content of such third-party websites. So, make sure you read that company's privacy and cookies policies before using or giving your personal information on their site.

The same applies to any third-party websites or content you connect to using our services.

## **7 How long is Data Retained?**

We will keep your personal data for a period that does not exceed the time required to meet the purposes for which the data is processed, unless otherwise provided in specific legislation (e.g. in connection with pending litigation).

Thus:

- With respect to analysing your interaction with our website, we will keep your personal data period no longer than 1 year or until we receive instructions from you that you no longer want to be in our database;
- With regard to data collected when you contact us via the contact form, we will keep your personal data for a period of 3 years following the end of our interaction with you, calculated as of the 1<sup>st</sup> of January of the year following the one when our communication with you ceased.
- The cookies placed by our website have different lifespans, as indicated in the Cookie Policy available at <https://www.upground.ro/cookies.pdf>.

We do not store information or access information stored in your terminal (computer, telephone, tablet, etc.) except with your prior consent or when such operations are performed solely for the purpose of transmission of a communication over an electronic communications network or strictly required for the provision of an information society service specifically requested by you (for example, for storing information about your activities on the website so that you can easily use the website for future access).

For the use of cookies for which your prior consent is required, the website will require your consent through a banner displayed on the website when it is accessed. This banner contains a link to this Privacy Statement and gives you the option to accept cookies as well as the option to decline them. If you have agreed, but you change your mind later, you can use your internet browser settings to delete stored information or to deny cookies.

If you want to know what cookies we are using please refer to our Cookies Policy available at <https://www.upground.ro/cookies.pdf>.

## **8 Transfer of information to third parties**

We will disclose your personal data only for the purposes and to those third parties, as described below. We will take appropriate steps to ensure that your personal data are processed, secured, and transferred according to applicable law.

### **8.1 Disclosure to our group companies**

Your personal information may be shared with any company that is a member of our group, which includes our ultimate parent company based in Guernsey, where we consider that it is in our legitimate interests to do so for internal administrative purposes (e.g. storage of data, CRM), or for auditing and monitoring of our internal processes.

Access to your personal information is limited to those employees who need to know the personal information, and may include your potential managers and their designees, as well as employees in the marketing, information technology and security departments.

## 8.2 Disclosure to third parties

We will share the strictly necessary parts of your personal data, on a need-to-know basis with the following categories of third parties:

- (a) Nakatomi Development Services SRL, who is our exclusive real estate agent for the Upground Complex and offers us services regarding management of our Website.
- (b) Companies providing us relevant services for the website, such as analytics, social media integration services, online advertising services, information technology systems suppliers and support, including email archiving, telecommunication suppliers, back-up and disaster recovery and cyber security services. A list of such supplier may be provided to you on request. With regards to the companies who place cookies on our Website, you can find such information in our Cookie Policy available at <https://www.upground.ro/cookies.pdf>.
- (c) Other parties such as public authorities and institutions, accountants, auditors, lawyers and other outside professional advisors, where their activity requires such knowledge or where we are required by law to make such a disclosure.

We will also disclose your personal information to third parties:

- (a) if you request or authorise so;
- (b) to persons demonstrating legal authority to act on your behalf;
- (c) where it is in our legitimate interests to do so to run, grow and develop our business:
  - (i) if we sell any business or assets related to the Website you are subscribing to, we may disclose your personal information to the prospective buyer of such business or assets, in order to ensure that the activity continues as a going concern;
  - (ii) if Globalworth or substantially all of its assets are acquired by a third party, in which case personal information held by Globalworth will automatically be one of the transferred assets;
- (d) if we are under a duty to disclose or share your personal information in order to comply with any legal obligation, any lawful request from government officials and as may be required to meet national security or law enforcement requirements or prevent illegal activity;
- (e) to respond to any claims, to protect our rights or the rights of a third party, to protect the safety of any person or to prevent any illegal activity; or
- (f) to protect the rights, property or safety of Globalworth, our employees, customers, suppliers or other persons.

Some of these recipients (including our affiliates) may use your data in countries which are outside of the European Economic Area. Please see Section 8.4 below for more detail on this aspect.

## 8.3 Restrictions on use of personal information by recipients

Any third parties with whom we choose to share your personal information pursuant to the above are limited (by law and by contract) in their ability to use your personal information for the specific purposes identified by us. We will always ensure that any third parties with whom we choose to share

your personal information are subject to privacy and security obligations consistent with this Privacy Notice and applicable laws. However, for the avoidance of doubt this cannot be applicable where the disclosure is not our decision.

Save as expressly detailed above, we will never share, sell or rent any of your personal information to any third party without notifying you and, if applicable, obtaining your consent.

#### **8.4 Transfers of information outside of the European Union**

The personal information may be processed by staff operating outside the EEA working for us, other members of our group or third party data processors for the purposes mentioned above.

If we provide any personal information about you to any such non-EEA members of our group or third party data processors, we will take appropriate measures to ensure that the recipient protects your personal information adequately in accordance with this Privacy Notice. These measures include:

- in the case of US based service providers, entering into European Commission approved standard contractual arrangements with them, or ensuring they have signed up to the EU-US Privacy Shield (see further <https://www.privacyshield.gov/welcome>); or
- in the case of service providers based in other countries outside the EEA:
  - entering into European Commission approved standard contractual arrangements with them; or
  - ensuring that the recipient country is recognized by the European Commission as providing adequate protection.

Further details on the steps we take to protect your personal information in these cases is available from us on request by contacting us (see section 2) at any time.

### **9 Children's Privacy**

Globalworth does not knowingly collect personal information from persons who are under the age of 18 through the Website. We encourage parents and guardians to spend time online with their children and to participate in the interactive activities offered on the sites their children visit. If a parent or guardian becomes aware that his or her child has provided us with personally identifiable information without his/her consent, then he or she should contact Globalworth at the information described above. If we become aware that a child under the age of 18 has provided us with personally identifiable information, we will delete such information from our files.

### **10 Changes to this privacy statement**

Globalworth may update this Privacy Statement. When we do, we will revise the "effective" date at the top of the privacy statement. You should revisit this page periodically to become aware of the most recent privacy terms; your use of the site after such changes have been posted constitutes your agreement to such changes.