

## PRIVACY POLICY (1st LAYER)

PRIVACY POLICY		
DATA PROCESSOR	GABRIEL MONTAÑES ALBERTI	+ info
PURPOSE	-carry out the necessary commercial and administrative procedures with web Users -send commercial advertisement communications by email, fax, SMS, MMS, social communities, or any other electronic or physical means (if the User has previously given consent), -respond to inquiries and/or provide information requested by the User; -render services and/or products contracted or subscribed to by the User -CV management	+ info
LAWFULNESS OF RECIPIENTS	Consent of the affected. - Execution of a contract. - Legal obligation. - Legitimate interest of the data controller.	+ info
RECIPIENTS OF INTERNATIONAL TRANSFERS AND ASSIGNMENTS	User data will not be transferred to third parties except when under legal obligation. International transfers will not be made without the Users' prior consent.	+ info
RIGHTS	Access, rectification, and cancellation of data, as well as the other rights indicated in the additional information.	+ info
STORAGE	User data will be kept in the processing records of our ownership while its storage is necessary to meet the purpose that motivated its collection as well as during the assistance term of possible legal obligations.	+ info
ADDITIONAL INFORMATION	You can consult additional and detailed information regarding Data Protection on our website:: ● Privacy Policy: <a href="https://WWW.GABRIELMONTANES.COM/politicadeprivacidad">https://WWW.GABRIELMONTANES.COM/politicadeprivacidad</a> ● Legal Notice: <a href="https://WWW.GABRIELMONTANES.COM/avisolegal">https://WWW.GABRIELMONTANES.COM/avisolegal</a> ● Cookies Policy: <a href="https://WWW.GABRIELMONTANES.COM/politicadecookies">https://WWW.GABRIELMONTANES.COM/politicadecookies</a> ● General Contracting Conditions: <a href="https://WWW.GABRIELMONTANES.COM/terminosycondiciones">https://WWW.GABRIELMONTANES.COM/terminosycondiciones</a>	

## PRIVACY POLICY (2nd LAYER)

### Data Processor

Company Name: **GABRIEL MONTAÑES ALBERTI** (also the Provider)

CIF:41505906Z

**Postal Address:** CARRER COS DE GRACIA, 19 SOT 2, 07702 MAÓ (ILLES BALEARS)

**E-mail:** STUDIO@MONTANES.ES

**Data Protection Officer:** GABINETE ORIFLA ASSESSORS

**DPO Contact:** lopd@orfilaassessors.com

**GABRIEL MONTAÑES ALBERTI**, as the Data Processor for the Website, in accordance with the provisions of Regulation (EU) 2016/679 of April 27, 2016 (RGPD), the Organic Law 3/2018 of December 5 (LOPDGDD) and other legal regulations in force on the protection of personal data, and by Law 34/2002, of July 11, Services of the Information Society and Electronic Commerce (LSSICE), informs you that we have implemented the measures of necessary security, of technical and organizational nature, to guarantee and protect the confidentiality, integrity and availability of all entered data.

### **PURPOSE OF PERSONAL DATA PROCESSING**

Your personal data will only be used for the following purposes:

- To carry out the necessary commercial and administrative procedures with Web Users;
- To send commercial advertising by email, fax, SMS, MMS, social communities, or any other electronic or physical means, prior express consent by the user to receiving this form of communications electronically by subscribing to the NEWSLETTER;
- To respond to queries and/or provide information requested by the User;
- To carry out the provision of services and/or products contracted or subscribed to by the User
- To use your data to contact you, both electronically and non-electronically, to obtain your opinion about the service provided and,
- To notify you about changes, important developments of the privacy policy, legal notices or cookies policy.
- Analysis of profiles and usability will be carried out.
- Client and/or suppliers data will be processed, within the contractual relationship that links them with the person in charge, in compliance with the administrative, fiscal, accounting, and working obligations that are necessary under the current legislation.

You can revoke your consent at any time by sending a letter with the subject "UNSUBSCRIBE" to STUDIO@MONTANES.ES.

In accordance with LSSICE, GABRIEL MONTAÑES ALBERTI does not partake in SPAM practices, therefore, it does not send commercial emails that have not been previously requested or authorized by the User. Consequently, in all the communications that you will

receive from the provider, the User has the possibility of canceling his or her express consent to receive our communications.

We will not use your personal data for any other purpose than those described except by legal obligation or judicial requirements.

### **LAWFULNESS OF PERSONAL DATA PROCESSING**

The legal basis for data processing is your consent granted to carry out the purposes described above, which will be requested at the time by marking the corresponding box when collecting your data.

Failure to provide the personal data requested or failure to accept this data protection policy means that it is impossible to subscribe, register, or receive information about the Provider's products and services.

In cases where there is a prior contractual relationship between the parties, the legitimacy for the development of administrative, tax, accounting, and labor obligations that are necessary under current legislation will be the prior existence of the commercial relationship established between the parties.

### **ASSIGNMENTS OR TRANSFERS RECIPIENTS**

GABRIEL MONTAÑES ALBERTI does not carry out any data transfer or communication unless there is a reasonable need to comply with a legal procedure, legal obligation, or prior to obtaining the User's consent.

International transfers of your personal data will not be made without your prior consent, without prejudice to blocking or canceling any account in evidence of a criminal offence undertaken by the User. The information provided will only be available to the provider at this time.

GABRIEL MONTAÑES ALBERTI will not transfer the data collected to third parties unless there is a reasonable need to comply with a legal procedure, legal obligation, or prior obtaining the User's consent.

The information that you provide us both through this website and through the application will be hosted on the servers of GABRIEL MONTAÑES ALBERTI , contracted to the company Wix.com LTD with CIF EU442008451 and fiscal address located in 40 Namal Tel Aviv, 6350671 Israel. The data processing of said entity is regulated by a contract regarding the processing between the provider and said company. In no case will this data processor subcontract services that involve any data processing by third parties without our prior consent.

### **COMMUNICATIONS**

Any communication sent will be incorporated into the Information Systems of GABRIEL MONTAÑES ALBERTI. By accepting these conditions, terms, and policies, the User expressly

consents to GABRIEL MONTAÑES ALBERTI carrying out the following activities and/or actions, unless the User indicates otherwise:

- The sending of commercial and/or promotional communications by any means enabled informing the Users of the activities, services, promotions, advertising, news, offers, and other information about the services and products related to the activity.
- In the event that the User has expressly consented to the sending of commercial communications electronically by subscribing the NEWSLETTER, the sending of such communications by electronic means informing the Users of the activities, services, promotions, advertising, news, offers, and other information about the services and products of GABRIEL MONTAÑES ALBERTI equal or similar to those that were originally the aim of the contract or interest by the User.
- The storage of personal data during the periods provided in the applicable provisions.

## **RIGHTS OF CONCERNED INDIVIDUALS**

As a concerned User, you can request to exercise the following rights before **GABRIEL MONTAÑES ALBERTI** by submitting a letter to the postal address located in the letterhead or by sending an email to **STUDIO@MONTANES.ES** indicating as Subject: "Data Protection - RIGHTS OF CONCERNED INDIVIDUALS", and attaching a photocopy of your National Identity Document (DNI) or any analogous document, as indicated by law.

### **Rights:**

- **Access rights:** allows the interested party to acknowledge and obtain information about their personal data submitted to processing.
- **Right to rectification or deletion:** it allows to correct errors and modify the data that proves to be inaccurate or incomplete.
- **Right to cancellation:** allows data that turns out to be inadequate or excessive to be deleted.
- **Right to opposition:** the right of the interested party to not carry out the processing of their personal data or to cease it.
- **Limitation of personal data processing:** involves the marking of personal kept data, with the purpose of limiting its' future processing.
- **Portability of the data:** facilitation of the data subject to processing to the interested party, so that he or she can transmit it to another person in charge, without impediments.
- **The right not to be subject to automated individual decisions (including the elaboration of profiles):** the right not to be the subject of a decision based on automated processings that produces effects or significantly affects the User.

As a User, you have the right to withdraw consent given at any time. The withdrawal of consent will not affect the lawfulness of the process carried out before the withdrawal of consent.

You also have the right to submit a claim to the supervisory authority if you believe that your rights may have been violated in relation to the protection of your personal data (agpd.es).

#### **STORAGE OF YOUR PERSONAL DATA**

Your data will be kept for the duration of the commercial relationship with us or until you exercise your right to cancellation or opposition, or limitation to processing. However, we will keep certain personal identification and traffic data for a maximum period of 2 years in case it is required by the Judges and Courts or to initiate internal actions derived from the improper use of the website.

It will not be subject to decisions based on automated processings that produce effects on your data.

## **ADDITIONAL INFORMATION**

#### **INFORMATION WE COLLECT:**

The data collected by the responsible party is the following:

- Those that Users provide through the different services offered on the website
- Those included in the different forms provided on the website
- Data collected through "cookies" for browsing experience improvement as reported in the cookies policy.

The refusal to supply the obligatory data will result in the impossibility to minister to the particular request in question. You state that the information and data you provide us are accurate, current and true. We ask that in case of modification, communicate such changes immediately so that the information under process is updated at all times and does not contain errors.

If you contract the service/purchase the product through our website [LSSI\_Web] we will ask you to provide us with information about you, including your name, contact information, and information about a credit or debit card.

Through this Privacy Policy we inform you that the photographs that are posted on the website are property of GABRIEL MONTAÑES ALBERTI, including those of minors, of which, in order to obtain these, prior consent of the parent, tutors, or legal representatives has been obtained by signing the forms made for that purpose by the centers in which matters regarding minors are regulated. However, the parents, guardians, or representatives of minors, as holders of the exercise of rights of these, and always by previous formal requirement in writing, may

indicate the refusal to use the image of the minor; in this case, the image will be shown pixelated.

## **SOCIAL NETWORKS**

We inform you that GABRIEL MONTAÑES ALBERTI may have a presence on social networks. The processing of data that is carried out concerning the people who become followers on social networks (and/or carry out any link or connection action through social networks) of the official pages of GABRIEL MONTAÑES ALBERTI will be governed by this section, as well as those conditions of use, privacy policies, and access regulations that belong to the social network that is appropriate in each case and previously accepted by the User.

GABRIEL MONTAÑES ALBERTI will process your data with the purpose of correctly managing your presence on social networks, informing you of the provider's activities, products, or services, as well as for any other purpose that the regulations of the social networks allow.

The publication of the following content is prohibited:

- That are presumably unlawful by national, community, or international regulations or that they carry out activities that are presumably unlawful or contravene the principles of good faith.
- That threaten the fundamental rights of people, lack courtesy in the network, annoy or may generate negative opinions to our Users or third parties and in general whatever the content that GABRIEL MONTAÑES ALBERTI deems inappropriate.
- In general that contravene the principles of legality, honesty, responsibility, protection of human dignity, protection of minors, protection of public order, protection of privacy, consumer protection, and intellectual and industrial property rights.

Likewise, GABRIEL MONTAÑES ALBERTI reserves the right to remove, without notice from the website or the corporate social network, those contents deemed inappropriate.

Communications sent through social networks will be incorporated into a file owned by GABRIEL MONTAÑES ALBERTI, and may send you information of interest.

You can access more information, as well as consult the companies that are part of GABRIEL MONTAÑES ALBERTI, through the following link: [www.empresa.com/politicadeprivacidad](http://www.empresa.com/politicadeprivacidad).

In any case, if you send personal information through the social network, GABRIEL MONTAÑES ALBERTI will be exempt from liability in relation to the security measures applicable to this platform, which is the Users' responsibility to know, by checking the corresponding conditions particular to the network in question.

## **SECURITY MEASURES:**

The information you provide will be processed confidentially. The Provider has adopted all the technical and organizational measures and all the levels of protection necessary to guarantee the security in the processing of the data and to avoid its alteration, loss, theft, processing or

unauthorized access, according to the state of technology and nature of the stored data. Likewise, it is also guaranteed that the processing and registration in files, programs, systems or equipment, premises and centers comply with the requirements and conditions of integrity and security established in the current regulations.

## **LANGUAGE**

The language applicable to this Privacy Policy is Spanish. Therefore, in case there is any contradiction in any of the versions provided in other languages, the Spanish version will have prevalence.

## **SUBMITTING OF CV (Curriculum Vitae)**

In the event that the User submits his or her CV through our website, we inform him or her that the information provided will be processed to make him or her participant in the selection processes that may exist, carrying out an analysis of the applicant's profile in order to select the best candidate for the vacancy of the Company (Provider). We inform you that this is the only official procedure to accept your CV, so CVs submitted by another procedure will not be accepted. In case of any change in the data provided, please inform us in writing as soon as possible, in order to keep your data properly updated.

The data will be kept for a maximum period of one year, after which the data will be deleted guaranteeing a total respect to confidentiality both in the processing and in its subsequent destruction. In this sense, after the aforementioned deadline, and if you wish to continue participating in the selection processes of the Company (Provider), please re-submit your CV.

The data may be processed and/or communicated to the member companies of our group during the time of conservation of their curriculum and for the same purposes previously reported.

## **BLOG SUBSCRIPTION**

In the event that the User subscribes to the blog, we inform you that the information provided will be processed to manage your subscription to the information blog with update notices and that it will be kept as long as there is a mutual interest to maintain until the end of the agreement. When it is no longer necessary for this purpose, it will be eliminated with adequate security measures to guarantee the pseudonymization of the data or the total destruction of the same. The data will not be communicated to third parties, except within the frame of legal obligations.

## **FORUM PARTICIPATION**

In the event that the User wants to participate in the web forums, we inform him or her that any data provided will be processed to regulate participation in them. Any registration or transmission of personal data provided by the User of this forum implies the unambiguous knowledge and acceptance of the Legal Notice and the Privacy Policy set forth on the website. The data will be kept as long as there is a mutual interest to maintain the end of the agreement and when it is no longer necessary for this purpose, it will be deleted with

adequate security measures to guarantee the pseudonymization of the data or total destruction of the data. The publications will be publicly displayed to Users of the online forum.

#### **PUBLICATION OF YOUR TESTIMONIAL**

In the event that the User wants to publish their testimonial on the web, we inform you that the information provided will be processed to address the proposed suggestions, experiences, or opinions regarding the products and/or services to be published on the website and thus be able to help other Users. The data will be kept as long as there is a mutual interest to maintain the end of the agreement and when it is no longer necessary for this purpose, it will be deleted with adequate security measures to guarantee the pseudonymization of the data or total destruction of the data. The testimonials will be published on our website. The only personal data that will be published about the testimonial will be the names.

#### **CHANGES IN THE PRESENT PRIVACY POLICY**

GABRIEL MONTAÑES ALBERTI reserves the right to modify this policy to adapt it to new legislation or jurisprudence dispositions (case law).

#### **LEGISLATION**

For all purposes, the relationship between GABRIEL MONTAÑES ALBERTI and the Users of its telematic services, present on this Website, are subject to the Spanish legislation and jurisdiction to which the parties expressly submit, being competent for the resolution of all conflicts arising or related to their use the Courts and Tribunals of Baleares.