



# PROVISIONES PAGÁN, S.L. PRIVACY POLICY

At *Provisiones PAGÁN* we place great value on the transparency and security of your information and aim to build solid and lasting relationships with our users and clients, based on trust and mutual interest. In line with this philosophy, the protection of your personal data is of vital importance to us.

Please read our privacy policy carefully, as it describes our practice of collecting, using, disclosing, processing and protecting your personal data. This information has been written in a clear and simple manner to make it easy for you to understand and to determine freely and voluntarily whether you wish to provide us with your personal data.

The contracting of any of our services or the purchase of our products requires the express acceptance of this Policy. We inform you that all the personal data that you provide us with, either by e-mail or in person at our company, in any format: quotes, contracts, invoices, etc., will be subject to the application of this privacy policy.

We have strived to create a secure and reliable web space and therefore we would like to share our PRINCIPLES regarding your PRIVACY:

- 1) We respect your privacy and your choices. We make sure that privacy and security are built into everything we do. We comply with the requirements on personal data protection contained in the European Regulation 679/2016 and LO 3/2018 on Data Protection.
- 2) We will not send you marketing communications unless we have your consent, or you have a business relationship with us. You can change your mind at any time.
- 3) We never offer or sell your data. We do not use your data in ways that we have not told you about.
- 4) We are committed to keeping your data safe and secure. This includes only working with trusted partners. We are committed to being open and transparent about how we use your data.
- 5) We respect your rights and always try to accommodate your requests as far as possible, consistent with our own legal and operational responsibilities.

## **1)- WHO is the CONTROLLER of the processing of your data?**

**The controller for the processing** of your personal data is *PROVISIONES PAGÁN, S.L.*, C.I.F. B-30709349 (hereinafter under the trade name *Provisiones PAGÁN*).

Address: Calle Bucarest Nº 25, P.I. Cabezo Beaza, C.P. 30.353, Cartagena, Murcia.

Email: [rpagan@provisionespagan.com](mailto:rpagan@provisionespagan.com)

Telephone: 968 50 50 32

For the purposes of our data protection policy, you can contact *Provisiones PAGÁN* by email at [rpagan@provisionespagan.com](mailto:rpagan@provisionespagan.com).

## **2- WHAT PERSONAL DATA are necessary and may be collected?**

**Personal data** refers to any information or data that can identify you directly or indirectly, we may collect: your name or surname, your ID, bank details, email, private postal addresses, mobile phone, usernames, profile images, etc. We may collect or receive your data on-line (e-mail) or off-line (forms, contracts, etc.).

**Obtained from the interested party:** The personal data you provide will be incorporated into computerized databases or physical files which, in turn, are subject to security measures and are included in a register of activities owned by *Provisiones PAGÁN*. The register of activities is a list and summary information of the data processing we carry out and is available to the Spanish Data Protection Agency.

*Provisiones PAGÁN* does not analyze or use, under any circumstances, any means external to our direct relationship with our users and clients. All inferred data that we may use relate to your interaction with us or with legitimate partners and suppliers.

The personal data we request from you are necessary to manage your queries, or to comply with the contractual relationship we maintain, so if you do not provide them, we will not be able to serve you correctly. When you provide us with your personal data, you guarantee that you are authorized to provide this information and that it is true, truthful, accurate and up-to-date, that it is not confidential, that it does not violate any contractual restriction or third party rights and that you undertake not to impersonate other users.

**Third party data.** With respect to other people's data, you must respect their privacy and take special care when communicating or publishing their personal data. Only the owner can authorize the processing of their personal data. If you provide us with data of third parties, it is your responsibility to have their prior and express consent to use and communicate them to us, and it is your responsibility to inform them of the inclusion of their data in our files.

**Data of minors.** The *Provisiones PAGÁN* website is aimed exclusively at users of legal age with the legal capacity to enter into contracts. Minors under 14 years of age may access and view the website, but under no circumstances may they provide us with their personal data, as this will require the authorization of their parents (both or at least one and the consent of the other), guardians, legal representative or the person they are in charge of. We do not assume any liability in the event that minors provide us with their data in breach of the requirements of this paragraph.

### **3- For what PURPOSE and on what LEGAL BASES will we process your personal data?**

*Provisiones PAGÁN* will process the personal data strictly necessary in relation to the purposes for which they are processed in each case, in accordance with the principles set out in art. 5 of the GDPR and will provide data subjects, at the time their personal data is obtained, with the information necessary to ensure fair and transparent processing.

Below, we explain for what purpose and on what legal basis we process your personal data. At *Provisiones PAGÁN* we process your personal data for the following **PURPOSES and LEGAL BASES:**

#### **I- To manage the contractual and commercial relationship with CUSTOMERS**

Here the processing of data includes the administrative and fiscal management of our customers: management and monitoring of budgets and contracts; sending electronic communications relating to the contract; manage and answer your queries; billing and collection management; manage disputes related to the service provided.

We will not create commercial profiles based on the information provided and consequently we will not make automated decisions about you based on this commercial profile.

**LEGAL BASES:** the processing of data has its legal basis in the fulfilment of the respective sales or service contract with customers or in the execution of pre-contractual measures (quotation), art. 6.1.b. RGPD: maintenance, fulfilment and development of the contractual relationship between the parties, your personal data being essential for this purpose.

***Provisiones PAGÁN* as the PROCESSOR.**

As provided in Article 28 RGPD and concordant, *Provisiones PAGÁN* will process personal data for which the client has the status of data controller when this is necessary for the proper provision of contracted services. In this case, *Provisiones PAGÁN* shall act as data processor in accordance with the terms and obligations set out below:

a) Purpose of the assignment: for the provision of the contracted ship supply service, *Provisiones Pagan* has to access personal information under the ownership and control of the client.

*Provisiones PAGÁN* will only process the data in accordance with the client's instructions, not using them for a purpose other than that stated in the main contract. As a general rule, the instructions that we must comply with are those which, logically and reasonably, are deduced from the very nature of the services contracted and are necessary for their proper fulfilment. Our actions shall be limited to what is necessary to carry out the contracted service and shall always be carried out within the framework of the contracted service, in accordance with the documented instructions of the client in each case, for the duration of this agreement.

The data processing shall be carried out on the premises and with the information systems of the Data Processor and the Data Controller and shall consist of the collection, recording, storage, requesting of data and, where appropriate, deletion or destruction. The category of data subjects affected by the data processing are the legal representatives and employees of the Data Controller.

Category of data affected by the processing: Identification data (name and surname, VAT number, address, e-mail address, mobile phone number, manual signature, image, etc.) Academic and professional data (details of the position or position) Financial and banking data.

b) Duration of the assignment: this agreement will be in force until the date of termination of the main service provision to which it is linked. Destination of the information: once the main contract has been fulfilled, *Provisiones PAGÁN* may only retain, duly blocked, any personal data or information generated during, for and by the service contract, during the period in which liabilities may arise from its relationship with the client.

c) Duty of Confidentiality: *Provisiones PAGÁN* is obliged, in accordance with Article 28 of the GDPR, to maintain confidentiality regarding personal data to which it must access in order to comply in each case with the contract, both during and after the termination of the contract, pledging to use such information only for the purpose intended in each case and to require the same level of commitment to any person within your organization involved in any phase of the processing of personal data responsible for the processing of personal data.

d) Access and/or processing of data by *Provisiones PAGÁN* shall be subject to the security measures necessary to: Guarantee the permanent confidentiality, integrity, availability and resilience of the processing systems and services; Restore availability and access to personal data quickly, in the event of a physical or technical incident; Regularly verify, evaluate and assess the effectiveness of the technical and organizational measures implemented to ensure the security of the processing; Pseudonymize and encrypt personal data, where appropriate.

e) Subcontracting: If we need to subcontract any processing, we will request prior written authorization from the Controller, indicating the processing that we intend to subcontract and clearly and unequivocally identifying the subcontracting company and its contact details, and this will only take place if the Controller authorizes the subcontracting in writing. Failure by the Controller to respond to the request is tantamount to opposition to the outsourcing.

f) We undertake to notify the Client, without undue delay and, in any case, within a maximum period of 24 hours and by e-mail, of any personal data security breaches occurring in our facilities, information systems or caused by our personnel, of which we are aware, together with all relevant information for the documentation and communication of the incident.

g) We undertake to make available to the customer all information necessary to demonstrate compliance with the obligations established in the applicable regulations and in this contract, as well as for the performance of audits or inspections carried out by the customer or an auditor authorized by the customer. We make available to the client the Certificate of Compliance that certifies that we comply in our organization with the current regulations on data protection.

h) Liability. *Provisiones PAGÁN* undertakes to comply with its obligations under this contract and the applicable regulations on the protection of personal data during its term. If we infringe this agreement or the regulations in force when determining the purposes and means of processing, *Provisiones PAGÁN* will be held responsible with respect to such treatment, responding to the infringements in which he had incurred.

## **II- To manage the contractual relationship with our SUPPLIERS**

*Provisiones PAGÁN* shall process the personal data of its Suppliers, whether natural or legal persons, with whom it has a relationship for the purpose of fulfilling the obligations acquired under the respective contractual relationship: administrative, fiscal, accounting and billing management.

*The processing of the data collected by virtue of the provisions herein shall be carried out and shall remain in force for as long as the purpose for which they were collected is maintained and until the expiry of the statute of limitations on liabilities between the parties.*

*With regard to the processing of suppliers' contact data, art. 19 of the LOPD-GDD establishes that, unless there is evidence to the contrary, it is covered by art. 6.1.f) of the RGPD itself. Therefore, the express consent of the interested parties shall not be required to process the personal data of legal representatives, proxies or employees of suppliers of *Provisiones PAGÁN*, based on the legitimate interest of the latter for the provision of the service that has been previously contracted with the supplier in question.*

**LEGAL BASES:** *The processing of personal data of our suppliers has its legal basis in art. 6.1.b) of the RGPD: the execution of a contract to which the supplier is a party or for the*

application at the request of this pre-contractual measures, as well as in compliance with obligations imposed on the parties by the General Tax Law and others.

### **III- To manage the contractual relationship with CANDIDATES FOR EMPLOYMENT**

*Provisiones PAGÁN* is responsible for processing the "Personnel/Human Resources" activity register, which will include CVs sent by email, in order to analyze your professional profile for the purposes of including you in our staff selection processes and to inform you by post or email of vacancies in our company.

Among other categories of data, aspects relating to academic training, professional performance, economic situation, personal preferences, interests, reliability, behaviour, location or movements of the natural person will be processed. The data you provide will not be disclosed or passed on to third parties and will be processed on the basis of your express consent to your spontaneous application or registration for a job offer. Your data will be kept until a job is awarded or until you request its cancellation; however, CVs that have not been updated within 2 years will be deleted.

**LEGAL BASES:** In the case of candidates for employment, the legal basis for the processing of curricular information is based on the consent of the interested party when sending us your CV, art. 6.1.a) of the RGD and/or in the execution of pre-contractual measures if you enter a recruitment process, art. 6.1.b. RGD. In order to comply with the principle of data quality and to keep your information up to date, please inform us of any changes that may occur in the data you have provided us with.

### **IV- To send you COMMERCIAL information** about the products and services we market. You may withdraw your consent to receive commercial communications at any time without, under any circumstances, this withdrawal conditioning the processing of data for the rest of the purposes of our commercial or contractual relationship.

**LEGAL BASES:** the processing of data has its legal basis in the express consent of the interested party (users/potential customers) when they tick the box to accept the sending of advertising and based on our legitimate interests of advertising services similar to those contracted by our customers: article 21.2 of the LSSI-CE, allows us to send our customers by electronic means commercial communications that meet these conditions.

**V- To enable *Provisiones PAGÁN* to comply with the legal obligations** in force at any given time, including tax, administrative, social security, data protection, telecommunications and information society services laws. Also, to process your data for internal administrative purposes of our company. To detect, prevent, investigate, or remedy offences, illegal or prohibited activities or, in general, to protect our legal rights.

**LEGAL BASES:** The processing of data has its legal basis in the legitimate interest and the fulfilment of legal obligations of *Provisiones PAGÁN*.

### **V- To enable the operation and security of our website through the use of COOKIES.** Our website only uses technical cookies necessary for the operation of the website. **LEGAL BASES:** the processing of data has its legal basis in the legitimate interest of *Provisiones PAGÁN*, art. 6.1.f) of the RGD: to ensure that we provide you with a website and applications that work properly and

improve their operation and keep them secure (technical, functional and web security cookies)

#### **4- WHO has access to your personal data?**

*Provisiones PAGÁN* will not transfer your personal data to third parties outside the relationship linking us in the processing of your data without prior informed consent of the user or unless we are covered by a law.

However, in order to provide you with an appropriate service and manage our contractual relationship, *Provisiones PAGÁN* has SERVICE PROVIDERS who need to process your data, guaranteeing the protection and security of the same at all times by signing the corresponding legal contracts. In this way we may transfer or communicate your data to data processors who provide us with computer maintenance and security services, web and e-mail hosting and support services, tax consultants, etc.

All these service providers, as data processors, are limited to accessing or using the data only for the purpose of providing the specific service contracted and provide us with evidence that they comply with the requirements of the GDPR in terms of data security measures and safeguards.

#### **5- What are YOUR RIGHTS in relation to your personal data?**

Data subjects, users, customers, clients, suppliers, may exercise the following rights at any time:

(a) **the right of ACCESS.** You have the right to be informed about whether *Provisiones PAGÁN* is processing your personal data, what data they are, to access them, to obtain information about the processing carried out and to obtain a free copy of them.

b) **the right of RECTIFICATION.** You have the right to request the rectification of any inaccurate data concerning you, and the completion of any incomplete personal data.

c) **The right of DELETION:** you have the right to request the deletion of your data when they are no longer necessary for the purpose for which they were provided or when there is unlawful processing of your data. The deletion or cancellation of data required by data protection regulations does not automatically entail their physical deletion or suppression, but rather their blocking (if they are computerized, preventing access to them, and if they are on paper, storing them in a different place from the rest), as there are legal obligations to keep the data.

d) **The right to LIMIT the processing:** this right has two aspects: you have the right to ask *Provisiones PAGÁN* to suspend the processing of data or to retain them in legal cases. You may also request limitation when you need the data for the formulation, exercise or defence of claims.

e) **the right to PORTABILITY of data:** You have the right to request a copy of the personal data you have provided us with in a structured, commonly used and machine-readable format, provided that such data pertains exclusively to you, so that it can be transmitted to another data controller or processor, provided that this is technically possible.

f) **The right to object:** You may object to the processing of your data if the processing has to cease because of your personal situation or if the processing is for direct marketing

purposes. You may revoke your consent to receive advertising at any time by sending an e-mail to [rpagan@provisionespagan.com](mailto:rpagan@provisionespagan.com).

Likewise, we inform you that, as independent rights and different from the above, you have the following:

- **The right to withdraw at any time the consent previously given**, by contacting [rpagan@provisionespagan.com](mailto:rpagan@provisionespagan.com).

- **The right to file a claim/complaint with the supervisory authority** responsible for data protection, the Spanish Data Protection Agency, [www.aepd.es](http://www.aepd.es).

The exercise of these rights is free of charge, except in the case of manifestly unfounded or excessive requests, in which case the data subject may be required to bear the cost of processing the request.

If you wish to exercise any of your rights, we provide you with the forms where you can exercise them, please contact *Provisiones PAGÁN* at the following e-mail address: [rpagan@provisionespagan.com](mailto:rpagan@provisionespagan.com) by means of a signed request accompanied by a full copy of your identity card and specifying the right you wish to exercise.

## 6- For **HOW LONG will your data be processed?**

The European Regulation 2016/679 of 27 April establishes the "Principle of Limitation of the storage period", in its article 5 e): "personal data shall be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes of the processing. In general, data will only be kept for the time strictly necessary for the purpose for which they were collected, until the owner objects to the processing and in any case until the prescription of legal obligations.

Data obtained from users in e-mail consultations: For a period of 1 year, unless they give rise to new processing as a customer and, without prejudice to the data subject's right to exercise his/her right to erasure beforehand.

With regard to the processing of data for advertising purposes: the personal data of data subjects shall be processed indefinitely as long as erasure is not requested. Art. 6.1.a) GDPR.

Fiscal, tax and commercial data: In accordance with Spanish tax regulations, invoices, rights and obligations relating to the payment of taxes and withholdings will be kept for at least 5 years. According to article 30 of the Spanish Commercial Code, the books, correspondence and supporting documents concerning your business, duly ordered, will be kept for 6 years. The statute of limitations in Spain for tax offences is 10 years, therefore, we will keep the fiscal and tax data during this period as it is longer.

The data collected for the formalization and execution of the sales or service contract, once concluded, will be kept for the period established by tax, fiscal, commercial legislation, etc., as well as the time necessary for the formulation, exercise or defence of claims and the prescription of liability actions that may arise between the parties, a maximum of 10 years.

When we no longer need your personal data, we will securely delete it from our systems and records (without sending you any notice).

## **7- PRIVACY AND SECURITY of your data**

*Provisiones PAGÁN* will treat your data in the strictest confidence and maintain the mandatory duty of secrecy with regard to the same, in accordance with the applicable regulations.

Once we receive your data, we use strict security procedures and functions to: guarantee the confidentiality, integrity, availability and permanent resilience of the processing systems and services; restore availability and access to personal data quickly in the event of a physical or technical incident; verify, evaluate and assess, on a regular basis, the effectiveness of the technical and organizational measures implemented to guarantee the security of the processing and to pseudonymize and encrypt personal data, where applicable.

This website includes an SSL Certificate, which is a security protocol that ensures that your data travels in an integral and secure manner, the transmission of data between a server and a web user and, in return, is fully encrypted or encrypted.

We therefore make every effort to protect your personal data, but we cannot fully guarantee the security of the Internet network and therefore the violation of the data transmitted through fraudulent access to it by third parties. Any transmission is therefore at your own risk. In the event of any security incident affecting your personal data, we will inform you immediately.

**8- TRANSFERS outside the European Economic Area.** Not provided for.

## **9- More Information**

If you have any questions about how we handle your data, the content of this privacy statement, your rights under the law, how we update your records or how to obtain a copy of the data we hold about you, please contact *Provisiones PAGÁN* at [rpagan@provisionespagan.com](mailto:rpagan@provisionespagan.com).

Updated on 5 May 2023