

# PRIVACY AND COOKIES POLICY AQUANIMA PURCHASING PORTAL

## **A. PRIVACY POLICY**

### **I. INTRODUCTION**

Within the scope of its operations, the Aqunima Group (companies that are a part of Aqunima as detailed below) provides users of the Aqunima Purchasing Portal (<https://aqunima.app.jaggaer.com>), to allow registered users access to manage negotiations and/or orders ("the Platform").

The Platform is managed by IBÉRICA DE COMPRAS CORPORATIVAS, S.L. ("Aqunima Spain"), it is a global Platform and, as such, any of the companies of the Aqunima Group across the world may access its content and address any user to fulfil its functions.

As set out in the **Portal's Conditions of Use**, interested parties must register beforehand, for which certain information is requested, including personal data of those persons acting for and on behalf of a legal entity or acting directly in their own name, as a self-employed professional ("the users"). Aqunima reserves the right to request users for any information it deems appropriate to verify their identity, as well as to delete or disable any user account, or access to it, should it not meet the aforementioned conditions, or if any user does not provide the requested documentation in due time and proper form.

The Aqunima Group is committed to information security and the protection of personal data. In this regard, it has implemented the necessary technical and organisational measures to guarantee an appropriate level of security, as well as to avoid loss, alteration, unauthorised use or access, taking into account the state of the art, the nature of the data stored and the risks to which they are exposed.

### **II.- Data controllers and contact details**

The companies below, which make up Aqunima Group, are joint controllers.

List of joint controllers:

<b>TRADE NAME</b>	<b>COMPANY NAME</b>	<b>INFORMATION AND CONTACT DETAILS</b>
AQUANIMA SPAIN	Ibérica de Compras Corporativas, S.L.	- Tax number: B-82797713 - Avda. de Cantabria s/n, edificio Arrecife, Planta 0, 28660 - Boadilla del Monte, Madrid - gestion.gdpr@aquanima.com
AQUANIMA GERMANY	Ibérica De Compras Corporativas, S.L. Niederlassung Deutschland	- TAX Number: 121/5948/1417 Tax number: DE278751209 - Santander Platz, 1, 41061 Monchengladbach, Germany - gestion.gdpr@aquanima.com
AQUANIMA UNITED KINGDOM	Ibérica De Compras Corporativas, S.L. UK Branch	- Oversea Company Reg, No. FC026626, Branch No. BR008678 - Santander House 201 Grafton Gate East, Milton Keynes, MK9 1AN, United Kingdom - gestion.gdpr@aquanima.com
AQUANIMA PORTUGAL	Ibérica de Compras Corporativas S.L., Succursal em Portugal	- Tax number: 980435226 - Rua da Mesquita, nº 6, 1070- 238, Lisbon - gestion.gdpr@aquanima.com
AQUANIMA BRAZIL	Aquanima Brasil, Ltda	- Tax no. (CNPJ/MF): 03.726.934/0001-01 - Avenida Roque Petroni Junior, nº 999, 11º andar, Vila Gertrudes, São Paulo, Estado de São Paulo - gestion.gdpr@aquanima.com
AQUANIMA CHILE	Aquanima Chile, S.A.	- Tax number: 96.982.090-0 - Alcántara 200, Las Condes, Santiago de Chile - gestion.gdpr@aquanima.com
AQUANIMA MEXICO	Aquanima México S. de R.L. de C.V.	- RFC (Federal taxpayer registration No.): AME001011JS3 - Santa Fe 505, piso 7, oficina 702, Colonia Cruz Manca, Mexico, Mexico City Cuajimalpa district - gestion.gdpr@aquanima.com
AQUANIMA UNITED STATES	NW Services, Co.	- Federal Tax ID: 65-1124801 - 7640 SW 164th Place Miami, FL 33193

TRADE NAME	COMPANY NAME	INFORMATION AND CONTACT DETAILS
		- gestion.gdpr@aquanima.com
AQUANIMA ARGENTINA	Aquanima, S.A.	- Tax no. (CUIT): 30710488165 - Av. Juan de Garay 151, CABA, Argentina - gestion.gdpr@aquanima.com

As per article 26 of the General Data Protection Regulation (EU), users may consult the essential aspects of the arrangement made between the joint controllers by contacting: [gestion.gdpr@aquanima.com](mailto:gestion.gdpr@aquanima.com)

### III.- Purpose of the personal data processing and legitimate interest

This section explains which types of processing are carried out by all joint controllers, their purposes and their legal basis.

1. **Management and answering of questions, queries and suggestions** that registered users may have in relation to the services provided by Aquanima. The legitimate basis of this processing is the performance of a contractual relationship.
2. **User registration and use of the Platform:** the joint controllers shall use the users' data, both those acting on their own behalf and those authorised to act on their behalf, in order to carry out the necessary steps to register the user on the Platform, as well as for the management of the use of the Platform. The legitimate basis of this processing is the performance of a contractual relationship.
3. **Managing the process for certifying, negotiating and entering into a contract:** the joint controllers may use the data provided by the data subjects to establish a contact in relation to the certification and/or negotiation and/or formalisation of contractual documents, as well as to keep them informed about any progress in relation to these processes. The legitimate basis of this processing is the performance of a contract.
4. **Purchasing Portal management and support:** the joint controllers may use the data of users to manage and provide support to the user concerning the use of the features offered

through Aquanima. The legitimate basis for this processing is the performance of a contract.

5. **Satisfaction surveys:** the joint controllers may send surveys to registered users asking them to rate the contracted services and to measure their level of satisfaction. This processing is necessary for Aquanima's legitimate interests.
6. **To comply with the legally established obligations,** with processing being based on the fulfilment of Aquanima's legal obligations.

Your data are processed on the basis of your consent, and may be withdrawn by the User at any time via email: [gestion.gdpr@aquanima.com](mailto:gestion.gdpr@aquanima.com). However, if users withdraw their consent, or if they object to the processing of their data, this will not affect the lawfulness of the processing previously carried out.

#### **IV.- Data storage period**

The personal data provided will be retained (i) for as long as the contractual relationship remains in force, where applicable, or you revoke the consent granted, and will be retained even afterwards for the period during which Aquanima may be held liable. If the data subject exercises their right to erasure, their personal data will be kept blocked for the legally established periods in order to address possible liabilities arising from their processing, and for a maximum period of five years.

#### **V. - Type and origin of the data**

##### **1. Type**

Compulsory data:

- Identification data: User's full name, ID card number and username.
- Contact details: Email address, Telephone No. (required only for customer users)
- Personal characteristics: Language, Time Zone
- Professional characteristics: Department/Function

Optional information:

- Contact details: postal address, fax
- Financial data: annual turnover, payment terms, currency, etc.

The Personal Data requested are mandatory, except when expressly indicated otherwise. Any refusal to provide them will mean that it will not be possible to provide the service.

## **2. Origin of the data**

The data subjects' data may be given to the joint controllers either directly by the data subjects themselves or by the company they belong to and represent, or by one of the customers of the joint controllers at the request of their company.

## **VI. - Communication of the data**

Where joint controllers are involved in the implementation and management of contractual documents, the personal data of data subjects may be disclosed to the customer of the joint controller in question. This communication has its legal basis in the legitimate interest of the joint controller, the customer and the company that the data subject represents.

## **VII. - International transfers**

Since some of the joint controllers are located outside the European Economic Area (EEA) and the Platform is managed from Spain, there may international data transfers as per the applicable European regulation.

Aquanima hereby informs the data subjects that data processing outside the EEA may entail a security risk for their data. Notwithstanding the foregoing, Aquanima states that it has implemented an appropriate mechanism recognised by applicable data protection law to facilitate any such international data transfers. In the absence of an adequacy decision pursuant to Article 45 of the GDPR, you state that you have entered into the Standard Contractual Clauses set out in Implementing Decision 2021/914/EU ("STCs") or any other legal instrument updating or amending said Standard Clauses.

## **VIII. - Recipients of your Data**

Your data may be disclosed to third parties to which you are legally obliged to provide them, such as public bodies, tax offices, judges and courts.

Besides the aforementioned data transmissions, Aquanima works in partnership with some third-party service providers who have access to your personal data and who process this data on behalf of Aquanima as part of their services, including, but not limited to, the following sectors: legal advisory and technology services

## **IX. - Rights of data subjects**

As the owner of the data, the user may exercise the rights recognised in the data protection regulations, at any time and free of charge, by writing to [gestion.gdpr@aquanima.com](mailto:gestion.gdpr@aquanima.com) or by post to Avda. de Cantabria s/n, edificio Arrecife, Planta 0, 28660 - Boadilla del Monte (Madrid), enclosing a photocopy of their identity document, or any other document that allows the user's identity to be verified.

### **a) Right of access:**

The user has the right to ask Aquanima whether it is processing their personal data and, if it is, to access such personal data and to receive information on the purposes for which it is being processed, including information on the categories of data being processed, the recipients, if applicable, their personal data has been disclosed to and the period for which it is expected to be stored.

### **b) Right of rectification and erasure:**

The user will be entitled to request the erasure of their personal data, provided the legal requirements are met, and to rectify any inaccurate data concerning them when, among other reasons, the data is no longer necessary for the purposes for which it was collected.

### **c) Restriction of processing, revocation of consent and total or partial objection to processing:**

In certain circumstances (e.g., if the data subject contests the accuracy of their data), they may request that the processing of their personal data be restricted while the accuracy of the data is being verified, and this data will then be processed solely for the purpose of lodging or defending against complaints.

The user will also have the right to revoke their consent and to object to the processing at any time, for reasons related to their particular circumstances, if the processing is based on the legitimate interest of one of the joint controllers or the legitimate interest of a third party (including processing for direct marketing and profiling purposes). In

this case, Aquanima will cease all processing activity, unless it can demonstrate legitimate grounds for it.

d) Data portability:

The user will have the right to receive any personal data they may have already provided to Aquanima in a structured, commonly used and machine-readable format and to transmit the data to another controller without being prevented from doing so by the existing controller, in the legally established circumstances.

e) Automated individual decision-making:

In addition to the above rights, and in the event of automated decision-making, including profiling, the user will have the right to request and obtain human intervention by Aquanima and to express their point of view and object to the decision.

f) Other:

Where personal data is transferred to a third country or to an international organisation, the data subject will have the right to be informed of how their data may be accessed and to obtain a copy of the appropriate safeguards relating to the transfer.

The data subject may also lodge a complaint regarding the protection of their personal data with the Spanish Data Protection Agency (Agencia Española de Protección de Datos) at Calle Jorge Juan 6, 28001, Madrid, if they believe that Aquanima has breached their rights as recognised under applicable data protection legislation.

### **Data protection officer**

Aquanima has appointed a data protection officer (DPO) to be responsible, within the Group, for protecting the privacy and confidentiality of users and ensuring the fulfilment of the various legal requirements contained in applicable regulations (both Spanish and European) in the area of personal data protection.

You can contact the data protection officer at the following email address: [gestion.gdpr@aquanima.com](mailto:gestion.gdpr@aquanima.com)

## **B. COOKIES POLICY**

### **1. Entity responsible**

Through this notice, IBÉRICA DE COMPRAS CORPORATIVAS, S.L., with registered office at Avda. de Cantabria s/n, edificio Arrecife, Planta 0, 28660 – Boadilla del Monte, Madrid and tax no. B-82797713, the owner of this website or application ("Aquanima" or the "publisher" without distinction) hereby informs visitors to the website or users of the app, where applicable, (the "website" or the "app" and the "users" or "user", respectively) about its cookies policy, so that they are aware of the cookies that will be used as they browse the website or use the app and can provide their consent to the same.

### **2. What are cookies?**

Cookies are any type of data storage and retrieval device used on an internet user's terminal (computer/smartphone/tablet) for storing information and retrieving information that was stored previously. Cookies can be installed either directly by the websites visited by the user or by third parties with which the website is related, and they allow the website to keep track of the user's activity on the site or on other, related sites, including: the location the user connects from, the connection time, the (wired or mobile) device used, the operating system and browser used, the pages most frequently visited, the number of clicks and data on the user's browsing habits.

For more information on how websites and apps use cookies, go to <https://www.allaboutcookies.org/es/>

### **3. Personal data protection**

Under certain circumstances, the use of data storage and recovery devices on recipient terminals, such as cookies, may involve processing personal data. The legitimate grounds for this data processing will be the consent provided by the website or app users after receiving clear and comprehensive information on the use of cookies, in particular regarding the purposes of the data processing, in the area of personal data protection.

To this effect, you must remember that this cookie policy (the "cookie policy") is supplemented by the privacy policy for this website or app.

### **4. Types of cookies used**

This website uses the following types of cookies:

#### **4.1. Technical and strictly necessary cookies**

These are cookies inserted by the publisher which are necessary for the website to operate correctly or to provide a given service requested by the user. Personalisation or preferential cookies are considered necessary to allow information to be recorded so that the



user can access the service with certain characteristics which may differentiate their experience from that of other users, such as their preferred language or the number of results to show in their searches.

Technical cookies include user interface personalisation cookies, cookies used by the publisher to control data communication and traffic and identify the session, cookies for sharing content on social media, etc.

Pursuant to Art. 22.2 of the Information Society Services and Electronic Commerce Act, users do not have to give their consent for them to be used.

The table below provides more detailed information on this type of cookie:

NAME	PURPOSE	DURATION/ EXPIRY
JSESSIONID VISITORID VISITOR_ET fbp; ga; gcl_au _tabSessionId	Session	Deleted at the end of the session

## 5. What are the legal grounds for the use of cookies?

Except in the case of strictly necessary and technical cookies whose use does not require the user's informed consent, the publisher will place cookies on the user's computer only with the user's prior informed consent. Users may give their consent either by clicking "Accept all cookies" or by consenting to those that they choose in the cookie settings panel displayed by the publisher the first time the user accesses the website or the app.

## 6. Can you revoke your consent?

Users may revoke their consent regarding cookies and delete installed cookies at any time. To do so, you may:

- Use the content and privacy settings in the browser you are using to browse the website. You may revoke your consent and delete cookies by following these steps, depending on the browser used:
  - Firefox: <http://support.mozilla.org/en/home>
  - Internet/Explorer: <http://support.microsoft.com/ph/807/es-es>
  - Safari: [http://support.apple.com/kb/HT1677?viewlocale=en\\_gb](http://support.apple.com/kb/HT1677?viewlocale=en_gb)
  - Opera: <http://help.opera.com/Windows/8.54/en/index.html>
  - Chrome: <https://support.google.com/chrome/?hl=es>

## **7. Updates to the cookies policy and contact details**

This cookies policy may change depending on the cookies used. If new types of cookies requiring informed consent are included, the publisher will inform the user and record their due consent.

Without prejudice to the above, the publisher recommends that you review this policy each time you access our website, so that you are properly informed about how and why we use cookies and are aware of any changes in the type of data collected.

If you have any queries concerning the portal's cookies policy, you can contact the publisher at: [gestion.gdpr@aquanima.com](mailto:gestion.gdpr@aquanima.com) indicating "Cookie Policy" in the subject line.