



Claranet Privacy Policy

April 2023

1. Privacy and Data Protection

Privacy and protection of personal data of all customers and users of the services provided by Claranet Portugal, S.A. (“Claranet”), at any time, is a crucial feature in the way Claranet operates and is organized.

Claranet aims to ensure, therefore, that all its customers know, in each moment, the rules and principles governing the protection and processing of personal data, making every possible effort to ensure the security of such data, in accordance to the rules and procedures defined in the applicable legislation, including the Personal Data Protection Act (Law N.o 58/2019, 8 August) which ensures the implementation, in the national legal order, the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 (GDPR). Thus, the company adopts the best technical and organisational practices to protect personal data of customers against loss, unintentional or unlawful disposal and improper alteration and against integrity failures, unauthorised access or disclosure.

On the website of Claranet you can find links to access other websites that are beyond our company. The provision of such links is done in good faith, and Claranet cannot be held responsible for the collection and processing of personal data carried out on those websites, nor be held liable for the accuracy, reliability and functionality of websites belonging to Third Parties. Thus, the provision of links to other websites unrelated to Claranet does not imply any assumption of responsibility for the same and therefore this Privacy Policy is not applicable to it.

Claranet advises its customers to adopt complementary security measures, including the maintenance of devices and programs that are properly updated and configured with firewalls and protection against malicious software, not to navigate on websites of questionable reputation or which do not have due guarantees of authenticity.

Please read carefully this Privacy Policy, the General Terms and Conditions for every service, as well as, the specific terms and conditions of each service provided by Claranet.

This Privacy Policy may, at any time, be subject to change or revision, and any changes or revisions are properly disclosed and reported on the website of Claranet.

2. What are Personal Data

Personal data means any information of any kind and regardless of its support, including sound and image, relating to an identified or identifiable natural person. An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identification number or to one or more factors specific to the physical, physiological, mental, economic, cultural or social identity of that natural person.

The personal data that we may collect and process are:

Basic data – information about customers which allow identification, such as name, address, phone number, email, subscribed services.

Traffic data – information about the using communications services, such as number calling and number called, date and time of every communication, duration of every communication.

Location data – information about geographical reference of the equipment providers at a certain point of time or during the use of the services.

3. Responsible for Collection and Processing of Personal Data

Claranet is responsible for the collection and processing of personal data of customers, pursuant to number 7 of Article 4 of GDPR, determining, within the context of the Customer Service provision, which data are to be collected and the means and purposes of such processing, as identified in the next paragraph.

4. Purpose of Data Collecting

Personal data collected by Claranet at the time of conclusion or during the performance of the contract have the following purpose: administrative management of customers, billing and collection services, marketing of the company or the company group products, and, in contracts relating to subscription of telecommunication services, traffic and location data retention, order management under Law N.º 32/2008. The use of Customer personal data for any other purpose requires prior and explicit consent of the data subject.

5. Responsibility for Data Communicated to Third Parties

Claranet is responsible for the collection and processing of personal data of customers, pursuant to number 7 of Article 4 of GDPR, determining, within the context of the Customer Service provision, which data are to be collected and the means and purposes of such processing, as identified in the next paragraph.

Claranet may, within the performance of its activity and under the Services provided, subcontract Third Parties for the pursuit of the abovementioned purposes and for the development and management of its IT systems, which may involve access by these entities to personal data of Claranet Customers. When that is the case, Claranet shall take appropriate measures, so that the entities that have access to data offer the highest technical, organisational and human guarantees at that level. Thus, Third Parties subcontracted by Claranet will be obliged, in the legally established terms, and under an agreement signed with the former, to implement technical and organisational measures to protect personal data from destruction, accidental or unlawful the disclosure, alteration, disclosure, unauthorised access and against all other unlawful mean of processing and will be bound to special duties of professional secrecy and confidentiality. Apart from these cases, Claranet will only transmit personal data of its Customers to Third Parties, if:

- a) it is required by force of law and only in strict accordance with its obligations or,
- b) in cases expressly permitted by law, if the Customer authorises expressly and specifically such transmission and is properly informed in writing about the recipients of personal data and the purposes of the data transmitted.

In either case, Claranet remains responsible for personal data made available by Customers.

The provision of certain services by Claranet may involve the transfer of your personal data outside Portugal. In such case, the company declares that it will strictly comply in determining the adequacy of the country of destination regarding personal data protection and the requirements applicable to such transfers, in the terms provided by law.

6. Processing Personal Data to Specific Purposes

Claranet only processes Customer's traffic and location data which are strictly necessary for the billing and collecting of the provided Services, proceeding to their custody and conservation for the time required to accomplish such purpose. These personal data will not be communicated to Third Parties by Claranet, with exception of specific situations defined by Law N.o 32/2008, 17 July, that regulate the conservation and transmission of traffic and location data relating to natural and legal persons, as well as associated data necessary to identify subscribers or registered users for purposes of investigation, detection and repression of severe crimes by the competent authorities.

7. Gathering Conditions Personal Data

Claranet only collects and processes personal data of Customers with their explicit consent, according to each of the specific purposes of the particular processing, in accordance with the Personal Data Protection Act. The consent given by Customers may be withdrawn at any time, for free. There are, however, personal data essential to the provision of the Services by Claranet, (compulsory data), being the Customers duly and previously informed of that need and the consequences of not making available such data. If personal data, considered indispensable, are not provided by Customers or are insufficient, incorrect or outdated, Claranet cannot provide the service(s) subscribed, assuming the Customers in this case full and exclusively responsibility for the failure or inaccuracy of the data transmitted.

8. Personal Data Preservation Period

Claranet only retains personal data of Customers for the period strictly necessary for:

- a) The provision of service(s);
- b) Compliance with legal obligations to which Claranet is subject;
- c) Pursuance of the purposes of collection and /or processing;
- d) Exercise of the rights of the Customers and fulfilment of the corresponding obligations.

In cases where the National Commission for Personal Data Protection (NCDP) authorises the retention of personal data of Customers for longer than the period of the contract, given the specific purpose of the processing, the Customer will be timely and duly informed of that purpose and the period of conservation in question. After the expiration of the conservation / guard time period, as set out above, the personal data of Customers will be permanently deleted by Claranet.

9. Rights of Customers in Relation to Their Personal Data

According to the provisions of the Personal Data Protection Act, it is guaranteed to the Customer, as data subject, and free of charge, the right to access, correction, updating and deletion of his personal data. In any of the cases provided above, the Customer may exercise its legitimate rights by giving written notice to the email below.

10. Electronic Unsolicited Communications for Direct Marketing Purposes

The contact details of the Customer, when a natural person, may be used by Claranet, if expressly authorised in the Service Order Form, in direct marketing and promotion of services provided by Claranet pursuant to Article 13 of Law N.º 41/2004, August 18, in the version given by Law N.º 46/2012, 29 August.

In the case of a Customer who is legal person, Claranet may send unsolicited communications for direct marketing purposes regarding goods and services provided by Claranet or by a company of the same group, unless the Customer expressly refuses the future delivery of this type of communication and signs up on the national list of legal persons who explicitly oppose unsolicited communication for direct marketing purposes, for which up to date the General Directorate of Consumer (DGC) is responsible.

In any of the aforementioned cases, the Customer has the right to expressly and free of charge oppose, via email, to the sending of electronic communications for direct marketing purposes, by sending a written notice with such content to the above email address.

11. Cookies

Claranet uses cookies on its website to improve the performance and experience of the user.

Cookies are small text files which are stored on the computers of the Customers through the browser, retaining only information related to the preferences of the user (general information), not including personal data. Cookies used by Claranet respect the principles of anonymity and confidentiality and exist solely to recognize the user, not being used in any way to collect information that identifies the user, or for direct marketing purposes. Cookies help the website of Claranet to recognize the device of the user on his next visit. At any time, the user can, through his web browser, decide to be notified of the reception of cookies and block the respective access on his system. It may be noted that the refusal to use cookies on the website, may result in the inability of the user to access some of its areas and/or to receive personalised information.

Cookies are used to help determine the usefulness, interest and number of visits of the website of Claranet, allowing a quickly and most effectively navigation, eliminating the need to repeatedly enter the same information. Cookies used by Claranet have different purposes and are distinguished as follows:

- 1 - Essential cookies** – allow navigation on the website and use of its applications, such as accessing secure areas of the website. Without these cookies, service(s) subscribed by the Customer cannot be provided. Some cookies are essential to access specific areas of the website of Claranet.

- 2 - Analytical cookies** – performance cookies to find out which are the most popular pages, which is the most effective method of connection between pages, or to determine why some pages are receiving error messages. These cookies are used only for the purpose of creation and statistical analysis, and never collect personal information.
- 3 - Functionality cookies** – keep the preferences of the user regarding the use of the website, so that it is not necessary to reconfigure the website each visit.
- 4 - Third Party cookies** – measure the success of applications and the effectiveness of Third-Party advertising.

Cookies can be:

Permanent – remain stored, for a variable period, at the level of the web browser in the access devices and are used whenever the user makes a new visit to the website. They are typically used to direct navigation according to the interests of the user, allowing us to provide a more personalised service.

Session Cookies – temporary, remain on your web browser cookies until you leave the website. The information obtained allows us to identify problems and provide a better browsing experience.

All Internet browsers allow users to accept, refuse or delete cookies, by selecting the appropriate settings in the Internet browser. After accepting cookies, users can always disable some or all the cookies of Claranet.

12. Security Measures Adopted to Personal Data Protection

In its organisational structure, Claranet has a Data Protection Officer, that takes responsibility for the performance and compliance with legal and regulatory provision regarding processing of personal data, and for the maintenance and development of the Security, Confidentiality, Secrecy and Personal Data Protection Policy.

13. Procedural Measures and Safety Technical

Claranet applies technical and organisational measures to ensure that, by default, only personal data of Customers that are necessary for each specific processing purposes, will be processed, which are reviewed and updated periodically by the responsible department.

Claranet has also implemented technical, physical, organisational and sufficiently secured measures, necessary and appropriate to protect personal data from destruction, accidental or unlawful or accidental loss, alteration, disclosure, unauthorised access and any other form of unlawful processing. Thus, Claranet adopted different mechanisms and safety procedures, following the best practices in terms of information security in the systems that support the services it provides and to keep the process data of the Customers, including the use of firewalls and systems intrusion detection, the existence of restricted access – physical and logical - the operations log (logging) and respective monitoring and auditing the collection and transmission of personal data through secure means.

The personal information collected by Claranet is securely stored in its systems, which are kept in a data centre owned or managed by Claranet, under all physical and logical security measures necessary for the

protection of personal data. Whenever it is necessary to communicate personal data of its Customers to Third Parties, Claranet will be responsible for the personal data and guarantee that:

- a) The sharing of personal information complies with legal standards;
- b) The transmission is carried out safely, including through the use of encryption protocols; and
- c) Third Parties are contractually obliged to observe the duties of confidentiality and secrecy and to ensure the security of personal data that are transmitted to them for this purpose, and cannot use such data for any other purposes, for their own benefit or the benefit of Third Parties, or correlate them with other data and in its availability.

14. Personal Data Collected by Customer and Registered in its Platforms

If Claranet carries out any operation that integrate the legal concept of “processing of personal data”, defined by Data Protection Legislation, acting on behalf of and for its Customer, the Parties determine in advance that the Customer is the Controller and Claranet is the Processor. In any case, each part is obliged to comply with the respective obligation, according to Data Protection Legislation, related to any personal data that comes into the possession of the recipient.

Without prejudice to the previous paragraph:

- a) Claranet will process the Data of the Customer, that compose personal data (“Personal Data of the Customer”), in accordance with the Contract terms and under lawful instructions reasonably given by the Customer.
- b) Each Part shall take technical and organisational measures against unauthorised or unlawful processing of personal data of Customers or accidental loss, destruction or damage.
- c) Considering the nature of the Services, Claranet will support the Customer, by means of technical and organisational measures, as far as possible, to fulfil its obligations in relation to the exercise of rights by data subject, defined in Law, that the Customer must control.
- d) Claranet will not transfer the personal data of the Customer outside of the European Economic Area without the prior written approval of the Customer.
- e) Customer must ensure that he has the right to transfer his Personal Data to Claranet, so that Claranet can legally process them under the Agreement established between both parties.
- f) Claranet will keep a record of all Customer’s Personal Data processing that happens within the duration of the services rendered. Claranet will also keep proof of compliance regarding its legal data protection obligations.

In cases where the contract results to Claranet the above obligations, Claranet will provide to the Customer cooperation and appropriate assistance in relation to the obligations of the Customer, in accordance with Protection Data Legislation regarding personal data of the Customer, considering the nature of the services and the information provided to Claranet, including:

- a) Any request made by a data subject to access the personal data of the Customer concerning that person.

- b) Customer's obligations to report a security breach to the regulators and data subject.
- c) Provide to the Customer and the regulators all information and assistance required to demonstrate that the services comply with the data protection legislation.

The cost of cooperation and assistance aforementioned shall be covered by the Customer, unless that cooperation and assistance are related directly with a violation of the contract's obligations, in which case such cooperation and assistance shall be borne by Claranet. If Claranet becomes aware of an unauthorised or illegal processing of personal data of Customer or that these data are lost, destroyed, damaged, corrupted or useless, Claranet shall after become aware of the situation, notify the Customer, within a reasonable period of time.

The data ownership and all the intellectual property rights are the property of the Customer.

15. Contacts

For more information on how Claranet treats / processes the personal data of its members or to answer any questions, address a complaint or leave comments on matters relating to Privacy and Personal Data Protection, please send your communications to:

Claranet Portugal S.A.
Data Protection Officer
Hub Criativo do Beato, Rua da Manutenção, 71, Edifício A
1900-500 Lisboa
or
dpo@claranet.pt