

# Privacy Policy – [www.kelsen.com](http://www.kelsen.com)

Date of entry into force: 25 May 2018

Date of last modification: **1<sup>st</sup> September 2021**

Pursuant to the applicable data protection law (including but not limited to art. 13 of Regulation EU 2016/679 of the European Parliament and of the Council of 27 April 2016, on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (hereinafter the “**Regulation**”) and the Hong Kong Personal Data (Privacy) Ordinance), we inform you that **the Controller** of the personal data provided by you is **Kelsen Group A/S** (hereinafter “**Kelsen**”), CVR nr. 27703666, with registered office at Bredgade 27, 8766 Nørre Snede, Denmark.

## **Browsing data**

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The information systems and programs used to operate our website collect some data whose transmission is automatic when using Internet communication protocols (e.g. IP addresses or domain names of the computers used by the users to connect with the website, URI – Uniform Resource Identifier - addresses of the requested resources, time of the request, methods used to submit the request to server, size of the response file, response status code – success, error, etc. - and other parameters relating to the operating system and information environment of the user). Although such data are not intended for being associated to individual data subjects, it is possible that, by their nature and through processing and association with further data held by third parties, such data may permit to identify users.

Such data shall only be used for statistical purposes about the use of the website, without associating them to any identifier of the users, and for the purposes of monitoring the proper operation of the website and shall be deleted immediately after processing. These data may be used for the purposes of investigating liability in the event of information crimes committed against the website.

## **Data voluntarily provided by users**

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**Kelsen** may collect certain personal data such as contact details including, but not limited to, name, surname, address, telephone, email address and other information such as queries you made, marketing preferences and participation in promotions or events, for the purposes listed below. In addition, where the website allows you to register through your personal profile in social media (e.g. Facebook, Twitter, etc.) with your prior and revocable consent, we may access limited information included in such profile, related to your name, location, likes, interests, contacts and images.

The processing of data shall be made by such procedures, technical and electronic means, which are suitable to protect the confidentiality and security of data and consists of collection, recording, organization, storage, consultation, elaboration, alteration, selection, retrieval, alignment, use, combination, block, communication, dissemination, erasure, and destruction of data, including a combination of two or more of such activities.

Where applicable, the processing of personal data shall be made:

- a) for the following purposes:**

- 1- Creation and management of the user account, and relevant security, in case of registration;
- 2- Proper fulfilment of the obligations required under the law in force, including regulations on contests in case that user participate into contests or prizes on our website;
- 3- Answering the requests sent by users to **Kelsen**, including, without limitation, the voluntary sending of messages, letters or e-mails, to the addresses of **Kelsen** as specified in the website that imply the subsequent collection of address, including e-mail address, of the sender or the relevant telephone number, required to answer the requests, as well as of any other personal data included in the relevant communications.

No consent is required for the processing of data for the purposes under number 1 and 3 of letter a) since such processing is necessary for the performance of an agreement to which the user is party or for the implementation of measures requested by the user prior to entering into an agreement (art. 6, par. 1, b) of the Regulation). The personal data may be assigned to the editor and the owner of the website for the mentioned purposes and further to the mentioned legal basis.

No consent is required for the processing of data for the purposes under number 2 of letter a) since such processing is necessary to comply with a legal obligation (art. 6, par. 1, c) of the Regulation).

- b) **upon user's prior consent for marketing purposes**, by sending messages by mail, email, SMS, social media, push email, fax and telephone, newsletters and commercial communications/offers (including customized offers, provided that there is the relevant consent under following letter c) sent by **Kelsen** or third parties engaged by these latter **and for statistical purposes**, surveys and market researches concerning their products services, events and information on the food and health sector.
- c) **upon user's prior consent for profiling purposes**, including –without limitation- processing of data relating to the buying choices, habits and preferences of the user, the geographic area of reference, as well as for the creation of profiles (individual and/or aggregate profiles) in order to propose customized offers that may be of interest to the user. The personal data collected with your consent from your social media profiles (when, for instance, you register into the website through a social network) will be also processed for these purposes.

Users shall not be required to provide personal data to browse public pages of the website. The provision of personal data for the purposes mentioned under letter a) is optional, however, failure to provide required data (indicated as such in the registration form, as applicable) may prevent users from completing registration or availing of related services. The provision of optional data is always free and will not affect the possibility to avail of related services or to participate in contests.

The data shall be kept for no longer than is strictly necessary to provide the requested service or for the time that we are required to do so by law (e.g., data to be kept for no longer than it is allowed by law in order to monitor the regularity of contests or data collected for marketing and profiling purposes to be kept for no longer than it is allowed by law, this being 24 months in case of data collected for the purposes specified in letter b) for marketing based on profiling data and 12 months from collection in case of data collected for the purposes specified under letter c) or the time permitted under the Regulation, if longer). After such period, all data shall be deleted, except that we are required by law to keep them for a longer period.

The consent to processing of personal data is not required when data are collected for the purposes specified under letter a.1, a.2 and a.3 and when processing is required to comply with, and/or however in connection with, an obligation established by a law, regulation or European legal provision or to perform obligations arising from an agreement to which the user is party or for the implementation of measures specially requested by the user prior to entering into an agreement.

The consent to processing of personal data for the purposes specified under letter b) and c) above is free and optional; failure to provide consent as regards the purposes of processing under letter b) will prevent **Kelsen** from keeping users informed about any new offers and promotional activities, while failure to provide consent as regards the purposes of processing under letter c) will prevent us from offering products or services that have been customized based on the needs or preferences of the users.

Users are entitled to withdraw, at any time, any previously given consent, or to amend any previously provided contact details, by addressing to **Kelsen** according to the formalities specified below.

Your personal data shall undergo processing exclusively by the staff assigned to it by **Kelsen** or by any external supplier appointed as processors bound by contractual commitments of data protection.

In the framework of its activity and for the purposes specified above, **Kelsen** may engage third parties for carrying out specific services on its behalf and under its instructions, as processor. Such third parties provide **Kelsen** with processing or accessory services (e.g. handling of activities related to contests, consumer service, IT services regarding the website operation, emailing). The full updated list of third parties appointed as processor is available from any of the contacts details specified below. Personal data shall not be disclosed nor transferred to third parties, except that in the event of extraordinary corporate transactions, when personal data may be assigned or contributed to third party purchasers/lessees or assigns with adequate safeguards.

Personal data may be transferred to countries of the European Union where the premises or the servers of **Kelsen** or of any of its suppliers are located. Once collected, your personal data shall not be transferred outside the territory of the European Union. With your consent and with adequate safeguards to protect them, personal data may be transferred to third parties which cooperate with **Kelsen**, for the purposes mentioned in this privacy policy.

At any time, the users shall be entitled to exercise the rights established by the law in force, by addressing the relevant request to our Mr. Alice Portnoy, Privacy Department at [privacy@kelsen.com](mailto:privacy@kelsen.com) and address: [alice.portnoy@adastone.law](mailto:alice.portnoy@adastone.law) including the right to:

- Obtain confirmation as to the existence of your personal data and access to such data
- Obtain updating, modification and/or rectification of your personal data;
- Obtain erasure of personal data, render personal data anonymous, block data whose processing is unlawful or set limits to the processing;
- Object to processing based on legitimate grounds;
- Object to processing of personal data that is made for the purposes of sending advertising material, carrying out direct sales, market researches or for commercial communication;
- Withdraw any previously given consent without affecting the lawfulness of processing based on consent before such withdrawal;

- Obtain a copy of personal data provided by the user and request that such data shall be transferred to another controller.

Please remember that in the event of a breach of your personal data you shall be entitled to notify this event to your data protection authority, including the the Hong Kong Privacy Commissioner or your local EU Data Protection Authority or to Danish Data Protection Authority [English \(datatilsynet.dk\)](https://datatilsynet.dk)