



## INFORMATION NOTICE ON THE PROCESSING OF PERSONAL DATA VIA THE CONTROLLER'S SOCIAL MEDIA PAGES

**(Facebook - @Confident.The Agency, Instagram - @weareconfident.agency, LinkedIn - @CONFIDENT. The Agency and TikTok - @weareconfident.agency)**

### 1. Who processes your personal data?

For the activity of **CONFIDENT GROUP COMMUNICATION & COMMERCE S.R.L.** (hereinafter referred to as "**the Controller**"), the confidentiality of your personal data is the key element. To this end, we have drawn up this commitment by which we undertake to respect the confidentiality of your personal data and by which we explain what categories of personal data the Controller collects, how such data are used, and the purpose for which they are subject to processing operations.

**Note:** *This Notice relates only to your personal data that we process as a result of your interaction with our Facebook - @Confident.The Agency, Instagram - @weareconfident.agency, LinkedIn - @CONFIDENT. The Agency and TikTok - @weareconfident.agency pages.*

We would like to inform you that we have taken all necessary measures to ensure the confidentiality of your data, which is processed only by CONFIDENT GROUP COMMUNICATION & COMMERCE S.R.L. staff trained and authorized on the processing of personal data.

To get to know us virtually, we provide you with our identification data.

The Controller that processes your personal data when you browse on/ interact with the Facebook/ Instagram/ LinkedIn/ TikTok **@Confident.The Agency/ @weareconfident.agency /@CONFIDENT. The Agency/ @weareconfident.agency** page is **CONFIDENT GROUP COMMUNICATION & COMMERCE S.R.L.**, with headquarters in Romania, Bucharest 3<sup>rd</sup> District, Calea Victoriei Street, No. 21-23, 6<sup>th</sup> Floor, Apartament ROOM 67+69, registered at the National Trade Register Office under no. J40/5808/2014, with UIC 33169295.

For any questions / queries regarding the protection of personal data, you are invited to send a request to the above-mentioned postal address or to the e-mail address: [bucharest@confident.agency](mailto:bucharest@confident.agency) or [barcelona@confident.agency](mailto:barcelona@confident.agency) with mentions such as



**"Personal data protection" "Personal data" or "GDPR"** in the subject line of the envelope, respectively.

As administrator of the Facebook/ Instagram/ LinkedIn/ TikTok **@Confident.The Agency/ @weareconfident.agency /@CONFIDENT. The Agency/ @weareconfident.agency**, we process different categories of personal data belonging to you as a result of your interaction with our page. This data processing is carried out in conjunction with:

- Meta Platforms, Inc., with headquarters in Menlo Park, California, United States, as the provider of the social media platforms Instagram and Facebook;
- LinkedIn Corporation, with headquarters in 605 W Maude Ave, Sunnyvale, California, U.S., as provider of the LinkedIn social network;
- ByteDance Ltd., with headquarters in Beijing, 43 N 3rd Ring W Rd, 43 N 3rd Ring W Rd, China, as provider of the TikTok social network.

With regard to the processing of your data by Meta Platforms, Inc., LinkedIn Corporation and ByteDance Ltd., over which we have no control or responsibility, we invite you to consult the:

- Facebook notice, available by accessing the link <https://www.facebook.com/terms.php> and related references;
- Instagram notice, available by accessing the link <https://about.instagram.com/safety/privacy> and related references;
- LinkedIn notice, available via <https://ro.linkedin.com/legal/user-agreement> and related references;
- TikTok notice, available via <https://www.tiktok.com/legal/page/eea/privacy-policy/en> and related references.

We draw your attention to the fact that this Information Notice does not cover the data processing situation in connection with accessing the links posted on our Facebook/ Instagram/ LinkedIn/ TikTok page (links referring to the website [www.confident.agency](http://www.confident.agency)). When you access such a link, it will direct you to the website, where you can consult the information related to the processing of your personal data in the **"Privacy Policy"**, **"Cookie Policy"**, respectively **"Terms and Conditions"** sections.



Finally, we want you to know that our Facebook/ Instagram/ LinkedIn/ TikTok page respects the data policy of the social networks Facebook, Instagram, LinkedIn, respectively TikTok.

## **2. Definitions**

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► **„personal data“**: any information relating to an identified or identifiable natural person (data subject). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data etc.

*! For clarity, personal data refers, for the purposes of this document, to information about the user who interacts with the Facebook - @Confident.The Agency, Instagram - @weareconfident.agency, LinkedIn - @CONFIDENT. The Agency and TikTok - @weareconfident.agency pages.*

► **„processing“**: any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

► **„controller“**: the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data.

*! With regard to the processing processes described in this information notice, **CONFIDENT GROUP COMMUNICATION & COMMERCE S.R.L.** is the data controller, together with Meta Platforms, Inc., LinkedIn Corporation and ByteDance Ltd., as independent data controllers.*

► **„recipient“**: a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not.

► **„consent“**: any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.

## **3. What categories of personal data do we collect and for what purposes?**

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The purposes for which personal data is processed and the data that **CONFIDENT GROUP COMMUNICATION & COMMERCE S.R.L.** may process as a result of your browsing on Facebook **@Confident.The Agency**, Instagram - **@weareconfident.agency**, LinkedIn - **@CONFIDENT. The Agency** and TikTok - **@weareconfident.agency** are the following:



- In order to respond to your requests for information/ queries/ questions/ complaints and to provide the information requested in this context, **CONFIDENT GROUP COMMUNICATION & COMMERCE S.R.L.** may process the following personal data, depending on the data that you voluntarily provide us with: **name and surname, nick-name/username related to your Facebook/ Instagram/ LinkedIn/ TikTok** profile (assuming it is not public and cannot be viewed by any user of the social network), **telephone number, e-mail address, data contained in the attachments that you may send us, such as: image, video, audio, text**, etc. This data may be requested in case you wish to be contacted in order to obtain a point of view offered by telephone/ in writing, by e-mail from the Controller's staff.

**Note:** *Any personal data submitted by users in order to be contacted for the purpose of resolving the requests received will be used only for the purpose of solving the requests and not for commercial or marketing purposes.*

**Note:** *Users' data that is **not** requested by the Controller and that may be text, photo, audio - video recording or included in documents / identity card / civil status documents etc. and that are made available at the initiative of the users, without a prior request sent in this regard, will be automatically deleted from the databases of **CONFIDENT GROUP COMMUNICATION & COMMERCE S.R.L.**, the Controller complying with the provisions on the processing of personal data and ensuring that it collects only those data that are necessary to fulfill the purposes for which they are processed.*

#### **4. What is the legal basis for processing personal data through Facebook/ Instagram/ LinkedIn/ TikTok?**

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The Controller processes the personal data of visitors to its Facebook/ Instagram/ LinkedIn/ TikTok page on the basis of its legitimate interest, as provided for in Article 6, letter f) GDPR – *processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.*

The legitimate interests of the Controller refer to its ability to be able to respond to the requests received from users holding Facebook / Instagram / LinkedIn / TikTok accounts, providing them with relevant information about the services presented on the website [www.confident.agency](http://www.confident.agency) and even the possibility to solve any complaints received through this communication channel.

#### **5. Who are the recipients of your personal data?**

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**CONFIDENT GROUP COMMUNICATION & COMMERCE S.R.L.** will only disclose your personal data for the purposes and to the third parties described below. In the context in which your data may also be processed by third parties, we wish to assure you that we have taken all appropriate and relevant measures to ensure that they are processed in accordance with the rules in force regarding the protection of personal data.

With regard to the sharing of your data by Meta Platforms, Inc., LinkedIn Corporation and ByteDance Ltd. we invite you to read the policies of these platforms, which can be accessed by clicking on the links above:

- <https://www.facebook.com/privacy/policy/>
- <https://help.instagram.com/155833707900388>
- <https://www.linkedin.com/legal/privacy-policy>
- <https://www.tiktok.com/legal/page/eea/privacy-policy/en>

#### **a) Disclosure of data to third parties**

Your personal data may be transmitted to the following third parties:

- i.** Meta Platforms, Inc., which is an independent controller of your personal data and provider of the social media networks Facebook and Instagram;
- ii.** LinkedIn Corporation, which is an independent controller of your personal data and provider of the LinkedIn social network;
- iii.** ByteDance Ltd., which is an independent controller of your personal data and provider of the TikTok social media network;
- iv.** public authorities and public institutions, upon their justified request;
- v.** service providers of **CONFIDENT GROUP COMMUNICATION & COMMERCE S.R.L.** (legal partners etc.), as the case may be.

We may also disclose your personal data in the following situations and to the following recipients:

- i.** in case you ask us to forward them to another controller and you give your consent to this effect (portability);
- ii.** persons who will demonstrate that they have the legal authority to act on your behalf;
- iii.** in the event that our Facebook/ Instagram/ LinkedIn/ TikTok page is transferred to the management of another entity;
- iv.** if we are obliged to disclose your personal data in order to comply with a legal obligation or upon requests received from public authorities and authorized bodies,



for reasons of public interest in the field of health etc., as specified in the General Data Protection Regulation;

- v. for the establishment, exercise or defence of legal claims.

The Controller has taken all necessary measures to ensure that the recipients of this data also process the data in accordance with the legal provisions on personal data.

Your data transmitted to the recipients will not be subject to transfer outside the European Union (with the exception of social networks).

#### **b) Restrictions on the use of personal data by recipients**

The third parties to whom we make your personal data available, as set out above, are restricted (by law and by agreements entered into by **CONFIDENT GROUP COMMUNICATION & COMMERCE S.R.L.** with them/other similar organizational measures) as to how they may use your personal information.

We will always take all reasonable care to ensure that any third parties with whom we choose to share your personal data are subject to confidentiality and security obligations in accordance with this notice and applicable data protection legislation.

### **6. Storage period of personal data**

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The Controller keeps the personal data of visitors to its Facebook/ Instagram/ LinkedIn/ TikTok page for as long as it is necessary for the purpose for which it was processed and in accordance with legal requirements, and thereafter, i.e. upon expiration of the legal archiving obligations, the data will be deleted/ removed from the company's records.

The Controller guarantees to data subjects that it periodically carries out checks so that personal data does not remain stored for an excessive length of time on the social media platform.

Data not requested by the Controller and not necessary for the fulfillment of the processing purposes will be deleted from the company's records without delay.

### **7. Source of personal data**

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The personal data that **CONFIDENT GROUP COMMUNICATION & COMMERCE S.R.L.** processes through the social media platform Facebook/ Instagram/ LinkedIn/ TikTok is provided by the persons who interact with the Facebook **@Confident.The Agency**, Instagram - **@weareconfident.agency**, LinkedIn - **@CONFIDENT. The Agency** and TikTok - **@weareconfident.agency** page, directly, by providing them voluntarily or by creating posts on any of the Controller's pages or by reviewing the Controller's activity, in the event that the posts or reviews are approved by the social media page administrator.



## **8. Data transfers outside the European Union**

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As a general rule, your personal data will not be transferred to recipients outside the European Union/EEA. Should this nevertheless happen, we will take all appropriate steps to ensure that the recipient protects your information and will enter into processing agreements with the recipient describing the conditions under which the recipient may process your data.

However, Meta Platforms, Inc., LinkedIn Corporation and ByteDance Ltd. may transfer your data outside the European Union, for which please refer to the policies of these data controllers.

## **9. Your rights as data subject**

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As a data subject, you have certain specific rights in relation to the personal data we collect in the context of your interaction with our Facebook/ Instagram/ LinkedIn/ TikTok page. While your account is administered by **CONFIDENT GROUP COMMUNICATION & COMMERCE S.R.L.**, the company will ensure that your rights are respected and will comply with your requests within a reasonable time, as required by law.

Although we are data controllers, there is no truly joint data processing between us and Meta Platforms, Inc., LinkedIn Corporation, ByteDance Ltd. respectively, so we can only handle your requests made in connection with the processing of your data by us. If you wish to exercise your rights against Meta Platforms, Inc., LinkedIn Corporation and ByteDance Ltd. respectively, we invite you to contact them as indicated in their policies.

In accordance with EU Regulation 679/2016 (GDPR) and Law No. 190/2018, as a data subject you may exercise the following rights in relation to the Controller:

► **RIGHT TO BE INFORMED**, foreseen by art. 13 - 14 of EU Regulation no. 679/2016: This document provides all the necessary information on the processing of your personal data by **CONFIDENT GROUP COMMUNICATION & COMMERCE S.R.L.**, in the context of accessing our Facebook **@Confident.The Agency**, Instagram - **@weareconfident.agency**, LinkedIn - **@CONFIDENT. The Agency** and TikTok - **@weareconfident.agency** page.

► **RIGHT OF ACCESS**: According to art. 15 of Regulation 679/2016, you may request in writing a confirmation that your personal data are processed by **CONFIDENT GROUP COMMUNICATION & COMMERCE S.R.L.**, and if they are processed, you will be provided with a copy of these data, as well as additional information about their processing.



► **RIGHT TO RECTIFICATION:** You may request the rectification of inaccurate, incomplete or modified personal data (*e.g. change of e-mail address / name etc.*), based on Article 16 of the Regulation.

► **RIGHT TO ERASURE („RIGHT TO BE FORGOTTEN”):** According to art. 17 of Regulation 679/2016, you have the right to request the erasure of personal data processed by the Controller only in certain situations and in compliance with the legal provisions (*e.g. the data are no longer necessary according to the purpose for which they were collected*).

**CONFIDENT GROUP COMMUNICATION & COMMERCE S.R.L.** is not obliged to comply with the request for erasure of data, in which case the refusal will be a reasoned one.

► **RIGHT TO RESTRICTION OF PROCESSING:** Article 18 of the Regulation gives you the right to obtain from the controller restriction of processing in the following cases: the accuracy of the data is contested, the processing is unlawful, and the data subject opposes the erasure of the personal data and requests the restriction of their use instead, the data are no longer necessary for the purpose for which they were processed, the data subject has exercised the right to object to the processing, and the verification of the grounds is pending.

► **RIGHT TO DATA PORTABILITY:** You may request that your personal data be transferred to another controller, but only if the processing is based on your express consent and if the processing is carried out by automated means. The right to data portability is provided for in Article 20 of the Regulation.

► **RIGHT TO OBJECT:** According to art. 21 of Regulation 679/2016, you can object to the processing of personal data only in the case of processing carried out in the Controller's legitimate interest.

► **RIGHT NOT TO SUBJECT TO A DECISION BASED SOLELY ON AUTOMATED PROCESSING, INCLUDING PROFILING:** You may object at any time to a decision based solely on automated processing, including profiling, but only when that decision produces legal effects that concern you or affect you to a significant extent.

In order to exercise these rights and for further information, the data subject may contact the Controller, by sending a request *via* e-mail to the following address: [bucharest@confident.agency](mailto:bucharest@confident.agency) or by post to the following address: Romania, Bucharest 3<sup>rd</sup> District, Calea Victoriei Street, No. 21-23, 6<sup>th</sup> Floor, Apartament ROOM 67+69.

► **RIGHT TO FILE A COMPLAINT:** According to art. 77 of the Regulation, without prejudice to any other administrative or judicial remedies, you have the right to lodge a complaint with the National Supervisory Authority for Personal Data Processing





**(Bucharest, G-ral Gh. Magheru Blvd., no. 28-30, 1<sup>st</sup> District)** at any time, if you consider that the processing of your personal data violates the provisions of the Regulation.

#### **10. Amendments to the Information Notice**

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We reserve the right to change, when we deem appropriate, our data protection practices and to update and amend this Notice at any time.

For this reason, we encourage you to periodically check the Information Notice posted on Facebook **@Confident.The Agency**, Instagram - **@weareconfident.agency**, LinkedIn - **@CONFIDENT. The Agency** and TikTok - **@weareconfident.agency**.