**PERSONAL DATA PROTECTION NOTICE**

**INTRODUCTION**

**Fitness Scandinavia SRL,** as a service provider and / or supplier of goods, is a ***personal data controller*** and is responsible for processing your data that we collect directly from you or from other sources.

In this capacity, we treat seriously and responsibly the confidentiality of personal data and their security is a priority for us.

That is why we are committed to complying with the relevant legislation, including the new rules imposed by the Regulation (EU) 2016/679, hereinafter referred to as the "GDPR Regulation", as regards the processing of personal data and their free movement.

Through this notice we will explain what personal data we process, how we collect them, how we use them, and, more importantly, how we protect these data.

We also inform you about the rights you have and we will guide you on how to exercise them.

This document is relevant to you as the undersigned’s ***customer*** and the ***data subject*** and our obligations subsist as long as your data, regardless of the form in which they are stored, are retained in our records either as a result of a legitimate interest, a legal / contractual obligation of ours, either as a result of your express agreement.

* **WHAT DATA WE COLLECT AND HOW WE COLLECT THEM**

We only use the information strictly necessary and relevant to our business and we collect them as a result of you having opted to disclose to us voluntarily because you are interested in our products and/or services.

You have provided us with your personal data directly when you purchased one of our products or services, or when you expressed your interest in one of the events organized or promoted by us.

At the same time, in order to ensure your security and the security of the undersigned’s staff and assets, the public spaces in which the undersigned operates are subject to video monitoring by collecting personal data and automatically capturing your image by cameras.

The private areas in which the training takes place, except for exams and/or practical tests are not subject to automated video surveillance.

Video surveillance in these spaces will be done solely on the grounds of your express written consent.

Actual examinations and practical tests will be video-recorded to discourage fraud attempts and / or to preserve the evidence for potential complaints about the results.

Also, in public events that we organize, and exclusively in connection with your public activity within these events, it is possible to capture your image in photo/video format and use it by publishing it on our site or on social networks in order to promote our activity and services.

The undersigned can take photographs and use images with private activities carried out in public places, at public events and processes them only in good faith and in the case of a legitimate interest (e.g. capturing unlawful acts).

Capturing and using a person's photo constitutes a processing activity of the respective person’s personal data, and in accordance with the law, you have the right to object to the processing of the image, and you may ask us to delete it by simple request, which you do not have to motivate.

**The data collected** about you refer to:

* surname, name,
* date of birth, personal identification code, parents' name, age, gender, address, picture (information extracted from the ID card photocopy (if you attend our courses),
* billing / delivery address,
* contact data (phone, e-mail),
* your image (as a result of video surveillance of public spaces in our premises or training venues),
* professional performance,
* signature.
* **PURPOSE OF COLLECTION AND THE LEGAL BASIS**

We collect your information for determined and legitimate **purposes** including but not limited to the following:

* in case you enroll in our courses or buy products from us:
* in order to conclude and execute a sales/service contract
* in order to fulfill our contractual obligations towards you,
* in order to comply with special legislation in the field of adult vocational training,
* in order to comply with special legislation in the field of taxation,
* for a possible finding or claiming of rights in court,
* in order to fulfill other legal obligations towards the authorities,

* if you have expressly given your consent regarding receiving marketing communications and advertising: in order to carry out activities specific to direct marketing.
* in other situations:
* in order to protect the security of our goods and staff (in the case of video surveillance of public spaces on our premises)
* in order to prevent fraud and to preserve evidence in case of appeals (in the case of monitoring of examinations and physical tests),

## The legal basis for the processing of these data is:

* **legal** (art. 6 letter c of the GDPR Regulation), respectively the processing is necessary in order to fulfill legal obligations that we have as a trader and provider of adult vocational training courses
* **contractual** (art. 6 letter b of the GDPR Regulation), respectively the processing is necessary for the conclusion and execution of a contract between you and us, having as object the provision of services or supply of goods,
* **our legitimate interest** (art. 6 letter f of the GDPR Regulation) - in the case of video surveillance of public premises within our offices/premises.
* **consent** (art. 6 letter a of the GDPR Regulation), in the case of using your data for marketing and advertising and in the case of video surveillance of private premises owned or operated by Scandinavia Fitness.

We also process your data for the following **purposes**:

* in order to solve your requests - we will use your data to respond to any requests, demands, complaints, or any other questions you may have.
* in order to respond to authorities' requests or to process data in other cases where the law compels us. Sometimes we may have a legal obligation to communicate your data to certain authorities, to store your data for a certain period, or to process your data in a different way.
* in order to be able to perform transactions, restructurings or other operations. In the case of some transactions, it is possible to disclose data to potential purchasers or their consultants or authorities, although we will reduce this disclosure of personal data as much as possible by specifically filtering their nature according to the specifics of the operation. In this case, processing will take place based on our legitimate interests or the fulfilment of legal obligations.
* in order to defend our rights and interests or those of others. We may process your data to determine, exercise or defend our rights or interests or those of other persons before courts, bailiffs, notaries, other public authorities, arbitration tribunals, mediators or other public or private bodies that solve disputes, before our lawyers, consultants (such as auditors or experts or specialists) or other public or private natural or legal persons involved in those disputes. In this situation, we will process your personal data, as appropriate, by virtue of our legal obligations or our legitimate interests.
* in order to prevent fraud. We may process your data by sending them to authorities with criminal, economic, financial investigation attributions, auditors, lawyers, etc. The processing is justified by our legitimate interests in preventing frauds and other unlawful acts in our activity or, as the case may be, by our legal obligations to ensure the legality of our operations.
* **DISCLOSURE OF PERSONAL DATA**

We will never disclose personal information to a third party for purposes other than those described herein.

We may transmit your personal information to our trusted partners, natural or legal persons, who act for us as data processors who are able to provide guarantees regarding the security and confidentiality of your data and process the data only in accordance with our instructions.

Our partners are generally third service providers with whom we collaborate and who work in such areas as: accounting and taxation, consulting and legal assistance, marketing, financing, advertising, payment processing, IT or telecommunication, delivery or other services, public authorities.

We may also disclose the data to other parties not mentioned herein only with your express consent or instructions.

* **DATA TRANSFER TO THIRD STATES OR INTERNATIONAL ORGANIZATIONS**

At this time we do not transfer or intend to transfer your personal data or part of them to other companies, organizations or persons from third countries or to international organizations.

If we need to transfer the data to any of the above destinations, we will inform you of our decision in advance, giving you the time to exercise your rights in connection with the data transfer.

* **STORAGE PERIOD**

We will store your data in accordance with our personal data storage policy, which assigns a storage period according to the purpose of the processing and the category of processed data, as follows:

* if we process your data by virtue of a legal obligation or in the public interest, we will store the data for as long as it is necessary to comply with legal obligations or as long as the interest is qualified as being of public utility (e.g. keeping tax invoices for a duration 10 years since the end of the financial year in which they were drawn up),
* if we process your data to protect our legitimate business interests, we will store the data according to our storage policy (e.g. 5 years in the case of contracts and copies of ID cards, permanently in the case of not picked-up diplomas and of the margins of issued diplomas, until you will ask us to stop, unless we can demonstrate that the reason we collect and store is a priority over your interests, rights and freedoms).
* if we process your data under your express consent, we will store the data until the time you ask us to stop.
* **STORAGE PLACE**

The company’s own electronic database containing personal data is hosted/stored on secure servers in Romania.

Insofar as we transfer certain personal data to entities located in the European Union or outside the Union, including to countries where the European Commission has not recognized an adequate level of personal data protection, we will take steps to protect your rights and interests.

Transfers will be protected by contract terms or other safeguards such as the certification schemes of which it is part and the Privacy Shield for the protection of personal data transferred from within the EU to the United States of America.

* **SECURITY MEASURES**

Although your data are collected electronically, some of them are stored on paper (e.g. vocational training contracts, diplomas).

Fitness Scandinavia is particularly concerned about the implementation of effective security measures to protect your personal data and avoid security breaches in terms of both electronically and physically stored information.

Regardless of the storage method, your data are stored in secure environments that are protected against unauthorized access, use, disclosure, modification or destruction.

We have also implemented special measures of network security and data transfer, infrastructure auditing and testing, trained personnel, etc.

* **NO AUTOMATED DECISION-MAKING PROCESS**

Fitness Scandinavia does not use automated processes that can produce legal effects concerning you or that may affect you in a significant manner.

* **YOUR RIGHTS AND HOW TO EXERCISE THEM**

Under the GDPR Regulation you have the following **rights**:

1. **The right to information -** you have the right to know if your personal data are processed, what data are collected, where they are obtained and why, by whom they are processed, for what period and if these data are subject to automated processing capable of producing legal effects or affect you in a meaningful way.
2. **The Right of access** - You have the right to access, free of charge and at reasonable time intervals, the data collected from you / about you. This includes your right to request and obtain a copy of your personal data collected.
3. **The Right to update / rectify** - you have the right to request the rectification or update of your personal data that are inaccurate or incomplete.
4. **The right to erasure** - if you have withdrawn your consent, you object to the processing of the data, the processing does not comply with the provisions of the Regulation or is no longer necessary for the purposes for which the data have been collected and processed, you may request that your personal data be erased from our records.
5. **The right to restriction of processing** - if certain conditions apply, you have the right to restrict the processing of your personal data.
6. **The right to object** - in some cases, you have the right to object to the processing of your personal data, for example in the case of direct marketing.
7. **The right to object** **to automated processing** – If your personal data are subject to automated processing, including profiling, which may produce legal effects or affect you in a significant manner, you are entitled to ask us to exclude your data from any automated decision-making process.
8. **The right to data portability** - You have the right to obtain your personal data in an appropriate format or, if possible, by transferring them directly from one controller to another.
9. **The right to assistance from the supervisory authority** - You have the right to seek the assistance of a supervisory authority and the right to other remedies, such as claiming damages.
10. **The right to withdraw consent** - You have the right to withdraw your consent at any time. Withdrawal of consent does not affect the lawfulness of the processing prior to its withdrawal.
11. **The right to file a complaint** - if you want to file a complaint about how we process your personal data, contact us at:

* **Address**: Bucharest, Sector 1, Strada Putul lui Zamfir nr. 39,
* **Phone**: 0786 200 536, available between: 09,00-17,00 Monday to Friday,
* **Email**: [dataprotection@fitness-scandinavia.ro](mailto:dataprotection@fitness-scandinavia.ro),

We ensure that all your complaints are treated seriously, professionally and in full confidentiality.

However, if you are unhappy with the way we respond to your complaints, you can address the authorities that have a controlling role on our personal data activity.

In Romania, this authority is represented by the National Supervisory Authority for Personal Data Processing, whose contact information is:

**Address**: B-dul G-ral. Gheorghe Magheru nr. 28-30, Sector 1, 010336, Bucharest, Romania.

**Phone**: +40.318.059.211 or +40.318.059.212.

**Email**: anspdcp@dataprotection.ro

**Acknowledged,**

**Name \_\_\_\_\_\_\_\_\_\_\_**

**Date \_\_\_\_\_\_\_\_\_\_\_\_**