

Personal Data Protection Policy COGELEC Group
---

*Updated July 2020*

## 1. Introduction

Conscious of the importance of ensuring data confidentiality, COGELEC is strongly committed to the protection of Personal Data (hereinafter "**Personal Data**").

The purpose of this Personal Data Protection Policy (hereinafter referred to as "**the Policy**") is to inform the individual concerned (hereinafter referred to as "**Relevant Party**") of the commitments and measures taken to ensure the protection of Personal Data.

This is in line with the Personal Data protection scheme:

- The General Data Protection Regulation n°2016/679 of the Parliament and the Council of 27 April 2016,
- The Data Protection Act n°78-17 of 6 January 1978.
- The Data Protection Act 2018, the UK's implementation of the General Data Protection Regulation (GDPR)

The Policy may change according to the legal and regulatory context and the doctrine of the "Commission Nationale de l'Informatique et des Libertés" (CNIL).

## 2. Commitments / objectives

COGELEC thus wishes to make strong commitments, particularly on the following points:

- COGELEC wishes to respect the privacy of its customers and/or users of its products or services.
- It only sends commercial communications if the person has requested them or has not objected to them.
- COGELEC does not communicate or sell the data of its customers or users of its products or services.
- COGELEC is concerned with ensuring the security and confidentiality of the data of the Relevant Party, in accordance with the recommendations of the CNIL and the "Agence Nationale de la Sécurité des Systèmes d'Information" (ANSSI), while at the same time meeting its own operational needs and those of its customers.
- COGELEC anticipates and considers data protection rules when designing IT products and services intended to process Personal Data.
- COGELEC undertakes to facilitate the exercise of the rights that the regulations recognise for the natural persons concerned.

### 3. Perimeter

The Policy applies to all prospects, customers (building managers for private or public use, installers, distributors, etc.) and/or users of COGEELEC's products and services, whatever the brand concerned (Intratone, Hexact, SeeSee Box, Rozoh, Kibolt, etc.)

### 4. Data controller

The person responsible for processing Personal Data is the company COGEELEC.

*Cogelec SAS*

*ZI de Maunit, 370 rue de Maunit - 85290 MORTAGNE SUR SEVRE*

*SA with teh capital of 4.004.121,60 €*

*RCS La Roche-sur-Yon B 433 034 782*

*Intra-community identification number: FR42 433 034 782*

*02 51 65 05 79*

[info@cogelec.fr](mailto:info@cogelec.fr)

The information about COGEELEC are notified in [its legal disclaimer](#).

### 5. Data Protection Officer

COGEELEC has appointed an external Data Protection Officer (DPO).

Name	Contact details
SPARLANN (DPO externe) Laëtitia LE METAYER 6 rue Raoul PONCHON 35000 RENNES	<a href="mailto:dpo@cogelec.fr">dpo@cogelec.fr</a> ZI de Maunit, 370 rue de Maunit - 85290 MORTAGNE SUR SEVRE

The latter's mission is to ensure compliance with the provisions of the regulations on the protection of Personal Data.

It is mandatory for COGEELEC to consult it prior to their creation. He/she shall record in a register the list of all the processing of Personal Data by COGEELEC as and when they are implemented.

The DPO ensures that the rights of individuals are respected (right of access, rectification, opposition, deletion, limitation of processing and portability).

In the event of difficulties encountered in exercising these rights, Data Subjects may contact the Data Protection Officer by email at the following address [dpo@cogelec.fr](mailto:dpo@cogelec.fr)

## 6. Data collected - purposes - legal basis for processing

### *What is Personal Data?*

Personal Data means any information that can identify an individual person directly (e.g., name, surname) or indirectly (e.g., through pseudonymised data such as a unique identifier).

Personal Data includes information such as postal or e-mail addresses, mobile phone numbers, usernames, professional information (e.g., profession, position held) and financial data. Personal Data may also include unique numerical identifiers such as an IP address or the MAC address of a mobile device, as well as cookies.

### *How is the Personal Data collected?*

COGELEC shall ensure that it only collects data that is strictly necessary for the purpose of the processing carried out.

The data collected by COGELEC is, depending on the case:

- directly from the customer and/or the user;
- through the collection forms filled in by the Relevant Party on:
  - COGELEC's websites
    - <https://www.cogelec.fr/contact/>
    - <https://www.intratone.fr/contactez-nous/>
    - <https://www.hexact.fr/contact/>
    - <https://www.rozoh.fr/contactez-nous/>
- questionnaires, applications, devices, or pages dedicated to the products or services of the COGELEC brands, in particular: INTRATONE, HEXACT, SEESE, KIBOLT, ROZOH, etc.;
- commercial documents;
- during the completion or signature of contracts and/or order forms;
- indirectly:
  - through installers or distributors of COGELEC products;
  - through the intermediary of the employer (itself a COGELEC customer) of the Relevant Party
  - through other entities of the COGELEC group.

COGELEC shall indicate to the Relevant Party on the collection form the data required to provide its service by affixing the following sign: "\*". If this information is not provided, the request of the Relevant Party cannot be examined or its analysis will be delayed.

*What is the legal basis for processing Personal Data?*

Depending on the purpose for which the Personal Data is used, the legal basis for the processing of Personal Data may be:

- consent ;
- the legitimate interest of COGELEC, which may consist of
  - the improvement of its products and services, i.e., to understand the needs of customers and/or users and to adapt the products and services to these needs
  - fraud prevention,
  - securing the tools (ensuring the protection and security of Personal Data, ensuring that they work properly and are continuously improved),
  - The performance of a contract, and more specifically the supply of products and/or services.
  - compliance with a legal obligation where the legislation in force requires the processing of data.

Purpose	Collected data	Legal basis for processing
Request for quotation	<b>Identification data :</b> Sex ; Name and surname ; Postal address ; E-mail address; Telephone, fax and/or mobile number. <b>Professional data :</b> Name of the company ; Registration number ; Company details ; Function, position held, status within the company; Sector of activity. <b>Economic and financial information:</b> Postal or bank statement; Bank card number; Cheque number; Data relating to the payment of invoices: terms of payment, discounts granted, receipts, balances, and unpaid bills.	Implementation of pre-contractual measures
Purchasing and order management		Legitimate interest (meeting a need for materials/services)
Completion of contracts		Fulfilling a contract
Management of product delivery and/or installation		Fulfilling a contract
Management of accounting / customer invoicing		Fulfilling a contract
Management of litigation/unpaid debts		Fulfilling a contract
Opening and management of access to COGELEC management platforms	Name and surname ; login	Legitimate interest of COGELEC (to provide its services to the user and to fulfil its commitments to its customers)
Management of customer / user requests (technical assistance / advice, information, telephone support)	Name and surname; Telephone number, e-mail address	Legitimate interest of COGELEC (to respond to requests made to it)
Elaboration of commercial statistics	Name and surname; Telephone number, e-mail address, postal address, information on the product or service provided	Legitimate interest (to better understand how its products and services are used)
Management of notices / surveys		Legitimate interest (to improve its services)
Use of applications and/or devices provided by COGELEC	Name and Surname, Telephone number; e-mail address , login	Legitimate interest (to provide its services to users)
Subscription to newsletters / commercial communication	Name and Surname E-mail address.	Consent (prospects) and legitimate interest (customer) (to promote its products and services)
Managing an opposition list		Legal obligation
Online navigation Cookies / audience measurement	IP address ; Cookies, tracers.	Legitimate interest (for cookies enabling the proper functioning of the site and ensuring the security of the site)Consent for other people
The use of applications and/or tools provided by COGELEC.	Full name ;Postal address ; E-mail address ; Copy of identity document (if required).	Legal requirement

## 7. Receivers of Personal Data

### *COGELEC internal receivers.*

Personal Data is communicated within the COGELEC Group in order to comply with its legal obligations, to prevent fraud and/or to secure its products and/or services, to improve its products and services or after having obtained the consent of the Relevant Party.

Internally, the recipients of the data are the persons in charge of the marketing and/or sales department, the departments responsible for handling customer relations and prospecting, the administrative departments, the IT and technical departments and their line managers.

### *Receivers external to COGELEC*

COGELEC does not communicate or sell the Personal Data of its customers or users of its products, including for commercial prospecting purposes.

On the other hand, Personal Data may be processed in the name and on behalf of COGELEC by trusted service providers.

In this case, COGELEC ensures that all service providers with whom it works preserve the confidentiality and security of the data.

- COGELEC may, for example, ask to provide services that require the processing of the Personal Data of its customers and/or users of its products and services to
- service providers who assist COGELEC in customer relationship management (CRM) and web analytics (audience analysis);
- marketing and/or web agencies that produce COGELEC's Internet sites, advertising, marketing and sales campaigns;
- service providers who provide a product delivery service;
- distribution partners of COGELEC products;
- installers of COGELEC products;
- third parties who assist and help COGELEC to provide IT services (platform providers, hosting services, maintenance and technical support services for databases as well as for software and applications which may contain data concerning customers and/or users of COGELEC products and services (these services may sometimes require access to data in order to accomplish the tasks requested);
- payment service providers for the purpose of verifying your information where this is required to enter into a contract with you;
- service providers who provide consultancy services to COGELEC (security auditor, legal advisor, accountant, etc.).

COGELEC may, if necessary, communicate Personal Data in order to

- comply with a legal obligation,
- enforce or apply its terms of use / sale accepted by the customer and/or user or to protect its rights, property or the safety of the group, its customers or employees,
- if COGELEC has your consent,
- if the law allows it.

## 8. Duration of data retention

COGELEC shall only keep Personal Data for the time necessary for the operations for which they were collected and in compliance with the regulations in force.

The individual is also informed that COGELEC will keep the data transmitted in accordance with the criteria and recommendations of the CNIL available in its reference standard:

[simplified standard n°48](#).

Purpose of the processing	Retention period	Legal grounds
Management of customer and prospect files	<b>General principle:</b> Personal Data relating to customers may not be kept beyond the period of retention strictly necessary for the management of the commercial relationship with the exception of those necessary to establish proof of a right or a contract which may be archived in accordance with the provisions of the Commercial Code relating to the period of retention of books and documents created in the course of commercial activities and the Consumer Code relating to the retention of contracts concluded by electronic means	simplified standard n°48
Contracts concluded between traders or between traders and non-traders	<b>5 years</b>	Article L110-4 of the Commercial Code Simplified standard n°48
Order processing	<b>10 years</b>	Article L123-22 paragraph 2 of the Commercial Code Simplified standard n°48
Delivery management	<b>10 years</b>	Article L123-22 paragraph 2 of the Commercial Code Simplified standard n°48
Invoice management	<b>10 years</b>	Article L123-22 paragraph 2 of the Commercial Code Simplified standard n°48
Accounting and in particular the management of customer accounts	<b>10 years</b>	Article L123-22 paragraph 2 of the Commercial Code Simplified standard n°48

Management of a customer file	<b>Customer data is kept for the duration of the commercial relationship. It may be kept for commercial prospecting purposes for a maximum of 3 years from the end of the commercial relationship</b>	simplified standard n°48
Constitution and management of a file of prospects	<b>3 years from the date of their collection by the controller or the last contact from the prospect</b>	simplified standard n°48
Statistics of audience measurement	<b>Information stored in users' terminals (e.g. cookies) or any other element used to identify users and allowing users to be traced must not be kept beyond 13 months</b>	simplified standard n°48
Management of a newsletter	<b>Until the Data Subject unsubscribes</b>	Article 6-5° of the amended law n°78-17
Storage of credit card numbers	<b>Data relating to bank cards must be deleted once the transaction has been completed (deletion as soon as payment has been made) They may be kept in intermediate storage for the purpose of proof in the event of a possible dispute about the transaction for a period of 13 months. This period may be extended to 15 months to take into account the possibility of using deferred debit cards</b>	Deliberation 03-034 of 19 June 2003 adopting a recommendation on the storage and use of bank card numbers in the distance selling sector Article L 133-24 of the Monetary and Financial Code
Visual credit card cryptogram (CVV2)	<b>Professionals must not keep data relating to the visual cryptogram beyond the time required to complete each transaction, including in case of successive payments or retention of the card number for future purchases</b>	Recommendation n°03-034
Sending solicitations (emailings, phone calls, faxes, SMS, etc.)	<b>3 years from the date of their collection by the controller or the last contact from the prospect</b>	simplified standard n°48
Managing an opposition list	<b>3 years from registration in the list</b>	simplified standard n°48



Where required by regulation, these periods may be longer.

In addition, it is specified that if personal data is collected for several purposes, it will be kept until the longest retention or archiving period has expired.

#### 9. Physical and logical security of Personal Data

COGELEC determines and implements the necessary means for the protection of Personal Data processing systems in order to avoid any malicious intrusion and prevent any loss, alteration or disclosure of data to unauthorised persons.

Thus, COGELEC has established and regularly updates its Personal Data processing registers which list the technical and operational security measures taken.

Access to the most sensitive databases is logged.

COGELEC determines and implements measures to guarantee the confidentiality of data, in particular by raising employee awareness and recommending best practices for the use of their computer workstations.

COGELEC requires its IT service providers to provide sufficient guarantees to ensure the security and confidentiality of Personal Data.

It ensures that IT service providers take all measures to prevent the disclosure or alteration of data, do not perform remote maintenance operations without its control and return the data at the end of the contract.

#### 10. Data transfer - place of data storage

COGELEC does not transfer data outside the European Economic Area (EEA).

The Personal Data of French customers and/or users are stored on servers located in France.

In the event that such a transfer outside the EEA should prove necessary, COGELEC undertakes to implement the measures described below.

COGELEC will only transfer Personal Data outside the EEA in a secure manner and in compliance with the legislation in force.

In accordance with the provisions of articles 44 et seq. of the RGPD, COGELEC will choose service providers established outside the EEA who, as the case may be:

- will have to comply with the conditions set out in the Policy;
- shall be registered in advance in the register kept by the US Department of Commerce and shall comply with the obligations and substantive guarantees provided for in the "Privacy shield" or "Data Protection Shield";
- include in their contracts or agree to sign standard contractual clauses adopted by the European Commission.

## 11. Rights of the Person Concerned

In accordance with the French Data Protection Act of 6 January 1978 as amended and the General Data Protection Regulation and UK's Data Protection Act 2018 , the Data Subject has the following rights:

<b>Right to information</b>	The Relevant Party shall be informed in a clear, transparent, comprehensible and easily accessible manner of the manner in which COGELEC processes his or her Personal Data and of his or her rights, notably through this Policy.
<b>Right of access</b>	The Relevant Party may obtain a copy of his/her Personal Data by contacting COGELEC at the address below. COGELEC may require payment of a fee for any additional copy request.
<b>Right of rectification</b>	The Relevant Party may request to rectify his/her Personal Data if it is inaccurate or outdated or to complete it if it is incomplete, by contacting COGELEC at the address below.
<b>Right to object</b>	The Relevant Party may contact COGELEC to inform it of his/her wish to no longer receive commercial communications or newsletters. He/she may also exercise his/her right by unsubscribing via the unsubscribe link accessible at the bottom of the e-mail.
<b>Right to be deleted from the database</b>	The Relevant Party may request the deletion of his/her Personal Data by contacting COGELEC at the address below. In some cases, COGELEC may be obliged to retain Personal Data for legal or legitimate reasons.
<b>Right to limitation</b>	In some cases, the Relevant Party may request the suspension of the processing of his/her Personal Data.
<b>Right to portability</b>	The Relevant Party may request COGELEC to recover his/her Personal Data in order to dispose of it. This only applies to data provided when the processing is based on consent or on a contract and is carried out using automated processes.
<b>Right to withdraw consent</b>	The Relevant Party may withdraw his or her consent at any time, where the processing of his or her Personal Data is based on consent.
<b>Post-mortem guidelines</b>	The Relevant Party also has the right to formulate specific and general directives concerning the retention, erasure and disclosure of his/her post-mortem data.
<b>Right to make a complaint</b>	The Relevant Party has the right to lodge a complaint with the competent data protection authority in his or her country. The Relevant Party is invited to contact COGELEC at the address below before lodging any complaint with the competent data protection authority.

If necessary, the request must be accompanied by proof of identity. COGELEC undertakes to respond to requests to exercise rights as soon as possible and in any event within the legal time limits.

### Contact

The Relevant Party may contact COGELEC and its DPO at the following e-mail address [dpo@cogelec.fr](mailto:dpo@cogelec.fr) or write to us at the following address ZI du Maunit, 370 rue du Maunit, 85290 MORTAGNE-SUR-SÈVRE.