



COGELEC's personal data handling policy

At COGELEC we know just how important data confidentiality is these days, and as such we have made a strong commitment to protecting personal data.

The purpose of this personal data protection policy is to inform natural persons of the commitments and measures taken to protect their personal information.

This is part of the broader arsenal of personal data protection measures:

- The General Data Protection Regulation No. 2016/679 ratified by the European Parliament and Council on 27th April 2016,
- Data and Civil Liberties Act No. 78-17 of 6th January 1978.

This privacy policy could be subject to change, in response to the legal and regulatory context and the policy of the French National Commission for Information Technologies and Civil Liberties (CNIL).

Commitments / objectives

COGELEC is firmly committed to protecting personal data, focusing particularly on:

- COGELEC promises to respect the privacy of our customers and/or the users of our products and services.
- We only send out commercial messages to people who have asked for them. Recipients can withdraw this consent at any time.
- COGELEC does not share or sell information about our customers or users of our products and services.
- COGELEC works hard to guarantee the security and confidentiality of personal data, in accordance with the recommendations of the French National Commission for Information Technologies and Civil Liberties (CNIL) and the National Agency for Information System Security (ANSSI), while continuing to satisfy the operational needs of COGELEC and our customers.
- COGELEC takes data protection regulations into account when designing IT products and services intended to handle personal data.
- COGELEC is committed to facilitating access to the rights accorded to natural persons by these regulations.

Scope

This personal data protection policy applies to all customers and/or users of COGELEC products and services.

Responsibility

The entity responsible for handling personal data is the company COGELEC.

Cogelec SAS
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Further information about COGELEC is provided in the [legal notice](#).

Designated data protection officer

COGELEC has designated an external Data Protection Officer (DPO).

NOUVEAU MONDE AVOCATS
Me. Laëtitia LE METAYER
11 quai Chateaubriand 35000 RENNES
+33 (0)299230033
dpo@cogelec.fr

The DPO is responsible for ensuring that the provisions of the personal data protection regulations are respected.

COGELEC must consult the DPO before creating new data policies. The DPO shall keep a register of all personal data handling operations undertaken by COGELEC, as and when they are implemented.

The DPO ensures that individuals' rights are respected (right to access, correct, contest, delete and limit the handling and transfer of data).

If you should encounter any difficulties in exercising these rights, you may contact the Data Protection Officer by email at: dpo@cogelec.fr.

Data collected - purpose - legal basis for handling

What constitutes personal data?

The term "*personal data*" covers all information allowing for the direct (e.g. name, surname) or indirect (e.g. pseudonym or unique login name) identification of a natural person.

This includes information such as postal and/or email addresses, mobile phone numbers, user names, professional information and financial details. Personal data may also include unique digital identifying codes such as IP addresses or the MAC addresses of mobile handsets, as well as cookies.

How is personal data collected?

COGELEC only collects information which is strictly necessary for the purposes of our operations.

Depending on the circumstances, COGELEC collects data either:

- directly from customers/users;
- via data gathering forms filled in by the persons in question on:
 - o COGELEC's websites (<https://www.cogelec.fr/contact/> / <https://www.intratone.fr/contactez-nous/>, <https://www.hexact.fr/contact/>),
 - o questionnaires, applications, instruments or pages dedicated to the products and services offered by COGELEC brands, including: INTRATONE, HEXACT, SEESSEE, KIBOLT, etc.
 - o commercial documents;
- when finalising and signing contracts and/or order forms;
- or indirectly through third parties, including other members of the COGELEC group.

On such forms, COGELEC will indicate those data fields which are required for our services to function using the symbol: "*". If users do not fill in the required fields specified above, they will not be able to sign up and receive the services offered by COGELEC.

What is the legal basis for the handling of personal data?

Depending on the purpose for which the information is required, the legal basis for data handling may be:

- consent;
- the legitimate interests of COGELEC, which may include:
 - o improving our products and services, i.e. better understanding the needs of our customers and/users and adapting our products and services accordingly,
 - o fraud prevention,
 - o improving the security of our tools (data security and protection, ensuring that they function correctly and are continuously improving),
- The fulfilment of a contract, specifically an agreement to provide products and/or services.
- abiding by legal obligations, in cases where the applicable legislation requires us to process certain data.

Purpose	Data collected	Legal basis for
Invoice request	Identifying data: <ul style="list-style-type: none"> ➤ Gender; ➤ Surname and first name; ➤ Mailing address; ➤ email address; ➤ Phone, fax or mobile number. 	Fulfilment of pre-contractual
Purchasing and order management		Contract fulfilment
Contract termination		Contract fulfilment
Management of the delivery and/or installation of products		Contract fulfilment
Management of customer accounts/invoicing		Contract fulfilment
Management of disputes/unpaid invoices	Professional details: <ul style="list-style-type: none"> ➤ Company name; ➤ SIREN no; ➤ Company address; ➤ Job title, post, status within the company; ➤ Business sector. Financial and economic information: <ul style="list-style-type: none"> ➤ Postal address or bank details; ➤ Bank card number; ➤ Cheque numbers; ➤ Information regarding invoices: payment methods, discounts, receipts, balances and outstanding sums. 	Legal obligations
Provision and management of access to COGELEC platforms	<ul style="list-style-type: none"> ➤ Surname and first name; ➤ Username. 	Contract fulfilment
Handling customer/user requests (technical support/advice, information, telephone support)	<ul style="list-style-type: none"> ➤ Surname and first name; ➤ Phone number; ➤ Email address. 	Contract fulfilment
Production of commercial statistics	<ul style="list-style-type: none"> ➤ Surname and first name; ➤ Phone number; 	Legitimate need
Handling feedback/enquiries	<ul style="list-style-type: none"> ➤ Email address; ➤ Mailing address; ➤ Information on the products or services provided. 	Legitimate need

Use of applications and/or systems supplied by COGELEC	<ul style="list-style-type: none"> ➤ Name or surname; ➤ Telephone number; ➤ Email address; ➤ Login details. 	Contract fulfilment
Subscriptions to newsletters / commercial communications	<ul style="list-style-type: none"> ➤ Surname and first name; ➤ Email address. 	Consent
Management of blocked contact lists		Legal obligations
Online browsing/ Cookies / Traffic stats	<ul style="list-style-type: none"> ➤ IP address; ➤ Cookies, tracers. 	<p>Legitimate need (for cookies required to ensure that the site functions correctly and safely)</p> <p>Consent for other parties</p>
Handling demands by natural persons to exercise their privacy rights	<ul style="list-style-type: none"> ➤ Surname and first name; ➤ Mailing address; ➤ Email address; ➤ Photocopy of ID document. 	Legal obligations

Recipients of personal data

Internal recipients within COGELEC

Personal data may be shared within the COGELEC group for the purposes of abiding by legal obligations, preventing fraud and/or improving the security of our products and/or services, improving these products and services, or else because the person involved has given their consent.

Internally, data is liable to be shared with personnel in the marketing and/or commercial relations, customer relations, sales, administrative, IT and technical departments, as well as their line managers.

External recipients outside COGELEC

COGELEC does not share or sell personal information about customers or users of our products. This includes the sale of data for marketing purposes.

However, personal data may be handled in the name and on behalf of COGELEC by trusted external service providers.

In such cases, COGELEC shall ensure that all of the service partners with whom we do business protect the confidentiality and security of client data.

COGELEC may, for example, buy in services which require the processing of personal data relating to our customers and/or the users of our products and services from:

- service providers who assist COGELEC with customer relationship management (CRM) and web analytics (analysing web traffic);
- the marketing and/or web agencies who create the websites and advertising, marketing and commercial campaigns of COGELEC;
- providers of delivery services;
- partner distributors of COGELEC products;
- installation partners for COGELEC products;
- third parties who assist and support COGELEC with the provision of IT services (platforms, web hosting, maintenance and technical support services for databases, software and applications which may contain information regarding customers and/or users of COGELEC products and services [these services may occasionally need to access certain data in order to perform their allocated tasks]);
- providers of payment services, for the purpose of cross-checking information when finalising contracts;
- consulting firms providing specialist services to COGELEC (security auditors, legal advisors, accountants etc.).

Where necessary, COGELEC may share information of a personal nature in order to:

- comply with a legal obligation,
- impose or apply the terms and conditions of use/sale accepted by the customer and/or users, or to protect the rights, intellectual property or security of the group, its clients or its employees.
- if you have given your consent to COGELEC,
- if it is legally permissible.

Conservation of data

COGELEC only stores personal data for the time required to perform the operations for which the data was collected, and with respect for the applicable regulations.

Natural persons should also be aware that COGELEC will store their data in total compliance with the CNIL criteria and recommendations contained in: [simplified standard No. 48.](#)

Reason for handling this data	Conservation duration	Legal basis
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Management of customer and potential customer files	<p>General Principle:</p> <p>Information of a personal nature relating to customers should only be stored for as long as is strictly necessary for the purposes of managing the commercial relationship, with the exception of that data strictly necessary to prove the existence of rights or contracts, which may be archived in accordance with the provisions of the Commercial Code regarding the conservation of books and documents recording commercial activities, and the Consumer Code regarding the conservation of contracts in electronic formats</p>	Simplified standard No. 48
Contracts between businesses or between businesses and consumers	5 years	Article L110-4 of the French Commercial Code Simplified standard No. 48
Order management	10 years	Paragraph 2 of Article L123-22 of the French Commercial Code
Delivery management	10 years	Paragraph 2 of Article L123-22 of the French Commercial Code
Invoice management	10 years	Paragraph 2 of Article L123-22 of the French Commercial Code
Accounting, and particularly the handling of client accounts	10 years	Paragraph 2 of Article L123-22 of the French Commercial Code

Handling of customer files	Customer information can be kept throughout the duration of the commercial relationship. This information may be kept for the purposes of commercial development, for a maximum of 3 years following the end of the commercial relationship	Simplified standard No. 48
Creating and managing potential customer lists	3 years following initial collection by the data manager or after the first contact initiated by the prospective customer	Simplified standard No. 48
Audience measurement statistics	Information stored on users' devices (e.g.: cookies) or any other elements used to identify and track users must not be stored for any longer than 13 months	Simplified standard No. 48
Management of newsletters	Until the person in question unsubscribes	Article 6-5° of updated Law No. 78-17

<p>Conservation of bank details</p>	<p>Data concerning bank cards must be deleted once the transaction is complete (as soon as payment is confirmed) This information may be transferred to an intermediate archive format for no more than 13 months, for the purpose of providing evidence in the event of a dispute regarding the transaction. This deadline may be extended to 15 months in order to take into account the option of deferred credit payments</p>	<p>Ruling No. 03-034 dated 19th June 2003 confirming the approval of a recommendation regarding the storage and usage of bank card numbers in the remote sales sector Article L 133-24 of the Monetary and Financial Code</p>
<p>Bank card security code (CVV2)</p>	<p>Professionals must not store information regarding the CVV2 security code for any longer than the time required to complete each transaction, including cases of successive payments or when the main card number is stored for later purchases</p>	<p>Recommendation No. 03-034</p>
<p>Commercial communications (email campaigns, phone calls, fax, SMS etc.)</p>	<p>3 years following initial collection by the data manager or after the first contact initiated by the prospective customer</p>	<p>Simplified standard No. 48</p>
<p>Management of blocked contact lists</p>	<p>3 years after being added to the list</p>	<p>Simplified standard No. 48</p>

The physical and logical safety of personal data

COGELEC will identify and deploy the resources required to protect the systems used to process personal data, in order to avoid any malicious intrusions or loss, alteration or leaking of personal data to unauthorised persons.

With this in mind, COGELEC has created and will regularly update personal data processing logs, recording the technical and operational security measures put in place.

A log is kept to record access to the most sensitive databases.

COGELEC will identify and implement the measures required to guarantee data confidentiality, particularly via efforts to educate employees and implement best practices in their use of IT equipment.

COGELEC expects its IT service providers to present sufficient guarantees regarding the security and confidentiality of personal data to which they may become privy.

We make sure that all of our IT service providers take all necessary measures to prevent the leaking or alteration of data, do not perform remote maintenance without our supervision, and return all data when our contracts expire.

Data transfer - location of data storage

COGELEC does not transfer data outside the European Union.

The personal data of French customers and/or users is stored in servers located within France.

Individual rights

Right to access, correct, restrict and delete data

Data and Civil Liberties Act No. 78-17 of 6th January 1978 (updated in 2004 and 2016) and the General Data Protection Regulation, all natural persons have the right to:

- access data concerning them (limited to two access requests, subject to provision of corresponding ID documents),
- correct this data,
- delete all data concerning them, subject to the conditions set out in [Article 17 of the General Data Protection Regulation](#),
- restrict its handling,
- establish general and specific guidelines for how these rights should be managed following their death.

Right of refusal

Natural persons also have the right to refuse the processing of their personal information at any time, preventing this information from being used for commercial or targeting purposes.

The right to personal data portability

Persons on file also have the right to request a copy of their data. In accordance with Article 20 of the GDPR, individuals have the right to request a copy of all of the information they have shared with COGELEC in a format which is clearly structured and electronically compatible. Users have the right to pass on this information to third parties for handling, and COGELEC is not entitled to oppose such transfers.

Right to complain to the CNIL

Users may also, where necessary, submit a claim to the CNIL (<https://www.cnil.fr/fr/plaintes>). To do so they should contact the CNIL directly by email or telephone (contact information available here: <https://www.cnil.fr/fr/vous-souhaitez-contacter-la-cnil>).

To exercise these rights, users should contact COGELEC (including suitable proof of ID) at the following email address.dpo@cogelec.fr or by post at: ZI de Maunit, 370 rue de Maunit - 85290 MORTAGNE SUR SEVRE.