

## Privacy policy

### general information

The confidentiality of your personal data is one of the main concerns of SC Smart Big Data SRL, with headquarters at Calea Floreasca, N 87, Scara A, Et 2, Sector 1, Bucharest, as a data operator.

This document is intended to inform you about the processing of your personal data, in the context of using the website [www.giftdesign.ro](http://www.giftdesign.ro)

### Categories of personal data processed

II.1. If you are a customer of the Website, SC Smart Big Data SRL will process your personal data, such as name and surname, telephone, e-mail address, billing address, delivery address, data related to how use the Site, for example your behavior/preferences/habits within SC Smart Big Data SRL, as well as any other categories of data that you provide directly in the context of creating a user account, in the context of placing an order through the site or in any other way resulting from the use of the Site.

If you use your Facebook or Google account to create a user account on the Site, SC Smart Big Data SRL will process the following public profile data displayed by the respective applications: username, e-mail address.

If you choose to create your user account only before completing the order of a product available on the Site, your email address will be requested and an account will be created automatically. If you do not complete the order, the e-mail address and other data provided will not be stored by SC Smart Big Data SRL, and the created account will be deleted automatically.

II.2. If you are a visitor to the Site, SC Smart Big Data SRL will process your personal data that you provide directly in the context of using the Site, such as the data that you provide in the contact section / questions / complaints, to the extent that you contact us in this way.

### III. Purposes and grounds of processing

III.1. If you are a customer of the Website, SC Smart Big Data SRL processes your personal data as follows:

-for carrying out the contractual relationship between you and SC Smart Big Data SRL, respectively for taking over, validating, sending and invoicing the order placed on the Site, informing you about the status of the order, organizing the return of ordered products, etc.

Basis: The processing of your data for this purpose is based on the contract concluded between you and SC Smart Big Data SRL, defined in the Terms and Conditions <https://www.giftdesign.ro/termeni-si-conditii/> Provision of your personal data is necessary for the execution of this contract. Refusal to provide data may result in the impossibility of carrying out contractual relations between you and SC Smart Big Data SRL.

-for the fulfillment of the legal obligations incumbent on SC Smart Big Data SRL in the context of the services provided through the Site, including obligations in fiscal matters, as well as in matters of archiving.

Grounds: The processing of your data for this purpose is necessary based on legal obligations. Providing your data for this purpose is necessary. Refusal to provide data may result in the impossibility of SC Smart Big Data SRL to comply with its legal obligations and therefore in the impossibility of offering you services through the Site.

-for marketing activities, respectively for the transmission, by means of remote communication means (e-mail, sms) of commercial communications regarding the products and services offered by SC Smart Big Data SRL, through the Site.

Basis: The processing of your data for this purpose is based on your consent, if you choose to provide it.

You can express your consent to the processing of data for this purpose by checking the appropriate box at the time of account creation or after account creation in the My Account Information section. To unsubscribe from receiving such commercial communications, you can use the option at the end of each e-mail/SMS containing commercial communications. Additionally, you can unsubscribe by going to the My Account Information section.

Providing your data for this purpose is voluntary. The refusal to provide consent for the processing of your data for this purpose will not have negative consequences for you:

-for the purpose of carrying out various analyses, reports on the operation of the Site, creating profiles of consumer preferences, mainly in order to improve the experience offered on the Site.

Basis: The processing of your data for this purpose is based on the legitimate interest of SC Smart Big Data SRL to permanently improve the customer experience on the Site. Providing your data for this purpose is voluntary. Refusal to provide data for this purpose will have no negative consequences for you.

III.2. If you are a visitor to the Site, SC Smart Big Data SRL processes your personal data as follows:

-for marketing activities, respectively for the transmission, by means of remote communication means (e-mail, sms), of commercial communications regarding the products and services offered by SC Smart Big Data SRL, through the Site.

Basis: The processing of your data for this purpose is based on your consent, if you choose to provide it.

You can express your consent to the processing of data for this purpose by completing and checking the appropriate box in the form for subscribing to the newsletter available on the Site. To unsubscribe from receiving such commercial communications, you can use the option at the end of each e-mail/sms containing commercial communications.

Providing your data for this purpose is voluntary. The refusal to provide consent for the processing of your data for this purpose will not have negative consequences for you.

-to resolve complaints, complaints and to monitor traffic and improve your experience on the Site.

Grounds: The processing of your data for this purpose is based on the legitimate interest of SC Smart Big Data SRL to ensure the proper functioning of the Site, as well as to permanently improve the experience of the Site's visitors, including by solving various comments, questions or complaints .

Providing your data for this purpose is voluntary. Refusal to provide data for this purpose will have no negative consequences for you.

The duration for which we process your data

As a principle, SC Smart Big Data SRL will process your personal data as much as is necessary to achieve the processing purposes mentioned above.

If you are a customer, we will process your data for the entire duration of the contractual relationship and thereafter according to the legal obligations falling under SC Smart Big Data SRL (e.g., in the case of financial and accounting supporting documents for which the retention period provided by law is 10 years from the end of the financial year during which they were drawn up).

If you are a customer and exercise the option to delete your user account, by pressing the Delete account button in the My account information section, SC Smart Big Data SRL will interpret this action as your option to unsubscribe from receiving commercial communications by which we keep you informed about the products and services offered through the site. In this regard, if you choose to delete your user account, we will no longer send you such emails and/or SMS. However, we would like to inform you that deleting your account will not automatically delete your personal data. If you want your personal data to stop being processed or if you want the data to be deleted, you can exercise your rights detailed in point VII below. If you request the deletion of the account, but there is at least one active order on that account, the request to delete the account can only be registered after the delivery of the products and the completion of the last active order.

If you withdraw your consent for data processing for marketing purposes, SC Smart Big Data SRL will stop processing your personal data for this purpose, but without affecting the processing carried out by SC Smart Big Data SRL based on the consent expressed by you before its withdrawal.

#### 1. Disclosure of personal data

In order to fulfill the processing purposes, SC Smart Big Data SRL may disclose your data to partners, to third parties or entities that support SC Smart Big Data SRL in carrying out the activity through the Site (for example, courier companies, IT service providers) , or to the central/local public authorities, in the following exemplary cases listed:

for the administration of the Site;

in situations where this communication would be necessary for awarding prizes or other facilities to the persons concerned, obtained as a result of their participation in various promotional campaigns organized by SC Smart Big Data SRL through the Site;

to maintain, customize and improve the Site and the services provided through it;

to perform data analysis, testing and research, monitor usage and activity trends, develop security features and authenticate users;

for the transmission of commercial marketing communications, under the conditions and limits provided by law;

when the disclosure of personal data is provided by law, etc.

#### Transfer of personal data

The personal data provided to SC Smart Big Data SRL can be transferred outside of Romania, but only to countries in the European Union.

#### ARE YOU COMING. Your rights

Under the conditions provided by the legislation on the processing of personal data, as data subjects, you benefit from the following rights:

the right to information, respectively the right to receive details regarding the processing activities carried out by SC Smart Big Data SRL, according to what is described in this document;

the right to access the data, respectively the right to obtain confirmation from SC Smart Big Data SRL regarding the processing of personal data, as well as details regarding the processing activities such as the manner in which the data are processed, the purpose for which the processing is done, recipients or categories of data recipients, etc.;

the right to rectification, respectively the right to obtain the correction, without justified delay, by SC Smart Big Data SRL of inaccurate/unjustified personal data, as well as the completion of incomplete data; The rectification/completion will be communicated to each recipient to whom the data have been transmitted, unless this proves impossible or involves disproportionate efforts.

the right to delete data, without undue delay, ("the right to be forgotten"), if one of the following reasons applies:

they are no longer necessary to fulfill the purposes for which they were collected or processed;

if consent is withdrawn and there is no other legal basis for processing;

if the data subject objects to the processing and there are no overriding legitimate reasons;

if the personal data were processed illegally;

if personal data must be deleted to comply with a legal obligation;

the personal data were collected in connection with the provision of information society services according to Union law or the internal law under which the operator is subject.

It is possible that, following the data deletion request, SC Smart Big Data SRL will anonymize these data (thereby depriving them of their personal character) and continue the processing for statistical purposes under these conditions;

the right to restrict processing to the extent that:

the person contests the accuracy of the data, for a period that allows us to verify the correctness of the data;

the processing is illegal and the data subject objects to the deletion of personal data, requesting instead the restriction of their use;

the operator no longer needs the personal data for the purpose of processing, but the data subject requests them for establishing, exercising or defending a right in court; or

the data subject has objected to the processing (other than those for direct marketing), for the time interval in which it is verified whether the legitimate rights of the operator prevail over those of the data subject.

the right to data portability, namely (i) the right to receive personal data in a structured way, commonly used and in an easy-to-read format, as well as (ii) the right to have this data transmitted by SC Smart Big Data SRL to another data operator, to the extent that the conditions stipulated by law are met;

the right to opposition – regarding processing activities can be exercised by submitting a request as indicated below;

at any time, for reasons related to the particular situation in which the data subject is, that the data concerning him/her be processed on the basis of the legitimate interest of SC Smart Big Data SRL or on the basis of the public interest, except in cases where SC Smart Big Data SRL can demonstrate that it has legitimate and compelling reasons that justify the processing and that prevail over the interests, rights and freedoms of the persons concerned or that the purpose is to establish, exercise or defend a right in court;

at any time, free of charge and without any justification, that the data concerning it be processed for direct marketing purposes.

the right not to be subject to an automated individual decision, i.e. the right not to be the subject of a decision taken solely on the basis of automated processing activities, including the creation of profiles, which produce legal effects concerning the data subject or similarly affect him in -a significant measure;

the right to address the National Supervisory Authority for the Processing of Personal Data or the competent courts, to the extent you consider necessary.

For any additional questions regarding how personal data is processed and to exercise your rights mentioned above, please contact the email address: [info@giftdesign.ro](mailto:info@giftdesign.ro)

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