

# Privacy and Cookie Statement

## PRé Consultants B.V.

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## 1. Introduction

We, PRé Consultants B.V. (hereafter: “PRé”) value your privacy. If you visit our website or if we provide you with our services we may request you to provide information that includes your personal data. We may also receive your personal data from third parties (such as resellers).

As PRé is a company that is established in the Netherlands it processes your data in accordance with privacy laws that apply in the Netherlands, including the General Data Protection Regulation (“GDPR”) which applies to all of PRé’s processing activities, regardless of whether or not the actual processing takes place in the European Union.

The purpose of this Privacy Statement is to be transparent on the processing activities that PRé undertakes with regard to the personal data of individual persons outside its own organization.

This Privacy Statement is subject to changes from time to time, for example as a result of changes in the law or changes to PRé’s processing activities. PRé will always publish the most recent version of the Privacy Statement on its websites (accessible by the URL’s: <https://www.pre-sustainability.com/> and <https://support.simapro.com>, so PRé advise you to consult these regularly.

## 2. Processing activities and purposes

The purposes of PRé’s processing activities are tied exclusively to its activities as a supplier and distributor of LCA-software (“SimaPro”) and (integrated) databases.

In this paragraph PRé will set out the purposes of its processing activities under 2.1 up to and including 2.4, explaining which personal data it processes for which purpose.

If you order PRé’s products and/or services at one of PRé’s resellers, PRé and a reseller may exchange your personal data for that resellers and PRé’s joint purpose: the sales of SimaPro software and providing support

related to SimaPro. Please read paragraph 6 of this Privacy and Cookie Statement for more information on that processing activity.

## **2.1 Business operations**

PRé offers its products and services both directly to customers/end users and through a worldwide network of resellers. The databases that PRé offers may be purchased by PRé from third party suppliers. PRé processes personal data in the context of its regular business processes, such as processing orders from customers and resellers, sending invoices and payment reminders, processing contact details of prospects and payment of supplier invoices.

The processing activities that PRé undertakes for this purpose include transmission and storage of personal data of (contact persons of) customers, prospects, resellers and suppliers and the exchange of data with resellers. The personal data that PRé processes for this purpose are names, job titles and business contact details (email-addresses, phone numbers, fax numbers).

## **2.2 Providing services to customers, resellers and users**

The services that PRé offers to customers/end users and resellers on the basis of its license or services agreements may include the provision of support to users of SimaPro. These support services include the provision of manuals, survey templates, installation instructions, processing service and maintenance requests, training, consultancy.

The processing activities that PRé undertakes to provide support include taking and registering service calls and operating a web-based portal that is accessible to users (whether connected to customers or resellers) of SimaPro and to employees/staff members of PRé and the exchange of data with resellers. The personal data that PRé processes in this context include names, job titles, business contact details (email-addresses, phone numbers, fax numbers) and login details (usernames and passwords) and requests or actions from users within the web portal.

## **2.3 Marketing and promotion of PRé products and services**

PRé promotes its products and services by sending newsletters regarding such products and services to individuals that have subscribed to its mailing list(s), by filling out the form on the website <https://www.pre-sustainability.com/>.

The processing activities that PRé undertakes for this purpose are: offering a web form to collect the data, storing the data and sending email newsletters to the subscribers. The personal data that are collected are names, email addresses, job titles and newsletter options.

PRé also offers social media platforms to collect personal data of their users by publishing social media plugin cookies on its website for marketing purposes (please see paragraph 3 of this statement on this topic).

## **2.4 Contribution to knowledge development in LCA field**

In the context of its overall company mission: “guiding positive change with fact-based solutions” PRé wishes to contribute to the development of knowledge in the area of life cycle assessment and related sustainability issues.

The processing activity that PRé undertakes for this purpose is: offering to any individual that is interested in developments in the area of life cycle assessment and related sustainability issues the possibility to join the “LCA community” at <https://support.simapro.com/articles/Article/LCA-Discussion-List/>. Members of this community will receive email messages on for example contributions of LCA experts and practitioners regarding methodology, the sharing of data, and important events.

### 3. Cookies

Cookies are small files that are installed on your computer, mobile phone or tablet through your web browser. The cookies that PRé installs when you visit one of our websites may be divided into first party cookies (that are installed by PRé) and third party cookies (that are installed by third parties through our website such as social media platforms).

If cookies are installed for commercial purposes (such as tracking online behaviour of an individual), they are considered to be used to collect personal data (such as IP-addresses or data on online behaviour). Other than social media plugin cookies (see below), PRé installs non-commercial, “functional/technical” cookies only. Such cookies are necessary to run certain functionalities of PRé’s websites, such as a login functionality or an online registration form.

PRé also uses social media plugin cookies (Facebook, LinkedIn, Twitter). Such cookies enable website/visitors that use such social media platforms to share content on the PRé website within such social medium platform. As PRé has “de-activated” the social media cookies will not track visits to PRé’s websites, until website visitors have clicked the respective social media buttons on the websites.

For the sake of conciseness and to prevent the information on the use of social media plugin cookies published here from being outdated, PRé prefers to inform you on the specific cookies that the social media platforms use by referring to their respective cookie statements:

<https://www.facebook.com/policies/cookies/>  
<https://www.linkedin.com/legal/cookie-policy>  
<https://help.twitter.com/en/rules-and-policies/twitter-cookies>

By adjusting their browser settings website visitors can prevent cookies from being installed on their computer. This may, however, affect the proper functioning of (certain) features of PRé’s websites.

### 4. Legal basis of the processing activities

EU privacy laws permit the processing of personal data only if the party responsible for the processing can rely on a legal basis. As PRé is responsible for the processing activities listed under paragraph 2, information on the legal basis of such activities is provided in this paragraph.

The legal basis for the processing activities, mentioned in subparagraphs 2.1, 2.2 and 2.4 is: “necessary for the purposes of the legitimate interests pursued by PRé”. The respective “legitimate interests” are:

- the necessity for PRé to process personal data to run regular business operations and to provide services it is committed to provide under service agreements;
- the contribution by PRé to its overall mission, mentioned under 2.4, by publishing content on its website or in other publications that are relevant to the LCA community.

PRé evaluates its processing activities that involve the processing of personal data regularly, assessing whether it does not process more personal data than necessary for the purposes of its processing activities and whether (new) methods or techniques are available to process in an even less privacy intrusive way.

The legal basis for the processing activities mentioned under 2.3 is consent (in accordance with the requirements that apply to unsolicited electronic communications for purposes of direct marketing).

## 5. Recipients of personal data

To achieve the purposes, mentioned under paragraph 2, PRÉ shares the personal data it collects both internally and with third parties.

Internally, access to the personal data by employees/staff members is restricted to the extent that access is necessary to achieve the purposes mentioned under 2. PRÉ is ISO27001 certified and has, as part of the requirements under ISO27001 certification implemented an Information Security Management System (ISMS). The ISMS includes the application of measures such as access rights and secure login procedures.

PRÉ offers its products and services both directly to customers/end users and through a worldwide network of resellers. Resellers may offer PRÉ's products and/or services and exchange personal data with PRÉ for that purpose. Resellers may also assist PRÉ in the provision of support services. Please read paragraph 6 for more information on such processing activities.

PRÉ, in its turn, acts as a reseller of third party products and/or services (databases and/or related support). PRÉ and such suppliers are jointly responsible for the exchange of personal data in the context of the joint sales efforts of such suppliers' products and/or services and in the context of the performance of an agreement to which PRÉ is a party. The suppliers are independently responsible for any other personal data processing activities they undertake. For information on supplier's personal data processing activities, PRÉ refers to (the website of) such supplier.

PRÉ engages third party (software) suppliers to perform processing activities on behalf of and upon instruction of PRÉ. Such processing activities involve storage and transmission of personal data. These third party suppliers qualify as PRÉ's *processors*. PRÉ has entered into so-called data processing agreements with these processors on the basis of which they are bound to various obligations. Such obligations include confidentiality obligations and the obligation to take appropriate technical and organizational security measures to protect the personal data they process on behalf of PRÉ against loss, or unauthorised access. PRÉ's processors have no access to these personal data, unless and to the extent that access is necessary for the execution of their services to PRÉ.

PRÉ may transfer personal data it processes to and such data may be stored by processors on servers that are located in the USA. These processors participate in the Privacy Shield Framework, which means that they legally qualify as organisations that ensure an "adequate level of protection" for the personal data that they process.

## 6. Joint versus independent responsibility of PRÉ and its resellers

PRÉ and its respective resellers are jointly responsible for the exchange of your personal data in the context of the joint sales efforts of PRÉ's products and services and the assistance of resellers in offering support services by PRÉ. For these processing activities:

- PRÉ provides the information in this Privacy and Cookie statement on behalf of individual resellers as well;
- you can send a request to exercise your rights as referred to under paragraph 8 against a reseller to PRÉ as well.

The resellers are independently responsible for any other personal data processing activities they undertake, whether in the context of the sale of PRÉ's or their own or third parties' products and/or services. For information on such reseller personal data processing activities, PRÉ refers to the relevant reseller for information on such activities.

## 7. Retention period

The personal data that PRé processes are stored no longer than necessary for the purposes mentioned under 2, unless and to the extent a longer period is prescribed by law.

The aspects that are taken into account when retention periods are set by PRé are: the duration of the agreement between PRé and a customer or reseller, statutory retention periods, limitation periods for bringing legal actions and the necessity of storage for later reference (archiving purpose). PRé uses techniques to anonymize personal data where possible.

If you subscribed to one of PRé's mailing lists you will be offered the opportunity to unsubscribe with each email you receive from PRé. After you unsubscribed, your data will be deleted from our and our processor's systems irrevocably.

If you are a contact person of a reseller or customer of PRé's products or services, your data will be retained for a period of five (5) years after the agreement on the basis of which your personal data are processed is terminated. If, within such 5 year period, a legal dispute between PRé and the respective customer or reseller arises, your data may be retained until such dispute is resolved.

If you are a user of PRé's products or services, your personal data will be retained for a period of 7years.

## 8. Your rights

The GDPR grants each individual whose personal data are processed certain rights with regard to the processing of their personal data. These rights are: the right to access to and rectification or erasure of the data and restriction of or objection against the processing as well as the right to data portability.

In this paragraph, we explain these rights briefly to you.

The *right to access* means that PRé must let you know, on you request, which of your personal data PRé processes.

The *right to rectification* means that when the data that PRé processes are incorrect, PRé has to rectify them on your request.

The *right to erasure* means that you can request PRé to erase your personal data, for example when (i) you object to the processing (please see below on the right to object) and (ii) PRé does not have an overriding legitimate ground to continue the processing. .

The *right to restriction* means that when you:

- hold the opinion that the data that PRé processes are incorrect or that the processing of the data is unlawful or unnecessary but the data cannot be erased in relation to your legal position; or
- have objected against the processing (see hereafter)

you can request PRé to suspend the processing.

Suspension means that PRé can only - apart from exceptions - *store* the data (without your consent) until it is clear whether your opinion is correct. The same applies to processors, who must be informed by PRé on the suspension.

The *right to objection* means that you can, at any time, object to the processing activities based on “legitimate interest” (see under 4). PRé will then discontinue the processing unless PRé has an overriding legitimate ground to deny your request. In the event of processing activities for marketing or promotional purposes you can object at any time by unsubscribing from a mailing list.

The *right to data portability* means that you can request PRé, at the termination of your or your company’s relationship with PRé, to provide you with the data that you provided to PRé in a structured, commonly used and machine-readable format.

If you want to make one of the foregoing requests you can send it to PRé by email to: [privacy@pre-sustainability.com](mailto:privacy@pre-sustainability.com). PRé will respond to your request within a month. PRé will let you know what the possible consequences are of honouring your request (such as not being able to provide a service). If PRé holds the opinion that PRé has valid reasons to refuse your request PRé will inform you of those reasons in its response.

Finally PRé points out that if you hold the opinion that PRé, by processing your personal data, acts in breach of the law, please inform PRé. PRé will then try to find a solution to meet your objections. If PRé is not able to solve the matter with you, you can file a complaint with the Dutch Data Protection Authority (we refer to its website for more information: <https://autoriteitpersoonsgegevens.nl>).

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PRé Consultants B.V.  
Stationsplein 121  
3818 LE Amersfoort  
The Netherlands