MERCIALYS

DATA PRIVACY POLICY

1. Purpose of this Data Privacy Policy

To provide you with transparent information on the principles we apply for your personal data and how you can exercise your rights, in this document we explain how **Mercialys** collects and processes your personal data.

2. Controller

Mercialys, a French limited company (société anonyme) with a capital of 93,886,501 euros, registered in the Paris trade and companies register under number 424 064 707, with its registered office at 16-18 rue du Quatre Septembre, 75002 Paris, France, is the controller for your personal data.

3. Our Data Protection Officer

Our Data Protection Officer (DPO) is available to answer any questions you may have at the following address: privacy@mercialys.com

4. Our commitments to protecting your personal data

We protect your privacy by ensuring the protection, confidentiality, non-alteration, availability and security of the personal data that you entrust us with in connection with our activities, particularly for providing our online services.

We take all necessary measures to:

- provide you with clear and transparent information on the way that your personal data will be collected and processed;
- put in place all the technical and organizational measures required to protect your personal data against disclosure, loss, alteration or access by any unauthorized third parties;
- store your personal data exclusively for the time required for the processing purposes defined;
- offer you, at all times, the possibility to access and modify your personal data and, more generally, to exercise all of your rights relating to such data.

To achieve these objectives, we put in place appropriate technical and organizational measures to ensure that processing is compliant with relevant data protection legislation.

With regard to the processing of data collected when you register for the loyalty programs offered by G La Galerie, a specific policy has been drawn up, which supplements this policy. It can be consulted here (exclusively in French).

5. When and for what purposes do we collect your personal data?

Your personal data may be collected when:

- you visit our internet sites that may use cookies;
- you fill out the contact form on our internet site;
- you apply for a job with Mercialys;
- you enter into a commercial relationship with Mercialys;
- you enter into an investment relationship with Mercialys;
- you are identified as a co-contractor, supplier, partner or intermediary of Mercialys and are subject to a compliance check as part of our anti-corruption program;
- you file a report or are mentioned in a report received through our whistleblowing system.

The specific candidate privacy policy can be consulted here.

6. What personal data do we collect?

We exclusively collect and use the personal data that are required in connection with our activities in order to offer you quality products and services.

We may collect various categories of personal data from you, including:

- identification and contact information (surname, first name, address, date and place of birth, email address, phone number, signature);
- identification, authentication or browsing data when you use our online services;
- data relating to your interactions with us (contact on our internet sites, through our applications, during interviews or through letters or emails);
- economic data, particularly for investors, including the percentage of capital and voting rights held, and for co-contractors, data relating to transactions (bank account details, payment data);
- any other personal data that you may wish to provide on a voluntary basis.

The personal data that we collect are required for the scope of our processing operations. If you complete any forms that include optional data, the fields for these data will not contain asterisks (reserved for data that are regulatory or contractually required). If personal data are required to enter into a contract, but are not provided (e.g. billing address), Mercialys may be unable to fulfil its contractual obligations.

These data may be collected directly from you, notably using electronic forms on our internet sites, or indirectly from third parties (publications / databases made accessible by official authorities, customers, suppliers, information made public by you).

In accordance with the regulations, we do not collect any data concerning racial or ethnic origins, political opinions, religious or philosophical beliefs, trade-union membership, genetic personal data, biometric personal data making it possible to identify an individual on a unique basis, personal data concerning the health, sex life or sexual orientation of an individual.

As part of your relations with us, these specific categories of personal data are not collected by Mercialys, except where required by law or with the explicit consent of the person concerned. Mercialys reserves the right to destroy any such data that is provided to it outside these cases.

With regard to the processing of data collected when you register for the loyalty programs offered by G La Galerie, a specific policy has been drawn up, which supplements this policy. It can be consulted here (exclusively in French).

7. How do we use your personal data?

We process your personal data in line with a transparent and secure approach. These data are collected for the following purposes:

- To prepare for the performance of or to execute a contract entered into with you (providing information on our products and services, managing our customer relationships, managing our supplier relationships, managing our investor relationships);
- To ensure our compliance with our legal and regulatory obligations (storage of legal, accounting or tax documents, responses to official requests from duly authorized public or judicial authorities, implementation of the anti-corruption and whistleblowing systems provided for by French law no. 2016-1691 of 9 December 2016 (the "Sapin II" law));
- To serve our legitimate interests (developing our products or services, defending our interests in court, recovering funds, combating fraud, preparing anonymized statistical models, personalizing commercial offers);
- To comply with your consent, when your consent is the legal basis for processing your personal data.

These processing operations are carried out while taking into account your interests and rights as users of our sites or Mercialys' contractual partners or prospects. They do not involve any profiling or any decision based solely on automated processing that produces legal effects concerning you or similarly significantly affects you.

8. Management of our obligations to our customers / users

Communicating with you

We collect and store your personal information to be able to provide you with information and communications relating to our interactions and the performance of our activities.

Legal or regulatory requirements

We may be required to disclose your personal data following legitimate requests from public authorities, notably in response to demands relating to national security, combating fraud or legislative compliance.

Other cases

In all other cases, you will be informed of the processing operations that Mercialys intends to carry out.

9. Who are the recipients for your personal data?

We ensure that your personal data can be accessed exclusively by authorized people within **Mercialys** when this access is required for our commercial or investment relationships.

These data will not be disclosed to any third parties for commercial and/or promotional purposes.

Our service providers may also be recipients for personal data when this is strictly required for the performance of services that we have entrusted them with, such as maintenance, administration or communications operations.

Operations with a provider that receives your data are covered by a contract in order to ensure the protection of your data and respect for your rights.

Certain personal data may also be disclosed to third parties to comply with legal, regulatory or contractual obligations or disclosed to relevant authorities in line with the legislation applicable.

10. Where are your personal data stored?

Data are stored in accordance with legislation.

If our service provider operates outside the European Union (in a country that does not benefit from a European Commission adequacy decision), we protect the confidentiality of your personal data and your rights by using the standard contractual clauses adopted by the European Commission or the other means authorized by the General Data Protection Regulation no.2016/679 (GDPR). You may obtain a copy of these safeguards by contacting us at the addresses indicated in the section “How can you exercise your rights?”.

11. How long are your personal data kept for?

The timeframes for keeping data are compliant with the recommendations of the French Data Protection Agency (CNIL) and/or legal requirements:

Categories of personal data	Active storage guidelines
Data collected in connection with a request for information	2 years after the last contact
Data collected in connection with a commercial or investment relationship	For the duration of the commercial or investment relationship
Data concerning prospects	3 years after the last prospect contact
Cookies	Valid for 13 months

At the end of these timeframes, we may archive data, notably to comply with statutes of limitation for legal proceedings.

12. What are your rights concerning your personal data?

To enable you to control our use of your personal data, you have the following rights, which are applied in accordance with the GDPR conditions in particular:

- Right to access: you can obtain information concerning the processing of your personal data and copies of them;
- Right to rectification: you can ask for your personal data that you consider to be incomplete or inaccurate to be corrected;
- Right to erasure: you can ask for your personal data to be erased;
- Right to restrict processing: you can ask for the processing of your personal data to be restricted;
- Right to data portability: you have the right for the personal data that you have provided us with to be returned to you or, when technically possible, transferred to a third party, where the processing is based on your consent or on a contract and is carried out by automated means;
- Right to withdraw consent: if processing is carried out with your consent as the legal basis, without affecting the lawfulness of processing based on consent before its withdrawal;
- Right to submit any complaints to the French Data Protection Agency (cnil.fr);
- Right to define guidelines for the storage, erasure or disclosure of your personal data following your death.

You also have the following right, which can be applied in accordance with GDPR in particular:

- Right to object: you can object to the processing of your personal data for reasons relating to your specific situation and, in the case of prospecting, you have an absolute right to object to this.

13. How can you exercise your rights?

You can exercise your rights:

- By sending an email to: privacy@mercialys.com
- By sending a letter to:

Data Protection Officer – Mercialys, 16-18 rue du Quatre Septembre, 75002 Paris, France.

If you would like further details concerning the content of your rights, please contact us at the addresses indicated above.

We will reply to your requests as quickly as possible and at the latest within **one month** of receiving your requests (note: if necessary, this timeframe may be extended by two months taking into account the complexity and number of requests).

14. Our measures to secure your personal data

Respecting your right to protection, security and confidentiality for your personal data is our priority.

Mercialys puts in place the organizational and technical security measures required in line with the level of sensitivity of personal data in order to protect them against any malicious intrusion, loss, alteration or disclosure to unauthorized third parties.

When defining, designing, selecting and using our services that are based on the processing of personal data, **Mercialys** applies a 'protection by design' approach to protect your personal data.

For instance, we apply pseudonymization or anonymization processes, as required, for personal data when possible, relevant or necessary.

As all personal data are confidential, their access is restricted to **Mercialys** employees or providers acting on behalf of **Mercialys** when this is required for the performance of their missions. All employees with access to your data are bound by a duty of confidentiality and face disciplinary and/or other measures if they fail to comply with these obligations.

Operations with recipient third parties are covered by contracts to ensure the protection of your personal data and respect for your rights.

We are fully committed to ensuring the effective protection of any personal data that you entrust us with. In line with this constant focus on security and protection, we would encourage you to exercise caution to prevent any unauthorized access to your personal data and protect your devices (computer, smartphone, tablet) against unsolicited or even malicious access by using a robust password, which it is recommended to change on a regular basis. If you share a device, we recommend that you sign out after each time you use it.

15. Amendments to this Data Privacy Policy

This Data Privacy Policy may be subject to amendments, which will take effect from the date when the updated policy has been published.

16. Management of cookies

When you access our internet site, we may, if you agree to this, save cookies on your computer through your browser. Mercialys partners or providers, or third-party companies, may also save cookies on your computer. Certain cookies are essential for browsing our site, particularly for the site's features to work properly, and removing them may cause difficulties. Only a cookie's issuer may read or modify the information contained in this cookie.

The purpose of the cookies saved is presented in the cookies information banner that is displayed when browsing the site. It can also be consulted with more information on cookies here.

17. Definitions

"Anonymization": process through which personal data are irreversibly altered to ensure that they can no longer be directly or indirectly identified, either by the data controller on their own or in conjunction with any other party.

"Collection": the collection of personal data, notably using online forms or questionnaires.

"**Consent**": any freely given, specific, informed and unambiguous indication of your wishes by which you, by a statement or by a clear affirmative action, signify agreement to the processing of your personal data.

“Recipient”: a natural or legal person to which personal data are disclosed, whether they are a third party or not.

“Personal data”: any information relating to a natural person who is identified or identifiable, i.e. who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

“Restriction of processing”: marking of stored personal data with the aim of limiting their processing in the future.

“Minimization”: principle whereby personal data will be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.

“Pseudonymization”: refers to the processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organizational measures to ensure that the personal data are not attributed to an identified or identifiable natural person.

“Controller”: the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data.

“Processor”: the natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

“Third party”: any natural or legal person other than you, Mercialys, processors and persons who, under the direct authority of the controller or processor, are authorized to process personal data.

“Processing of personal data”: any operation or set of operations performed, whether or not by automated means, on your personal data, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.