

This privacy policy applies to Photowonder Europe Ltd. It tells you how we collect and process data received from you, including how we process data in relation to our clients, suppliers, business contacts and visitors of our website [www.photo-wonder.com](http://www.photo-wonder.com). Photowonder Europe Ltd takes the privacy of your information very seriously.

## Who we are

Here are the details that the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 (GDPR) says we have to give you as a 'data controller':

- Our website address is [www.photo-wonder.com](http://www.photo-wonder.com)
- Our company is Photowonder Europe Limited, a company incorporated in England and Wales with registered number 5757229, at registered address Suite 2 Healey House, Dene Road, Andover, Hampshire, SP10 2AA, UK
- For any data protection queries please contact us at [uk-customerservice@photo-wonder.com](mailto:uk-customerservice@photo-wonder.com)

## Definitions and interpretation

1. In this privacy policy, the following definitions are used:

<b>Data</b>	collectively all information that you submit to Photowonder Europe Limited via the website or otherwise. This definition incorporates, where applicable, the definitions provided in the GDPR and the Data Protection Act 2018;
<b>Production Order</b>	<p>defined as orders submitted via FTP, SFTP, WeTransfer or Dropbox, where they are NOT stored or tracked on <a href="https://orders.pwdata.jp/">https://orders.pwdata.jp/</a>. The information collected may include: image(s), job names, and text instructions (optional). Sampling images may be required to produce personalised quotes and production manuals.</p> <p>When a Production Order is placed, only the order information stated above, with the exception of data entry processing customers where their client data is submitted for data entry processing, is transferred for processing to our production facility in Chandigarh, India.</p> <p>No account information, personal or otherwise, is transferred outside the UK or held at the production facility, except for basic contact details for order queries and notifications. The servers are based in Nuremberg, Bayern, Germany and Chandigarh, India. Or you may be provided with access to Files.com where applicable.</p>
<b>Retail Order</b>	<p>defined as orders submitted on <a href="https://orders.pwdata.jp/">https://orders.pwdata.jp/</a>, where the information collected is: image(s), an order code, text instructions (optional). Retail orders are transferred for processing to our production facility in Chandigarh, India. Orders transferred to the production facility contain only the image(s) and text instructions (if available). No account information, personal or otherwise, is transferred outside the UK or held at the production facility.</p> <p>The servers for <a href="https://orders.pwdata.jp/">https://orders.pwdata.jp/</a> are based in Nuremberg, Bayern, Germany, hosted by Hetzner Online GmbH.</p> <p>For purposes of GDPR, Photowonder Europe Limited acts as a data controller in relation to the personal data of its customers, suppliers, business contacts, employees, contractors and consultants. Where Photowonder Europe Limited processes personal data of its customers' clients (and other parties) as part of the provision of its services and on instructions of its customers, Photowonder Europe Limited acts as a "data processor";</p>
<b>Cookies</b>	a small text file placed on your computer by this website when you visit certain parts of the website and/or when you use certain features of the website. Details of the cookies used by this website are set out in the clause below (cookies);

<b>Photowonder Europe Limited, we, our or us</b>	Photowonder Europe Limited, a company incorporated in England and Wales with registered number 5757229, at registered address Suite 2 Healey House, Dene Road, Andover, Hampshire, SP10 2AA, UK;
<b>UK and EU Cookie Law</b>	the Privacy and Electronic Communications (EC Directive) Regulations 2003, as amended;
<b>User, Customer, Client or you</b>	any party that accesses the website or otherwise provides personal data to us
<b>Website</b>	<a href="http://www.photo-wonder.com">www.photo-wonder.com</a> , or <a href="https://orders.pwdata.jp/">https://orders.pwdata.jp/</a> , and any sub domains of this site unless expressly excluded by their own terms and conditions.

1. In this privacy policy, unless the context requires a different interpretation:
  - a. The singular includes the plural and vice versa;
  - b. References to sub-clauses, clauses, schedules, or appendices are to sub-clauses, clauses, schedules or appendices of this privacy policy;
  - c. A reference to a person includes firms, companies, government entities, trusts and partnerships;
  - d. “including” is understood to mean “including without limitation”;
  - e. Reference to any statutory provision includes any modification or amendment of it;
  - f. The headings and sub-headings do not form part of this privacy policy.

#### **Scope of this privacy policy**

2. This privacy policy applies only to the actions of Photowonder Europe Limited and tells you how we collect and process the personal data of our Customers, suppliers, sub-contractors and business contacts. This privacy policy does not extend to any parties other than Photowonder Europe Limited, or websites that can be accessed from our website including, but not limited to, any links we may provide to social media websites.

#### **Data collected**

3. We may collect the following data, which includes personal data, from you:
  - a. Name;
  - b. Contact information such as email addresses and telephone numbers;
  - c. IP address (automatically collected);
  - d. Order specific information submitted for Retail or Production Orders;
    - i. Where this may be the School name, Class name, Client name, Logos, Number of Images, Service Required or similar;
  - e. Your client data submitted within any format (JPG, CSV, PDF) for Production Orders for the service of data entry processing;

In each case, in accordance with this privacy policy.

4. Security measures are taken to ensure all personal information remains confidential and secure during and after processing.
5. See definitions of Production Order and Retail Order for the information collected for each order type.
6. We will not specifically collect any **Special Categories of Personal Data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health, and genetic and biometric data). We do not collect any information about criminal convictions and offences.
7. Under GDPR we will ensure that your personal data is processed lawfully, fairly, and transparently, without adversely affecting your rights. We will only process your personal data if at least one of the following basis applies:

- a. you have given consent to the processing of your personal data for one or more specific purposes;
- b. processing is necessary for the performance of a contract to which you are a party or in order to take steps at the request of you prior to entering into a contract;
- c. processing is necessary for compliance with a legal obligation to which we are subject;
- d. processing is necessary to protect the vital interests of you or of another natural person;
- e. processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller; and/or
- f. processing is necessary for the purposes of the legitimate interests pursued by us or by a third party such as our credit card payment processing, except where such interests are overridden by the fundamental rights and freedoms of the data subject which require protection of personal data.

In addition to personal data collected and processed in relation to Production Orders and Retail Orders (where we process the data on the basis of our provision of services to you) we process your personal data as follows:

Type(s) of data subject	Categories of personal data	Purpose of processing	Lawful basis
Customers, their employees and contractors	Contact information, including Name, address, telephone number and e-mail address  Communication data including e-mail communication, text and other messaging services  Financial data including bank account and payment card details  Transaction data including details about payments to and from customers	Process orders, including invoices, payments and refunds  Provision of services	Necessary for the performance of a contract
Customers, their employees and contractors	Contact information, including name, address, telephone number and e-mail address	Marketing communications	Consent OR  Soft opt-in in case of existing or previous users and those enquiring about our services

Suppliers, partners, subcontractors and their employees	Contact information, including name, address, telephone number and e-mail address; bank details	To enable compliance with obligations under relevant contracts, including processing order, refunds, logging and payment of invoices.	Necessary for the performance of a contract
Business contacts	Contact information, including name, company name, job position, address, telephone number and e-mail address, including those available via business networking websites, such as LinkedIn	Business networking	<p>Legitimate interests of all parties</p> <ol style="list-style-type: none"> <li>1. The legitimate interests of both our company and our business contacts is to network in the context of business.</li> <li>2. It is necessary to exchange, keep and otherwise process contact information in order to network in the context of business.</li> <li>3. There is normally a positive action taken by all parties to provide their contact details during networking with the expectation that such contact details, including personal data, may be used by the recipient for business networking.</li> </ol>

**Production Order Images**

8. Orders transferred via FTP, SFTP, WeTransfer or Dropbox may be permanently deleted after 3 months. Please ensure you maintain your own back-ups of your completed work.
9. Local backups are kept for up to 7 days to enable fast and convenient reprocessing if required.
10. Images used for sampling processes may be kept on record for reference purposes, or for use within the customer production manual, only where they remain relevant to the services provided to you. Samples may be deleted on request.
11. Customer production manuals are produced only for internal procedures and are not shared outside the facility unless you have provided explicit permission.

12. Production manuals may be deleted on request if you choose to terminate the service.
13. Any images deleted are subject to our disposal policy for secure removal.
14. Information submitted on google documents, where order information is specified, is used only to fulfil your order and generate data for invoicing purposes, where it is supplied as a detailed listing.

### **Retail Order Images**

15. Orders, placed on <https://orders.pwdata.jp/>, older than 6 months may be archived at any time. Once orders are archived, the related images are permanently deleted. Please ensure you maintain back-ups of your orders.
16. Orders and redos submitted via <https://orders.pwdata.jp/> are sent (or resent) to the production facility for processing and are not stored on local drives following completion.
17. Any images deleted are subject to our disposal policy for secure removal.
18. Information submitted on <https://orders.pwdata.jp/> is used only to fulfil your order.

### **Our use of Data**

19. For purposes of the Data Protection Act 2018 and GDPR, Photowonder Europe Limited is the “data controller” in reference to personal contact details and payment information that is related to your account.
20. Unless we are obliged or permitted by law to do so, and subject to any third-party disclosures specifically set out in this policy, your Data will not be disclosed to third parties. This includes our affiliates and / or other companies within our group.
21. All personal data is stored securely in accordance with the principles of the Data Protection Act 2018 and GDPR.
22. Any of the following data may be required from time to time in order to provide you with the best possible service and experience when using our services. Specifically, data may be used by us for the following reasons:
  - a. Order fulfilment;
  - b. Improvement of our products/services;
  - c. Transmission by email of promotional materials that may be of interest to you;
  - d. Internal record keeping;In each case, in accordance with this privacy policy.
23. We may contact you from time-to-time to ensure that any contact information held is up to date.
24. Contact information is used primarily for order notifications and billing purposes. On registration, you are included in our mailing list to receive updates regarding opening hours, order deadlines, service disruptions, holiday dates, product launches, marketing news or other important information, unless you object either verbally or by email at the time when your account is opened. You may opt out of the mailing list at a later date if you do not wish to receive any correspondence and you can unsubscribe at any time.

### **Controlling use of your data**

25. Wherever you are required to supply contact or payment details, you are able to delete or change your data. Changes may also be requested via telephone, email or post.
26. You may unsubscribe from email mailing lists at any time and/or request removal from telephone and direct marketing mailing lists – please see further details in the section Your rights below.

### **Security for Standard Orders**

27. Data security is of great importance to Photowonder Europe Limited and to protect your data we have put in place suitable physical, electronic and managerial procedures to safeguard and secure data collected via this website.
28. Our website has a valid, trusted server certificate issued by ZeroSSL RSA Domain Secure Site CA. When certificates expire they are replaced and maintained with equivalents.
29. The connection to this site is encrypted and authenticated using TLS 1.2 (a strong protocol), ECDHE\_RSA with P-256 (a strong key exchange), and AES\_128\_GCM (a strong cipher). This is regularly maintained and updated where required.
30. Payment methods are supplied by providers Stripe and Paypal and comply with PCI Compliance regulations.
31. You may delete stored payment details at any time within "Settings".
32. If password access is required for certain parts of the website, or transmission of data, you are responsible for keeping this password confidential.
33. We endeavour to do our best to protect your personal data. However, transmission of information over the internet is not entirely secure and is done at your own risk. We cannot guarantee the security of your data transmitted to the website.
34. To use all features and functions available on the website, you may be required to submit certain data.
35. You may restrict your internet browser's use of cookies. For more information see the clause below (cookies).

### **Security for Production Orders**

36. Data security is of great importance to Photowonder Europe Limited and to protect your data we have put in place suitable physical, electronic and managerial procedures to safeguard and secure data collected
37. You may be provided with access to file transfer accounts on [www.files.com](http://www.files.com) which adheres to GDPR compliance regulation.
38. In addition to BACs transfer, payment methods are supplied by providers Stripe and Paypal, and comply with PCI Compliance regulations.
39. If password access is required for your google documents, you are responsible for keeping this password confidential. Google documents are only shared with key staff members directly related to managing your account.
40. You are responsible for keeping the password confidential for your file transfers submitted via SFTP or FTP.
41. SFTP connections may be fixed to one specified IP on request.
42. SFTP connections allow data to be securely transferred, via an encrypted connection (SSH-Tunnel).

### **Internal Security Guidelines**

43. Internal staff must adhere to strict privacy guidelines, including but not limited to:
  - a. Contact information is to be kept confidential at all times.
  - b. Orders must only be placed on your behalf with explicit verbal or written permission from the customer (you).
  - c. The account balance will only be shared with the official account holder unless a nominated staff member has been named.

- d. Usernames and passwords will only be provided to the email address currently held on the account, unless the account holder has provided verbal or written permission to receive account details to another email address.
  - e. We are unable to share any account information, or order information, registered in a different account holder's name unless you have their express written permission.
  - f. Passwords for all systems must be periodically updated and must be kept confidential. If stored on the computer, they must be encrypted.
  - g. If payment details are handwritten they must be immediately destroyed by shredder.
  - h. Credit or debit card details must not be stored on any computers. Details must be stored and encrypted via Stripe, with permission, on the customer's account. Customers may opt to use Paypal as an alternative payment method. Photowonder do not store any Paypal passwords. You (the Customer) are responsible for the security of your Paypal password if you choose to save this within your web browser.
  - i. All office premises are secured at all times, and where physical locks are available to secure the rooms or storage of data, they must be made use of.
  - j. Image processing is performed in a secure, purpose-built facility or may be done by processors (artists) remotely.
  - k. Where it is necessary to work remotely artists connect to the office systems using a secure VPN and have firewalls and antivirus on all machines. When working in the office processors (artists) are not permitted USB drives, mobile phones, external hard-drives and other forms of portable storage devices within the facility.
  - l. All computer equipment belongs to Photowonder Europe Ltd or its subcontractor Fotografik (data sub-processor) and any external ports in relation to such equipment are disabled. The artists do not have permission to install or uninstall or update software. The DNS cache information is regularly monitored for appropriate company use purposes. Artists are not permitted to use their own equipment. Processors (artists) do not have access to the internet. Restricted internet access is available to administrators and managers for the purposes of ordering processing and communication.
  - m. All processors (artists) perform their duties on-site under supervision. Remote access is permitted in certain circumstances only. Unsupervised access is not permitted. Access to the facility is permitted only during working hours. Where Dropbox is used for storage and sharing purposes, we accept the steps Dropbox has taken to comply with GDPR. Adequate protection is ensured for all confidential information.
  - n. Where Google Docs is used, we accept the steps Google has taken to comply with GDPR.
  - o. Where the Gsuite is used for communication, we have opted in for GDPR compliance. All staff members must ensure communication remains confidential and is intended solely for the use of the individual to whom it is addressed.
44. Regular security audits are performed on all devices used within the workplace.
45. Regular audits are performed on our servers to maintain security.
46. Where regulations are updated or changed by law relating to the data we receive from you, we will meet any new requirements within a reasonable timeframe.
47. Data relating to order processing is regularly reviewed and permanently removed if it is deemed unnecessary.
48. You (the customer) will be duly notified within a reasonable timeframe if it is found that any data breach has occurred that requires notification to affected data subjects.



## Cookies

49. Our website may place and access certain cookies on your computer. Photowonder Europe Limited uses sessions to improve your experience of using the website. Photowonder Europe Limited has carefully chosen these methods and has taken steps to ensure that your privacy is protected and respected at all times.
50. This website may place the following cookies:

<b>Type of Cookie</b>	<b>Purpose</b>
Session cookie	<i>These are cookies that are required for the operation of our website. They include, for example, cookies that enable you to log into secure areas of our website, use a shopping cart or make use of e-billing services. Session cookies do not collect information from the user's computer.</i>

51. You can choose to enable or disable cookies in your internet browser. By default, most internet browsers accept cookies but this can be changed. For further details, please consult the help menu in your internet browser.
52. You can choose to delete cookies at any time; however you may lose any information that enables you to access the website more quickly and efficiently including, but not limited to, personalisation settings.
53. It is recommended that you ensure your internet browser is up-to-date and that you consult the help and guidance provided by the developer of your internet browser if you are unsure about adjusting your privacy settings.

## Transfers outside the Europe Economic Area

54. Our primary servers are based in Nuremberg, Bayern, Germany, hosted by Hetzner Online GmbH. Our customers may also use Dropbox, WeTransfer or files.com to transfer files to us for the provision of our services. This privacy policy applies to the provision of the services by us and all staff must adhere to the privacy policy to access and transfer files. Dropbox, WeTransfer, files.com and other similar services are subject to their own policies and terms and conditions directly with you to which we are not a party, and you should check those documents before using any such services.
55. The SFTP server is held in Chandigarh, India, hosted by Fotografik Enterprises pv.
56. Personal account information, including but not limited to payment information, is not transferred outside the UK.
57. Retail Orders: the information transferred outside the EEA to Chandigarh, India is: order number, order image(s) and optional text instructions. This information is for processing purposes only.
58. Production Orders: the information transferred outside the EEA to Chandigarh, India is: order number, order image(s) and optional text instructions. This information is for processing purposes only. You may also provide contact details to receive order notifications by email from the processing team.
59. Data that we collect from you may be stored and processed in and transferred to countries outside the European Economic Area (EEA). For example, this could occur if our servers are located in a country outside the EEA or one of our service providers is situated in a country outside the EEA. We also share information with our group companies that are located in India, UK and USA. These countries may not have data protection laws equivalent to those in force in the EEA.



60. If we transfer Data outside the EEA in this way, we will take steps with the aim of ensuring that your privacy rights continue to be protected as outlined in this privacy policy, including use of data processing agreements and model clauses/ standard contractual clauses. You expressly agree to such transfers of data.

### **Your rights**

61. You can ask us not to use your data for marketing. You can do this by ticking the relevant boxes, clicking the unsubscribe link contained in our marketing communications or by contacting us at any time at [uk-customerservice@photo-wonder.com](mailto:uk-customerservice@photo-wonder.com)
62. Under the GDPR you also have the right to:
- request access to, deletion of or correction of, your personal data held by us at no cost to you;
  - request that your personal data be transferred to another person (data portability);
  - be informed of what data processing is taking place;
  - restrict processing;
  - object to processing of your personal data; and
  - complain to a supervisory authority.
63. You also have rights with respect to automated decision-making and profiling although we do not undertake any automated decision-making or profiling.
64. To enforce any of the foregoing rights or if you have any other questions about our privacy policy, please contact us at [uk-customerservice@photo-wonder.com](mailto:uk-customerservice@photo-wonder.com)

### **EEA/ EU countries**

If you are based in one of the EEA / EU countries and would like to exercise any of your data subject rights, please visit: <https://gdpr-rep.eu/q/18170539>

Our **EU representative** details are as follows (Article 27 GDPR):

GDPR-Rep.eu

Maetzler Rechtsanwalts GmbH & Co KG

Attorneys at Law

c/o Photowonder Europe Ltd

Schellinggasse 3/10, 1010 Vienna, Austria

Please add the following subject to all correspondence: GDPR-REP ID: 18170539

### **General**

65. You may not transfer any of your rights under this privacy policy to any other person. We may transfer our rights under this privacy policy where we reasonably believe your rights will not be affected.
66. If any court or competent authority finds that any provision of this privacy policy (or any part of any provision) is invalid, illegal, or unenforceable, that provision or part-provision will, to the extent required, be deemed to be deleted and the validity and enforceability of the other provisions of this privacy policy will not be affected.
67. Unless otherwise agreed, no delay, act or omission by a party in exercising any right or remedy will be deemed a waiver of that, or any other, right or remedy.
68. This agreement will be governed by and interpreted according to the law of England and Wales. All disputes arising under the agreement will be subject to the exclusive jurisdiction of the English and Welsh courts.

### **Disclosing your information**

69. We are allowed to disclose your information in the following cases:

- a. If we want to sell our business, we can disclose it to the potential buyer.
- b. We can disclose it if we have a legal obligation to do so, or in order to protect other people's property, safety or rights.
- c. We can exchange information with others to protect against fraud or credit risks.

We may contract with third parties to supply our services to you on our behalf. These may include payment processing, search engine facilities, web hosting, advertising and marketing. In some cases, the third parties may require access to some or all of your data. These are the third parties that may have access to your information:

- Accounting companies, as may be required for our compliance with statutory obligations and financial calculations – identity, contact, financial and transactional data
- IT and hosting services providers, as may be necessary for the provision of their services to us – identity data, contact data, financial data, transaction data, technical data, profile data, usage data and/or marketing and communications data
- Payment processing companies, as may be necessary for the provision of their services – identity data, contact data, financial data and transaction data
- Banks, as may be necessary for the provision of their services to us - identity data, contact data, financial data and transaction data
- Insurance companies, as may be necessary for the provision of their services to us - identity data, contact data, financial data and transaction data
- Debt collection agencies, as may be necessary for the provision of their services to us - identity data, contact data, financial data and transaction data
- Marketing services and CRM providers, as may be necessary for the provision of their services to us - identity data, contact data and transaction data
- Telecommunication services providers, as may be necessary for the provision of their services to us - identity data, contact data, financial data, transaction data, technical data, profile data and usage data
- Parcel tracking services providers, as may be necessary for the provision of their services to us – identity data, contact data and transaction data
- Other services providers, including law firms and documents services – identity data, contact data, financial data and/or transaction data as may be required for the provision of the relevant services
  
- Governmental authorities, as may be necessary in order for us to comply with statutory requirements and official requests – identity data, contact data, financial data, transaction data, technical data, profile data, usage data, marketing and communication data..

70. In the above instances, we will take steps with the aim of ensuring your privacy is protected.

### **Changes to this privacy policy**

71. Photowonder Europe Limited reserves the right to change this privacy policy as we may deem necessary from time to time or as may be required by law. Any changes will be immediately posted on the website and you are deemed to have accepted the terms of the privacy policy on your first use of the website following the alterations.

You may contact us by email at [uk-customerservice@photo-wonder.com](mailto:uk-customerservice@photo-wonder.com).