

XTM group privacy policy

General provisions

1. The XTM group's privacy policy (henceforth – **Policy**) has been created in order to inform the data subject – any natural person – of how XTM group companies process the data of natural persons.
2. The Policy has been created in order to ensure compliance with Regulation No 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (henceforth - **Regulation**).
3. This Policy is binding on all XTM group employees who process the data of a natural person.
4. The natural person's data controller is any XTM group company – SIA "XTM", registration No 40003351567, legal address: „Melkas”, Umurgas pag., Limbažu nov.; SIA "XTM Nord", registration No 44103092279, legal address: „Melkas”, Umurgas pag., Limbažu nov., (henceforth - **XTM**).
5. The Policy lays down the requirements for privacy and processing of a natural person's data as per the Regulation and the relevant laws in force in the Republic of Latvia: it defines personal data, lays down the purpose and legal basis for personal data processing, the organizational and technological measures for data processing, the data storage period and erasure thereof, as well as the rights of the data subjects and their communication with XTM.

Processing of personal data

6. For the purposes of this Policy, personal data is any information relating to an identified or identifiable natural person.
7. The Policy is applied to ensure the privacy and protection of personal data for natural persons – employees, clients, suppliers (including potential, former and existing), as well as third parties, who receive and impart XTM with any information (including, but not limited to, contact persons of legal entities), as well as visitors to the offices and other establishments of the XTM group, including, who are subject to video-surveillance.
8. XTM identifies the following personal data categories:
 - 8.1. personal identification data (name, surname, personal number or identity number, date of birth, passport or identity card number);
 - 8.2. person's contact information (address, phone number, e-mail address);

- 8.3. special categories of personal data or sensitive data (including, but not limited to, ethnic origin, trade union membership, signs of disability, information concerning health, and information concerning family);
 - 8.4. client's contact person's data – name, surname, email, phone number;
 - 8.5. employee's (natural person) data (name, surname, personal number or personal identity number, date of birth, passport or identity card number, address);
 - 8.6. client's (natural person) data – client's contract number, client's date of registry, status
 - 8.7. supplier's (natural person) data – supplier's number, invoice information, bank account number;
 - 8.8. communication data – type of incoming and outgoing correspondence, number, date;
 - 8.9. review data of the solvency status of the other contracting party (information on the existence of debts, credit risk evaluation, solvency status);
 - 8.10. account data (bank account number, invoice number, date, sum, mode of receiving invoices, information on debt recovery);
 - 8.11. photos and pictures (photos from corporate events);
 - 8.12. video surveillance data from all XTM establishments.
9. XTM retains the right to supplement the list of data categories, taking note of the need of XTM's commercial activities, while continuing to carry out all necessary organization and technological measures to ensure the protection of privacy and personal data.
10. The Policy is applicable to data processing independent of the form or manner of how a natural person has handed over the personal data to XTM (electronically, in written form or over the phone), and the electronic systems or paper format that XTM employs to process the aforementioned data.

Purposes of personal data processing

11. XTM processes personal data for the following purposes
- 11.1. For the provision of XTM's services (including, but not limited to, drafting and conclusion of contracts, ensuring provision of services, processing and tracking of complaints, fulfillment of warranty obligations; administering of invoices; evaluation of solvency of the other contracting party; supervision of credits; recovery and collection of debts; maintenance and improvement of websites and mobile applications).
 - 11.2. Receipt of XTM services from other providers – natural and legal persons (including, but not limited to, drafting and conclusion of contracts; receipt of services; processing and tracking of complaints; fulfillment of warranty obligations; administering of invoices).
 - 11.3. Provision of information to the state or municipal authorities and operational bodies within the situations, procedures and extent laid down in the relevant laws of the Republic of Latvia (including, but not limited to, the State Revenue Service, State Labor Inspectorate).

- 11.4. Business analysis and planning (including, but not limited to, preparation of reports; risk management; statistics; ensuring data quality; efficiency measurements).
12. XTM retains the right to process personal data for other purposes if that is provided for by the Regulation and the relevant laws in force in the Republic of Latvia.

Legal basis for data processing

13. XTM processes personal data based on the following legal bases:
- 13.1. conclusion and fulfillment of contracts – in order to conclude contracts with employees, clients and suppliers, as well as to ensure the fulfillment of contract obligations;
 - 13.2. fulfillment of legal obligations of the relevant laws of the Republic of Latvia;
 - 13.3. lawful (legitimate) interests – in order to exercise the legitimate interests as they arise from a contract or a provision of law;
 - 13.4. in compliance with the consent of the data subject;
14. XTM processes data pursuant to the following legitimate interests:
- 14.1. to carry out commercial activity;
 - 14.2. verification of the identity of the other contracting party before the conclusion of a contract;
 - 14.3. fulfillment of contract obligations;
 - 14.4. prevention of business risks (solvency evaluation of the other contracting party before the conclusion of a contract and during the fulfillment of contract obligations);
 - 14.5. preservation of written proof;
 - 14.6. maintenance and administering of the company's website;
 - 14.7. administration of XTM accounts on online platforms, websites and mobile applications;
 - 14.8. activities within the fields of advertising and marketing;
 - 14.9. corporate governance;
 - 14.10. finance and business accounting and analysis;
 - 14.11. measures within labor law and within the field of employment;
 - 14.12. measures within labor protection;
 - 14.13. environmental protection;
 - 14.14. payment administration;
 - 14.15. representation of personal and legal interests in court, state and municipal institutions, as well as operational activity institutions;
 - 14.16. data processing for administrative purposes within XTM group;
 - 14.17. acquisition and updating of contact information of a person's relatives in case of accidents or in case of other extraordinary events;
 - 14.18. other legitimate interests.
15. If XTM processes data based on the consent of a data subject, XTM ensures that the consent is given in written form, and that the aforementioned consent complies with Articles 5., 12. and 13. of the Regulation, and that it has been given freely, specifically, informedly, and unambiguously.

16. The data subject retains the right to withdraw their written consent, given for a specific data processing purpose, at any time, and XTM ceases processing such data immediately after the withdrawal of consent. Withdrawal of consent does not impede data processing which is based on other legal bases.
17. Withdrawal of data processing consent does not impede the legality of processing of data during the consent period.

Organizational and technological measures

18. XTM processes data with due consideration for the risks to privacy, as well as the organizational, financial and technical resources available to it.
19. XTM chooses appropriate technological solutions in order to eliminate breaches of privacy, and to ensure safe data processing, for example, by implementing passwords, establishing software against penetration and exposure, as well as other protective measures.
20. In order to ensure qualitative and operative performance of contractual obligations, one XTM group company may authorize other XTM group companies, as well as to delegate the fulfillment of separate tasks to third parties – outsourcing providers. If, in the performance of these tasks, the XTM Group companies or outsourcing providers process the personal data held by XTM, the relevant XTM group companies or outsourcing providers shall be considered as data processors, and XTM retains the right to hand over personal data to other XTM group companies and outsourcing providers in the amount necessary to perform such obligations.
21. XTM group companies and outsourcing providers as personal data processors are obliged to ensure that data processing complies with the requirements of the Regulation, as well as substantiated XTM requirements.
22. XTM group companies and outsourcing providers as personal data processors are forbidden to use such personal data for any other means than are required under the contractual obligations for the performance of the tasks as supervised by XTM. In the contract for personal data processing, the contractual parties agree on the task, goal, object, duration, purpose of the data processing, and any information that is necessary to ensure privacy and security of data processing. XTM shall ensure that the data processor has performed all necessary organizational and technological measures as required by the Regulation.
23. XTM, taking note of the requirements as set in the Regulation, ensures access to or transfer of personal data to third parties in third countries (outside the European Union and European Economic Area) as data processors, while ensuring the fulfillment of relevant procedures as regulated by the laws of the third country. XTM ensures that the level of privacy and data protection is on par with the level of the Regulation.

24. XTM performs the necessary organizational measures in order to ensure data security, for example, by carefully evaluating the assignment of access rights to data held by XTM.
25. XTM informs its personnel about the privacy and data security measures in order to exclude any disclosure of data to third parties.
26. XTM ensures that the data held by is not disclosed to third parties, except if the data is disclosed:
 - 26.1. to the other contracting party within the terms of the contract in order to perform obligations arising from the contract or relevant laws;
 - 26.2. with clear and unambiguous consent of the data subject;
 - 26.3. to the persons and institutions authorized by the laws of the Republic of Latvia after their substantiated request within the events as prescribed by the laws of the Republic of Latvia;
 - 26.4. in order to defend its own rights and legitimate interests in the courts of Latvia, state and municipal institutions and operational activity institutions.
27. XTM informs the data subject in case of transfer of data, except in cases when the Regulation does not describe such an obligation.

Data storage period and erasure

28. XTM performs the necessary measures in order to ensure that the data storage period complies with the Regulation.
29. XTM stores and processes personal data during the period while at least one of the following conditions is met:
 - 23.1. existing contract;
 - 23.2. existence of a legal obligation to store the data;
 - 23.3. the possibility to realize legitimate interests within the time periods as prescribed in the laws of the Republic of Latvia;
 - 23.4. the existence of an effective data subject consent for personal data processing if no other lawful bases exist for the processing of such data.
30. XTM ensures that personal data is erased if none of the aforementioned conditions for data storage are met.

Rights of the data subject

31. After a substantiated request, XTM provides the data subject with information on the processing of their personal data.
32. The data subject may submit their request to the executive director of SIA "XTM"
 - 26.1. in written format at a previously-agreed time at the office of SIA "XTM" at Ūnijas iela 47, Rīga, LV-1039, by producing a valid document affirming their identity;

26.2. by sending a request by email to the following email address: info@xtmbygg.com, and by signing the request with a secure electronic signature (e-signature).

33. XTM, after the receipt of the request, confirms the identity of the data subject and within 14 (fourteen) days provides an answer in written format by a registered letter to the address as provided by the data subject, or with a secure electronic signature to an email as provided by the data subject.
34. XTM ensures that, after a substantiated request by a data subject, data is supplemented, corrected or erased, or that the data processing is limited, insofar as the processing does not follow from XTM's obligations, which are prescribed by the relevant laws of the Republic of Latvia, and which is in the interests of society.
35. In case XTM does not fulfill the obligations included in the request of the data subject, the data subject may apply to the Data State Inspectorate.

Other provisions

36. XTM ensures communication by using the contact information as provided by the other contracting party (phone number, email address, postal address).
37. Information for communicating with XTM – SIA “XTM” office at Ūnijas iela 47, Rīga, LV-1039; email: info@xtmbygg.com.
38. The Policy in its most recently updated format can be found on the company's website.