

# EL DORADO®

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## WEBSITE PRIVACY POLICY

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### *Introduction*

We respect your privacy and are committed to protecting your personal data. This privacy notice will inform you as to how we look after your personal data when you visit our website (regardless of where you visit it from) and tell you about your privacy rights and how the law protects you.

Please use the Glossary to understand the meaning of some of the terms used in this privacy notice.

1. [IMPORTANT INFORMATION AND WHO WE ARE]
2. [THE DATA WE COLLECT ABOUT YOU]
3. [HOW IS YOUR PERSONAL DATA COLLECTED]
4. [HOW WE USE YOUR PERSONAL DATA]
5. [DISCLOSURES OF YOUR PERSONAL DATA]
6. [DATA SECURITY]
7. [DATA RETENTION]
8. [YOUR LEGAL RIGHTS]
9. [GLOSSARY]

### 1. IMPORTANT INFORMATION AND WHO WE ARE

#### *Purpose of this Privacy Notice*

This privacy notice aims to give you information on how Demerara Distillers Limited collects and processes your personal data through your use of this website, including any data you may provide through this website.

This website is not intended for anyone under the legal purchasing age in your country and we do not knowingly collect data relating to individuals under the legal purchasing age.

It is important that you read this privacy notice together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy notice supplements the other notices and is not intended to override them.

#### *Controller*

Demerara Distillers Limited is the controller and responsible for your personal data (collectively referred to as [”COMPANY”], “we”, “us” or “our” in this privacy notice).

We have appointed a Management Information Systems Department (MISD) who is are responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact the MISD using the details set out below.

#### *Contact details*

Our full details are: Management Information Systems Department

Full name of legal entity: Demerara Distillers Limited, Plantation Diamond, East Bank Demerara, Guyana.

Name or title of data privacy manager: Management Information Systems Department (MISD)

Email address: helpdesk@demrum.com

Postal address: Plantation Diamond, East Bank Demerara, Guyana

Telephone number: 592-265-6000

*You have the right to make a complaint at any time to the MISD.*

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## *Changes to the privacy notice & your duty to inform us of changes*

This version was last updated on 22/11/2019.

### *Third-party links*

This website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

## 2. THE DATA WE COLLECT ABOUT YOU

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

- Identity Data includes [first name, maiden name, last name, username or similar identifier, marital status, title, date of birth and gender].
- Contact Data includes [billing address, delivery address, email address and telephone numbers].
- Technical Data includes [internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website].
- Profile Data includes [your username and password, your interests, preferences, feedback and survey responses].
- Usage Data includes [information about how you use our website, products and services].
- Marketing and Communications Data includes [your preferences in receiving marketing from us and our third parties and your communication preferences].

We also collect, use and share Aggregated Data such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does not directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

We do not 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). Nor do we collect any information about criminal convictions and offences.

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## 3. HOW IS YOUR PERSONAL DATA COLLECTED?

We use different methods to collect data from and about you including through:

- Direct interactions.

You may give us your Identity and Contact by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:

- create an account on our website;
- use the contact us form;
- request marketing to be sent to you; or
- give us some feedback.

- Automated technologies or interactions.

As you interact with our website, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, [server logs] and other similar technologies. [We may also receive Technical Data about you if you visit other websites employing our cookies.] Please see our cookie policy below for further details.

- Third parties or publicly available sources.

We may receive personal data about you from various third parties [and public sources] as set out below:

- Technical Data from the following parties:

(a) analytics providers [such as Google based outside the EU];

(b) advertising networks based [inside OR outside] the EU; and

(c) search information providers based [inside OR outside] the EU.

- Contact, Financial and Transaction Data from providers of technical, payment and delivery services based [inside OR outside] the EU.
- Identity and Contact Data from data brokers or aggregators based [inside OR outside] the EU.
- Identity and Contact Data from publicly available sources [such as Companies House and the Electoral Register based inside the EU].
- [ANY OTHER WAYS YOU COLLECT PERSONAL DATA].

## 4. HOW WE USE YOUR PERSONAL DATA

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we are about to enter into or have entered into with you.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

See below to find out more about the types of lawful basis that we will rely on to process your personal data.

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Generally we do not rely on consent as a legal basis for processing your personal data other than in relation to sending third party direct marketing communications to you via email. You have the right to withdraw consent to marketing at any time by contacting us.

## *Purposes for which we will use your personal data*

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

<b>Purpose/Activity</b>	<b>Type of data</b>	<b>Lawful basis for processing including basis of legitimate interest</b>
To register you as a Distributor	(a) Identity (b) Contact	Performance of a contract with you
To manage our relationship with you which will include:  (a) Notifying you about changes to our terms or privacy policy  (b) Asking you to leave a review or take a survey	(a) Identity (b) Contact (c) Profile (d) Marketing and Communications	(a) Performance of a contract with you  (b) Necessary to comply with a legal obligation  (c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our products/services)
To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Identity (b) Contact (c) Technical	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise)  (b) Necessary to comply with a legal obligation
To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you	(a) Identity (b) Contact	Necessary for our legitimate interests (to study how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy)

Cont. overleaf

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Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
	(c) Usage (d) Technical	
To use data analytics to improve our website, products/services, marketing, customer relationships and experiences	(a) Technical (b) Usage	Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about goods or services that may be of interest to you	(a) Identity (b) Contact (c) Technical (d) Usage	Necessary for our legitimate interests (to develop our products/services and grow our business)

## *Third-party marketing*

We will get your express opt-in consent before we share your personal data with any company outside the Demerara Distillers Ltd for marketing purposes.

## *Cookies*

What are cookies and what do they do?

A cookie is a text file placed on your hard disk by a Web page server. Cookies cannot be used to run programs or deliver viruses to your computer. Cookies are uniquely assigned to you and can only be read by a web server in the domain that issued the cookie to you the user.

A primary purpose of a cookie is to inform a web server that user has returned to a specific page on a web site. For example if a user personalises our Web page or registers with our website or services a cookie will enable us to recall specific personal data such as billing and delivery addresses. On a user's return to our site the data previously provided can be retrieved thereby facilitating our services and features previously customised.

How do we use cookies?

Cookies can be accepted or declined. Web browsers have tools to modify cookie settings and can be set to decline if preferred by the user. Should the use of cookies be declined when using our web site there may be a loss of functionality and loss of potential services.

The lifetime of any one cookie will vary. Most are 'session only, which means they will expire when leaving the website. This includes Google tracking as well as the Joomla functional tracking. The cookies used to 'remember you' have accepted the age warning and other policies are set to last for 24 hours.

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When you log into the website as a registered user there is a check box which allows the website to 'remember you'. This creates a cookie. None of the cookies will last more than 1 year. Cookies will only be used for improving the performance of the website. Additionally, some are critical to the function of the website.

## *Change of purpose*

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## 5. DISCLOSURES OF YOUR PERSONAL DATA

We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 4 above.

- Internal Third Parties as set out in the [Glossary].
- External Third Parties as set out in the [Glossary].
- [Specific third parties [listed in the table in [paragraph 4] above] OR such as [SPECIFIC THIRD PARTIES]].
- Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy notice.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

## 6. DATA SECURITY

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

## 7. DATA RETENTION

### *How long will you use my personal data for?*

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

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To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

## 8. YOUR LEGAL RIGHTS

Under certain circumstances, you have rights under data protection laws in relation to your personal data. If you wish to exercise any of the rights set out below, please contact us:

- [Request access to your personal data].
- [Request correction of your personal data].
- [Request erasure of your personal data].
- [Object to processing of your personal data].
- [Request restriction of processing your personal data].
- [Request transfer of your personal data].
- [Right to withdraw consent].

### *No fee usually required*

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

### *What we may need from you*

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

### *Time limit to respond*

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

## 9. GLOSSARY

### *Lawful basis*

**Legitimate Interest** means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

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Performance of Contract means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

Comply with a legal or regulatory obligation means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

## *Third parties*

### *External third parties*

- Service providers [acting as processors] based [SPECIFIC COUNTRIES] who provide [IT and system administration services].
- Professional advisers [acting as processors or joint controllers] including lawyers, bankers, auditors and insurers based [SPECIFIC COUNTRIES] who provide [consultancy, banking, legal, insurance and accounting services].
- HM Revenue & Customs, regulators and other authorities [acting as processors or joint controllers] based [in the United Kingdom] [who require reporting of processing activities in certain circumstances].
- [DETAILS OF ANY OTHER THIRD PARTIES, FOR EXAMPLE, MARKET RESEARCHERS, FRAUD PREVENTION AGENCIES, PRICE COMPARISON SITES ETC].

## *Your legal rights*

You have the right to:

Request access to your personal data (commonly known as a “data subject access request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below). Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

Object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (c) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.



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Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.