

# Data protection policy in accordance with GDPR

Fengco Real Time Control AB cares about your integrity and will always make sure that we process your personal data in a lawful and correct way, which more closely means that:

- We will process your personal data in a lawful, correct and transparent manner.
- We will only collect personal data for the legitimate purposes which are specified in this policy, and we will not process the personal data in any other way which is incompatible with these purposes.
- The personal data that we process is adequate, relevant and necessary for the purposes that it is collected and used for.
- The personal data that we process is correct and if necessary updated.

## 1. What is personal data

All kind of data which direct or indirect can be associated with a physical person which is alive, counts as personal data. The person should be identified or possible to identify, which means that a person direct or indirect can be identified through a reference to an identification number or one or more factors which are specific for his/hers physical, physiological, psychological, economic, cultural or social identity. Pictures and video recordings involving a person which are processed in a computer can be personal data even if no names are mentioned. Encrypted data and different kind of electronic identities, for example IP-numbers, counts as personal data if they can be connected to physical person. Personal data is for example name, address, email address and personal identification number.

Processing personal data includes all management with personal data, meaning for example collecting, registration and storing.

Responsible for personal data is the person who, alone or together with someone else, decides the purpose and means for processing the personal data and who is further responsible for making sure that the processing is in accordance with applicable data protection legislation.

## 2. Who is responsible for the processing of your personal data?

Fengco Real Time Control AB (further Fengco) is responsible for the processing of personal data and that the process is made in accordance with applicable data protection legislation.

## 3. About who do we process personal data?

Fengco processes personal data about the following category of persons:

- Customer, i.e. physical persons who themselves are customers with Fengco or who are representatives or contact persons for customer with Fengco.
- Other business contacts, i.e. physical persons who have contacts with Fengco such as representatives or contact person for a potential customer or supplier, a representative or contact person for a partner of Fengco or someone who gets in contact with Fengco without being a customer.

- Visitors, i.e. a physical person who visits our office, our webpage, participates in our courses or contacts us through a form on our webpage. Also meaning physical person which we interact with on for example a fair and who is interested in our business.

## **4. What kind of personal data do we process about you?**

We process both data which you give to us and data that we collect from you.

### **4.1 Personal data that you give to us**

When you as a customer or as a representative for your organization is using our services, is contacting us via phone, email or is downloading material from our webpage, or is participating in our events, we are processing personal data which you give to us. Personal data which you give to us can be for example your name, your address, your mobile- and home number, your e-mail, information about your account number and other billing data and other data we might need to be able to continue with our business.

### **4.2 Personal data which we collect from you**

When you visit our homepage and downloads material, we will collect personal data about you. It can be for example your IP-number and which subpages you have visited on our webpages.

When you contact Fengcos office by phone, we collect the numbers which the caller ID gives us. This is used for callback and further contact.

### **4.3 Personal data about you which we collect from a third party**

We might collect data from other parties, such as partners, authorities and our customers and others, both via email and through other correspondence which contains personal data about a third party and we therefor process those kinds of personal data. To the extent that we process that data we will inform you as a third party about the process if it is needed.

### **4.4 Specific projects**

In regards to some specific customer projects the parties might have to agree on further personal data being processed, which could also include the process of certain sensitive personal data. Separate information about the process for the personal data in that case will be given and developed individually for each occasion. This concerns for example courses and when we use list for mailings about specific information.

## **5. How are we allowed to use your personal data?**

To be allowed to process personal data there must be support in GDPR, which is called a legal basis. For our process to be legal, it must be necessary for one of following grounds:

- Fulfill a contract with you
- Fulfill a legal obligation
- After a balance of interests where we have a legitimate interest that weighs more
- After you've left your consent to the process

## **6. Why and on which legal obligation are we processing your personal data?**

### **6.1 Customers**

Personal data is collected, processed and stored by us when you purchase a product or a service. Purchase can be made through phone, email, letter or personal interaction. This data is stored and processed in our system so we can:

- Complete your purchase
- Complete the delivery of the product with associated notification about delivery and contacts for possibly delayed delivery.
- Handle returns and reclamations
- Complete guarantee commitments
- Offer maintenance agreements

The legal ground for the process of personal data is a purchase agreement and delivery agreement with the customer as well as warranty agreements. The personal data is saved for as long as we have a business relation and thereafter for 7 years in accordance with Swedish accounting law.

A big part of Fengcos work involves giving support to our customers. In that case we process personal information which is specific to the matter in question. We might save this information for as long as the matter is ongoing and some time thereafter. We compile and contact those who have been in contact with the support in the last six months to make sure everything is working as it should.

### **6.2 Education/ educational purposes**

When Fengco holds a course, demo, seminars or similar we might save personal data from those who participate. The legal ground for the process is either purchase agreement, or our legitimate interest. A purchase agreement exist as a legal ground when we have made a deal with a customer about for example giving them a course about a certain topic. When we on the other hand show a demo for a potential interested customer, we have a legitimate interest to save the personal data from the potential customer for future potential business and cooperation. We do make a balancing of interests, and our process is necessary for the purpose connected to our legitimate interests in maintaining and fulfilling our commitment in the relationship. The data is saved for as long as the relationship is ongoing and thereafter we clear our register on regular basis or in accordance with current Swedish account law and custom.

### **6.4 Execution of assignments or projects**

We might save different kind of personal data on specifik occasions and projects. The data is then saved in to the relevant systems and the legal ground for the process is a contract or our legitimate interest. The data is saved for as long as the agreement is ongoing and thereafter we clear our register on regular basis or in accordance with current Swedish account law and custom.

### **6.5 Quote, invoice and order**

Quotes which contains personal data is saved in the business system that we use during the entire time we have a business relation, and thereafter we clear our register on regular basis or in accordance with current Swedish account law and custom.

The corresponding applies to personal data which appears in other business documents such as invoice and order documents; they are saved as long as we have a business relation

We are also saving personal data from the additional quote confirmation/order confirmation, such as name, email, address and telephone number. The legal ground for the process is the underlying purchase or delivery agreement. The data is saved for as long as we have a business relation and thereafter we clear our system on a regular basis or in accordance with current Swedish account law and custom.

## **6.6 E-mail**

If personal data occurs in email it is stored and processed by Fengco. Which personal data that is saved depends on the matter. The legal ground for the process is a legitimate interest and the data is saved on our mail server for as long as we have a business relation or an active dialog about establishing one. Thereafter we clear our system on regular basis or in accordance with Swedish account law and custom.

## **6.7 Other business contacts**

To be able to enter into and manage agreements with suppliers and other business contacts, Fengco will collect and process personal data. The legal ground for the process with your personal data if you are a representative for a private company which is a business partner with Fengco, is that it is necessary for us to be able to fulfill our agreement with you or to be able to act before we enter an agreement. If you are a representative for an organization, the legal ground for our process with your personal data is a balance of interests, meaning that the process is necessary for a purpose which concerns our legitimate interest of maintaining and fulfilling our commitments in the relation.

Fengco also processes your name and your contact data, such as your email, and data about the organization that you represent to offer and market our services to you and the organization you represent. The legal ground for our process of your personal data is that it is necessary for our legitimate interest to be able to market our services which we think your organization might be interested in. Our interest in being able to process your personal data to send you offers triumphs your potential interest in protecting your personal integrity, due to the potential benefits which these offers might mean for your organization. You have the right at any point to object to the process of your personal data for direct marketing.

Regarding distribution of newsletter and invites to webinars, the legal ground is also that it is necessary for our interest. Our interest in being able to process your personal data to send you offers triumphs your potential interest in protecting your personal integrity, due to the potential benefits which these offers might mean for your organization. You have the right at any point to object to the process of your personal data for direct marketing.

Some personal data might also be process due to a legal obligation that Fengco has. That means for example in accordance with account law and similar laws.

## **6.8 For visitors**

Fengco will process personal data which is gathered from your visit on our webpage, for example your IP-number. The legal ground for this process is that the process is necessary for our legitimate interest to be able to develop our business as well as be able to meet your and your organization's needs. Our interest in being able to process your personal data for this purpose, triumphs your potential interest in protecting your personal integrity, due to the potential benefits which these offers might mean for your organization.

Fengco also processes and stores data which we receive during interaction with you at a fair or similar, when you are interested in our business. The legal ground for this process of your personal data is that it is necessary for our legitimate interest in establishing and keeping customer relationships. Our interest in being able to process your personal data to send you offers triumphs your potential interest in protecting your personal integrity, due to the potential benefits which these offers might mean for your organization.

If you were to visit our business and office or meet us out and about and is interested in our business, the same as above will apply.

We will save this data for as long as it is necessary for our relationship, and thereafter we will clear our system regularly or according to Swedish accounting law and practice.

## **7. For how long will we save your personal data?**

Fengco will never store any data longer than what is necessary in regards to the purposes of the process. We are there for regularly clearing out our system and erasing the data that is no longer needed.

We will store your personal data for as long as it is necessary for us to be able to provide our services or for any other necessary purposes, like comply with our legal obligations, solve legal disputes and complete agreements. Since these needs might vary for different kind of data and context, the actual period for when we store data will vary. To be able to decide when it is time to erase data, it is merely the purpose that is decisive. Your personal data will be erased or made anonymous when they are no longer relevant for the purpose which they were collected for. We will especially take in to consideration the legal requirements, recommendation from authorities and industry practice.

In the category *other business contacts* we will save your personal data for as long as we have an active mission or agreement. After a mission or business relationship is over, we will save your data for as long as a legal claim can be made due to the agreement.

In the category *visitor* we will save your data until you have objected or after we regularly have cleared our system. If you object to the process we will erase your data as soon as possible.

## **8. Who has access to your data?**

Your personal data might be shared with and processed by a third party. It might be a service provider, a legal advisor, an accountant, consultant, the court and authorities for example. A situation when your data might be transferred to another part is when the law requires it, there is an legal dispute, a decision from the authorities, after your own inquiry or when Fengco needs it to fulfill one of their legitimate interests. Fengco will though remain responsible for

the personal data which is transferred, while the third party might become independently responsible, responsible together with Fengco or a personal data assistant for Fengco.

## **9. Where and how do we store personal data?**

Fengco might process your data both within and outside of the EU/EES. Fengco will and must take necessary steps to make sure that the transfer is legal and that the data is always protected when they reach the receiving parties. Fengco will take appropriate action both technically and organizationally to prevent unauthorized or illegal process and access, loss, destruction or harm on personal data, and thereof establish an appropriate security level.

Fengco might hire a personal data assistant who will process your personal data partly through storing data, partly through operation of our systems. The personal data assistant might read your personal data, if our IT-systems need maintenance or other technical support. Our personal data assistant works under strict confidentiality.

## **10. Your rights**

You have the following rights when we process your personal data in accordance with current data protection regulation:

- Right to access (register excerpts)  
You have the right to get a confirmation on whether or not we process your personal data, a copy of this data and information about our process. The register excerpt will be sent to the address we have registered on you.
- Right to correction  
We have a responsibility to make sure that the data we process is correct. If you were to discover that some data is incorrect, we are required to adjust that data.
- Right to be forgotten  
You have the right to under certain circumstances have your data erased. Invoice data for example must be saved for as long as the law requires. You have the right to, without delay, have your data erased under the following circumstances:
  - If the data is no longer needed for the purpose for which they were processed for.
  - If the process is based only on your consent and you withdraw that consent.
  - If you oppose to the process of your personal data after a balance of interests and there are no legitimate reasons that weigh heavier than your interest.
  - If the personal data hasn't been processed according to GDPR.
  - If erasing is necessary to fulfill a legal obligation.
  - If personal data is erased, we will inform any other party which we may have given your data to.
- Right to limited processing  
You have the right to under certain circumstances require that our processing is limited. It applies to the following cases:
  - When you think your data is incorrect and you have required that we adjust them. Then you can require that we limit are process during the time that we investigate the issue.

- When the process is illegal but you oppose that we erase your data and instead you want the process to be limited.
  - When you need your personal data to be able to determine, claim or defend legal claims, even if we no longer need your data.
  - When you have objected to us processing your data, we might still process the data for as long as the investigation is underway.
  - If the process with your personal data is limited temporarily, we will inform any other party which we may have given your data to.
- **Right to object**  
You have the right to object to the process of your personal data under certain circumstances. This applies only when we process data with the basis in a balance of interest. You must then specify which process you object to. If we still think that process should go on, we must show that there are other interests than yours which are more important.
  - **Right to revoke your consent** (if the process is based on your consent), note that a revoked consent doesn't affect the legality of the previous process which was made based on your consent.
  - **Right to data portability**  
You have the right to take out your personal data which you gave to us and use it elsewhere. This applies when you have left your consent to the process or if the process is necessary for us to be able to provide a service according to the agreement we have with you. You can not move your data if we are processing these based on a balance of interests or legal obligations.
  - **Right to complain**  
You have the right to give complaints to supervisory authority if you don't think we process your personal data according to law. In Sweden, Datainspektionen, is the responsible authority.

Some of the rights only applies in certain situations. If you would like to pursue any of the rights, you should first and foremost contact us. See data below under "Contact us".

## **11. Protection of your data**

The personal data about you that we collect and store will be processed safe and secure. We have established and documented both technical and organizational routines and actions in order to ensure the users integrity, the accessibility of the data and secrecy of the data, all according to GDPR.

Fengco understands that personal data is sensitive and we are very serious about this matter. If a incident would occur where data would, unintentionally or illegally, be destroyed, lost or changed, we are obliged to report this to Datainspektionen. This also applies to an event that leads to unauthorized access to the data. We will report this kind of incident within 72 hours to Datainspektionen and take action.

## **12. Contact us**

To be able to use your right or if you have any questions about our process, please contact us on the following:

E-mail: [sales@fengco.se](mailto:sales@fengco.se)

Address Stockholm Office: Svärdvägen 25A, 182 33 Danderyd

Address Gothenburg Office: Östra Hamngatan 50, 411 09 Göteborg