

## PRIVACY POLICY

**Last updated:** June 26<sup>th</sup>, 2022

“AYRES PEREIRA, MOUTINHO & ASSOCIADOS – SOCIEDADE DE ADVOGADOS, SP RL” (hereinafter, “APM”) collects personal data from natural persons, processing and protecting it in accordance with the Law and with good data protection practices.

This Privacy Policy explains how the firm treats the personal data it collects, hoping to bring an increased confidence from its clients and the general public in its activity.

### **Meaning of “personal data”**

1. Personal data is information relating to an identified or identifiable natural person (the “data subject”).
2. An identifiable natural person is one who, although not identified, can still be identified, directly or indirectly, in particular by reference to certain personal data.
3. Examples of personal data are names, identification numbers (e.g., taxpayer number), addresses, e-mail addresses, IP (Internet Protocol) addresses, health data, consumption habits, among many others.

### **Controller**

APM is responsible for the processing of personal data listed in this Privacy Policy, since it decides what personal data is collected, the purposes for which it is collected and the means of the processing of that data.

It is a civil law firm, with offices at Rua de Sá da Bandeira 819, 1.º Esquerdo, 4000-438 Porto, Portugal, and holder of the Corporate Taxpayer Identification Number (NIPC) 510 766 030.

### **Personal data holders**

The holders of the personal data collected and processed by APM are natural persons, not only clients but also individuals belonging to the general public.

### **Means of collecting personal data**

1. APM may collect personal data made public by its holders, namely contacts regarding operational or financial representatives of institutions that benefit from the services offered by the firm.
2. APM also processes data that is voluntarily provided to the company, namely in person, by phone, email, post or by sending private messages through the firm's website.
  - 2.1. This personal data may be collected when a natural person contacts APM to ask questions regarding its services.
  - 2.2. It can also be made known to APM through the spontaneous submission of a Curriculum Vitae (CV) by the holder of personal data to the firm.

3. The holder of the personal data guarantees that the data that he/she communicates to APM is accurate and up-to-date, committing himself/herself to notify the firm of any change to it.

**Purposes and grounds for the use of personal data**

APM only processes personal data that is adequate, relevant and limited to what is necessary in relation to the purposes for which the data is processed.

This data is processed based on the following grounds:

- Consent of the data subject;
- Need for data for the performance of a contract or to take pre-contractual steps at the request of the data subject;
- Need for data to comply with legal obligations;
- Need for data for the purposes of the legitimate interests pursued by the firm, except where the interests or fundamental rights and freedoms of the data subject prevail.

The purposes of the processing of personal data are varied:

| <b>Purposes</b>  | <b>Examples of personal data collected</b>   |
|--|--|
| Accounting, fiscal and administrative management<br>(namely, relations with suppliers of goods and services) | <ul style="list-style-type: none"> <li>• Name;</li> <li>• Tax ID number;</li> <li>• E-mail address;</li> <li>• Postal address.</li> </ul>  |
| Client management and provision of services  | <ul style="list-style-type: none"> <li>• Name;</li> <li>• Email address;</li> <li>• Telephone / mobile number;</li> <li>• Name of the client organization and position held by an employee;</li> <li>• Address of the organization.</li> </ul> |
| Sending of requested communications (e. g. presentation of a service)  | <ul style="list-style-type: none"> <li>• Name;</li> <li>• E-mail address;</li> <li>• Industry / Practice.</li> </ul>   |

**Consent**

The sending of requested communications (relating, for example, to presentations of a service) depends on the consent of the data subject.

This consent can be expressed by filling in a contact space on APM’s website.

### **Modification or withdrawal of consent**

Consent can be modified or withdrawn at any time by the holder of personal data, with effect for the future.

To remove his/her consent statements, the individual may send an email to [geral@apm-adv.org](mailto:geral@apm-adv.org), indicating his/her new preferences regarding consent. The last manifestation of will shall prevail over the previous ones.

After withdrawing consent, the holder of personal data stops being contacted and receiving communications from APM.

### **Protection of personal data**

APM has implemented appropriate technical and organizational measures to protect personal data against destruction, loss, alteration, disclosure, unauthorized access or any other form of accidental or unlawful processing.

However, it cannot guarantee complete protection against unwanted security risks.

### **Third-party websites, services and applications**

APM's website may contain hyperlinks to third party websites, services or applications, which are not covered by this Privacy Policy.

APM cannot be held responsible, under any circumstances, neither for the content, accuracy, truthfulness or lawfulness of these websites, services and applications nor for the misuse of data collected or processed through them.

APM alerts its clients and the general public to this fact and to carefully read the rules regarding the processing of personal data defined by such third parties before using their websites, services and applications.

### **Storage limitation**

Personal data collected by APM is only kept for the period necessary for the purposes for which it is processed. Personal data may be stored for longer periods, under certain legal conditions.

Once the maximum storage period has been reached, personal data will be anonymized or deleted in a secure manner, whenever it should not be kept for different purposes that may still subsist.

### **Communication and sharing of personal data**

1. APM may transmit personal data collected to certain processors, so that they can process it on behalf of the firm.

Examples of processors:

- Accounting service providers.

In these cases, the firm shall implement appropriate contractual measures to ensure that processors respect and protect personal data, keeping such information confidential.

2. Personal data may also be transmitted to third parties - entities other than APM and its processors.

Examples of third parties:

- Entities to whom the data must be communicated, at the request or with the consent of the data subject;
- Entities to whom the data must be communicated under a legal obligation, such as the Tax Authority, courts or security forces (e.g., within the context of judicial proceedings or investigations of suspicious activities).

Apart from these cases, APM does not transfer or sell personal data to third parties.

### **Transfer of personal data to third countries**

APM is headquartered in Portugal.

The personal data processed by the firm can be accessed by its processors, located inside or outside the EU, for the purposes described above.

APM ensures that exported personal data will be processed in accordance with appropriate security measures, without compromising the level of protection of natural persons guaranteed by the European legislation.

### **Rights of the holder of personal data**

APM defends the rights of the holders regarding the protection of their personal data, in accordance with the General Data Protection Regulation (EU Regulation 2016/679 of the European Parliament and of the Council, of 27.04.2016).

These are, namely:

- The right to be informed about the data processing performed;
- The right of access to personal data;
- The right to rectify the data;
- The right to change or withdraw consent;
- The right to erase data (“right to be forgotten”);
- The right to restrict the processing;
- The right to object to the processing of data;
- The right to data portability, that is, to receive the personal data concerning him/her and to easily transmit it to another controller, if he/she so wishes;
- The right to file a complaint with the national supervisory authority.

There are exceptions and reservations regarding the exercise of these rights.

### **Exercise of the rights by the data subject**

The exercise of the rights of the holder of personal data is free, unless it is a manifestly unfounded or excessive request, in which case a reasonable fee may be charged, taking into account the costs incurred. If the holder of the personal data exercises any of his/her rights, APM analyses the request and answers in about a month.

The information is provided in writing, and may also be provided orally, if the holder requests it. APM verifies the identity of the data subject before answering to his/her requests.

The holder of personal data can exercise his/her rights through the following means:

- Sending an email to: geral@apm-adv.org;
- Calling to: (+351) 222 000 358 | (+351) 222 007 494;
- Postal communication to:

AYRES PEREIRA, MOUTNHO & ASSOCIADOS – SOCIEDADE DE ADVOGADOS, SP RL  
Rua de Sá da Bandeira 819 1.º Esquerdo  
4000-438 Porto, Portugal

### **Right to lodge a complaint with the supervisory authority**

The holder of personal data has the right to file complaints with the supervisory authority, when dissatisfied with the way in which his/her personal data is processed.

In Portugal, this entity is the National Data Protection Commission (Comissão Nacional de Proteção de Dados - CNPD).

#### **CNPD | Contacts**

Address: Av. D. Carlos I, 134, 1.º, 1200-651 Lisboa

Phone: (+351) 213 928 400

Fax: (+351) 213 976 832

Email: geral@cnpd.pt

Complaints form available at: <https://www.cnpd.pt/cidadaos/participacoes/>

### **Useful advice for the protection of personal data by the holder**

APM's advices:

- Do not include unnecessary personal, confidential and / or sensitive data in the communications sent to the firm (e. g. credit card numbers);
- Do not expose personal data on the Internet;
- Avoid browsing unsafe websites;
- Control the sending of personal data by minors, if you are their parents or legal guardians.

APM is not responsible for personal data or any other unrequested information sent to the firm by email, in forums, comment sections or any other accessible public area that it administrates or manages, and shall delete it, as a rule, to the extent that it is not adequate, appropriate and limited to the purposes of processing pursued.

### **Changes to the Privacy Policy**

APM reserves the right to update its Privacy Policy at any time, without prior notice, namely for security reasons and in light of new legal requirements or guidelines from the data protection supervisory authority.

The updated Privacy Policy is available on the firm's website.

The continued use of the website, resources and services offered by APM will be understood as an expression of agreement with this Privacy Policy.

The version of the Privacy Policy currently in force was published on June 26<sup>th</sup>, 2022.

### **Contact APM**

For more questions about the Privacy Policy and the processing of personal data carried out by APM, please contact its services through the following means:

- Sending an email to: [geral@apm-adv.org](mailto:geral@apm-adv.org);
- Calling to: (+351) 222 000 358 | (+351) 222 007 494;
- Postal communication to:

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4000-438 Porto, Portugal