

Data Protection and Privacy Policy (SPAIN)

Last updated 24 September 2021.

§1. Introduction

In accordance with the provisions of Regulation (EU) 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 and repealing Directive 95/46/EC, as well as in accordance with the provisions of Organic Law 3/2018, of 5 December, on the protection of personal data and guarantee of digital rights (LOPDGD), Floworder communicates this and clarifies the above law in our [Data Protection & Privacy Policy](#) for all [Users](#) of [Floworder](#) technical platforms:

§1.1. This Policy, together with our [User Agreement](#) referred to below, constitutes our [Data Protection & Privacy Policy](#)

They contain the terms, policies and provisions that by law apply to all users directly or indirectly of [Floworder](#). By using [Floworder](#), you agree to these Policies and [Floworder User Agreement](#).

If you do not agree to our [Data Protection & Privacy Policy](#) and our [User Agreement](#), you may not use the Service.

Definition:

Floworder Spain SL

CIF: B42935643

C/ Encina

Los Altos, N;29

18697 Almunecar / Granada

- Floworder Spain SL are defined below as [Floworder](#)
- Floworder customers are defined below as [Platsen](#)
- [Platsen](#) customer is defined as a [User](#)
- All Parties that use the platform is defined as a [User](#)

§ 1 Data protection - security policy

Floworder provides to ensure that you as a [User](#) understand your rights and obligations when accessing, using and navigating our website,

§1.2 This policy states:

- what is considered personal information;
- what personal information we collect and hold;
- how we collect, store, use or disclose personal information;
- the purposes for which we collect personal information;
- what happens if we can't collect personal information;
- how as a [User](#) seek to access and correct your personal information;
- if we disclose personal information outside Europe.
- how [User](#) contact us.

§1.3 [Floworder](#) respects the rights and privacy of all individuals and is committed to the application of the provisions of the new General Data Protection Regulation (hereinafter, GDPR),

§1.4 We may from time to time review and update this policy, including to take account of new or changing laws, new technologies and/or changes in our business. All personal information held by us is governed by the most recently updated policy and we will notify you as a [User](#) of our revised policy by posting it on our website.

§2. What is personal information?

Whenever the term "personal information" is used in this policy, it has the meaning given to it by law. In general terms, this is any information that can be used to personally identify you as a [User](#). This may include (but is not limited to) your name, surname, telephone number, email address postcode, city company name organisation number and any financial information, including your credit card. If the information we collect personally identifies you, or if You are reasonably identifiable from it, the information will be considered personal information.

§3. Consent

§3.1 As a [User](#) you consenting to this Privacy Policy is the legal basis on which we may collect, use, store, process and disclose your personal information. You acknowledge and agree that by using our website, platforms, applications, products or services, you agree to provide us with your information and consent to the collection, use, storage, processing and disclosure of your personal information in accordance with this Privacy Policy.

§3.2 If you as a [User](#) do not wish to provide us with your personal data, you do not have to do so. However, by deciding not to provide us with your personal information, we may not be able to provide you with access to the website, either to the same standard as if you had provided the required personal information or at all.

§4. What personal information does [Floworder](#) collect and store?

§4.1 We will collect personal data directly from you as a [User](#) if it is not unreasonable or impractical to do so.

We do this in a way that includes:

- when you enter into an agreement with [Floworder](#), your details are confirmed registers you as a user of the website;
- via your access and use of our website;
- via someone else who has given us your information; and
- during conversations between you and us by phone or e-mail or other media (if available).

§4.2 In certain situations, we may also collect your as a [User](#) personal data from a third party, such as an integration partner of Floworder. By providing your personal data to a third party, you are deemed to have authorised the third party to provide your personal data to us.

§4.3 If you as a [User](#) are using our services on behalf of another person, you acknowledge that you have obtained that person's authority to provide the personal information and their consent for us to collect, store, use, process and disclose their personal information in accordance with this Privacy Policy. You should notify us immediately if you become aware that your personal information has been provided to us by a third party without your consent or if you did not obtain consent before you provided another person's personal information to us.

§4.4 By using our services and providing us with your as a [User](#) personal information, you agree to us disclosing some of your information to third parties in accordance with this Privacy Policy. This includes disclosing your personal information to our customers as [Platsen](#) with whom you trade. Your personal information ([excluding any credit/debit card information](#)) is provided to [The Site](#) via their [Floworder](#) admin login.

§4.5 We strictly do not share your as a [User](#) personal information with other [Floworder](#) customers (Sites) in our network unless [the Website](#) is part of a larger affiliated group (group), in which case we may share your personal information only with that group.

§4.6 [Floworder](#) or [Platsen](#) never stores credit/debit card information. This information is handled by third-party payment processes. The only information [Floworder](#) and [Platsen](#) store via our technical platform is purchase information which is a transaction ID used to track a payment or a refund.

§4.7 We may provide you as a [User](#) with information to other third parties engaged by [Floworder](#) or Sites to perform functions on its behalf, who are authorized by you to receive information held by [Floworder](#).

§4.8 We may collect and disclose personal information to [The Site](#) and other third parties for the purposes described in this Policy.

These purposes include but are not limited to:

- effective communication between you as a [User](#), the [Floworder](#) and [the Website](#).

- secure storage and management of your files so that [Floworder](#) provides you with proper access to the Website.
- where you have consented to the use or disclosure;
- where we reasonably believe that use or disclosure is necessary to reduce or prevent a serious and immediate threat to the health or safety of any person or to the health or safety of the public;
- where we reasonably suspect that unlawful activity has been, is being or may be engaged in and the use or disclosure is a necessary part of our investigation or to report the matter to the relevant authorities;
- where such use or disclosure is required or authorised by law (e.g. COVID19 regulations or to comply with an order or court decision);
- where we reasonably believe that use or disclosure is necessary for the prevention, investigation, prosecution and punishment of criminal offences or misdemeanours or the preparation or conduct of proceedings before any court (or for the enforcement of any order of a court or tribunal) or on behalf of an executive body);
- to develop and improve our and the Websites business, products and services;
- to facilitate your participation in loyalty programs;
- for research and analysis in relation to the Websites activities, products and services;
- for our internal accounting and administration; and
- to facilitate all authorized payments via the Stripe, Adyen, Bambora, Swish and Bizum payment gateways and other future payment gateways that may be applicable to [User Agreements](#) and this Privacy Policy.

§4.9 The primary purpose for which we collect information about you as a [User](#) is to enable us to carry out our business activities and functions and provide the best customer experience.

§4.10 We usually collect personal information as part of providing you as a [User](#) with access to the Website, so that [The Site](#) can contact you about your order, meal, purchase etc. in accordance with our contractual and other legal obligations.

§4.11 We will use your as a [User](#) information to involve you in running promotions and other marketing activities and provide you with information about Floworder's activities that may be of interest to you only if you have consented to us doing so. You may opt out of receiving any targeted electronic marketing or promotional communications by following the unsubscribe prompt in the message.

§4.12 Your as a [User](#) personal information will not be shared, sold, rented or disclosed other than as described in this Privacy Policy.

§4.13 We may disclose your as a [User](#) personal data to:

- our employees, contractors, licensees or external service providers for the operation of our website or our business, fulfilling requests from you, including without limitation IT system administrators or payment processors;
- specific third parties authorized by you to receive information held by us (e.g., a site from which you have chosen to receive marketing information.
- The police or any relevant authority, enforcement body, or your ISP or network administrator, for example if we have reason to suspect that you have breached any of our terms and conditions or otherwise engaged in any illegal activity, and we reasonably believe that disclosure is necessary;
- required or permitted by any law (including the Privacy Act).

§6. What happens if we cannot collect your as a [User](#) personal data?

§6.1 If it is practical, for example when you as a [User](#) are just looking at the menu without making a purchase, you may choose not to identify yourself.

§6.2 In some cases, if you as a [User](#) do not provide us with the personal information required by this Policy, we may not be able to provide you with access to the Website, either to the same standard as if you had provided the required personal information, or at all.

§7. Use Of Financial Information

§7.1 If you as a [User](#) use our website to make purchases or other financial transactions (e.g., payment of invoices via the website for products or services you purchase from a third-party user or the Website, we may collect information about the purchase or transaction.

§7.2 We only collect financial information from you as a [User](#) with your prior knowledge. You can access and browse our website without disclosing financial information.

§7.3 We will only use your as a [User](#) financial information to

process payments for products or services that you request or purchase through the use of our website. We only use and retain your financial information to complete payments you initiate, all financial information collected is solely for transaction approval and transfer of funds and repayment.

§7.4 We provide data encryption throughout the purchase process and only share your as a [User](#) financial information with third party payment processors or financial institutions to process payments.

§8. Direct Marketing Material

§8.1 We may send you as a [User](#) direct marketing communications and information about services that we think may be of interest to you. These messages may be sent in various forms, including e-mail, SMS or email, in accordance with applicable marketing laws, such as the Spam Act 2004 (Cth). If you indicate a preference for a method of communication, we will try to use that method wherever practicable.

§8.2 In addition, you as a [User](#) may opt out of receiving marketing communications from Us at any time by contacting Us (details below) or by using the opt-out options (e.g., an unsubscribe link). We will then ensure that your name is removed from our email list.

§8.3 We will not share your as a [User](#) personal information with other organizations (other than [Platsen](#)) for direct marketing purposes unless expressly authorized by you.

§8.4 Even if you as a [User](#) opt out of receiving marketing communications from us, you agree to that we can still send you information relevant to the provision of any services arranged by us or goods or services provided by your purchases through our website.

§8.5 If you as a [User](#) receive messages from us that you believe has been sent to you other than in accordance with this policy or in violation of any law, please contact us using the information below.

§9. Third Party Host

§9.1 Our website hosts third party service providers.

§9.2 In order for Floworder to provide you as a [User](#) with access to the website, we may sometimes allow access to personal information to third party service providers.

§9.3 We make no representations or warranties in relation to the privacy practices of third party service providers and we are not responsible for the privacy policies or content of any third party service provider.

§10. Will your as a [User](#) information be disclosed abroad?

§10.1 We will not disclose your as a [User](#) personal information to any person or entity outside the region in which you are located. For example, data from Sweden, Spain, Denmark are stored. If this needs to be changed, we will

inform you prior to any foreign disclosure and provide relevant information. All data is stored within the EU and on secure encrypted servers.

§11. How can you as a [User](#) access and correct your personal data?

§11.1 you as a [User](#) may at any time request access to personal information that we hold about you by contacting us.

§11.2 Where we have information which you as a [User](#) have a right to access, we will try to provide you with appropriate means to access it (for example, by sending or mailing it to you). We do not charge for simply making a request and will not charge for making any corrections to your personal data. If you make a request for access, we will ask you to verify your identity. There may be cases where we cannot give you access to the personal information we hold. For example, we may need to deny access if granting access would interfere with the privacy of others, or if it would lead to a breach of confidentiality. If this happens, we will give you written reasons for each refusal.

§11.3 If you as a [User](#) believe that personal data we hold about you is incorrect, incomplete or inaccurate, you may ask Us to amend it.

11.4 We ask you as a [User](#) to keep your information as up-to-date as possible so that we can continue to improve our service to you .

§12. How will [Floworder](#) Ensure That Your as a [User](#) Information Is Secure?

§12.1 We will take all reasonable steps to protect the personal information we hold from misuse, loss or unauthorised access, including through the use of firewalls, password access, secure servers and encryption of purchase transactions.

§12.2 If you as a [User](#) suspect misuse or loss of or unauthorized access to your personal information, please notify us immediately.

§12.3 If we suspect misuse or loss of or unauthorized access to your as a [User](#) personal data, we may inform you of that suspicion and take immediate steps to restrict further access to or distribution of your personal data. If we determine that the breach is likely to result in serious harm to you and we cannot prevent the risk of serious harm with remedial action, we will take action

§12.4 If we receive unwanted personal information that we are not permitted to collect under this Privacy Policy, or under the law, we will destroy or de-identify the unwanted personal information as soon as reasonably possible if it is lawful and reasonable to do so. We will destroy or de-identify your as a [User](#) personal information if we no longer require it to provide our services as soon as possible if it is legal and reasonable to do so.

§13. Does Floworder Use "cookies"?

§13.1 When you as a [User](#) use our website, [Floworder](#) or our service providers may obtain information using technologies such as cookies, tags, web beacons and navigational data collection (log files, server logs and clickstream data) to better understand your user experience. For example, Floworder or our service providers may collect information such as the date, time and duration of visits and which web pages are opened.

§13.2 When you as a [User](#) visit our website, we may send a "cookie" (which is a small summary file containing a unique ID number) to your computer or mobile device. This allows us to recognise your computer or device and greet you each time you visit our website, without bothering you with a registration or login request. It also helps us to keep track of products or services you are looking at, so that we can send you news about these products or services.

§13.3 We also use cookies to measure traffic patterns, to determine which areas of our websites have been visited and to measure overall transaction patterns. We use this to research our users' habits so that we can improve our online services. If you as a [User](#) do not want to receive cookies, you can set your browser so that your (you) computer does not accept them.

§13.4 We may also log IP addresses (electronic addresses of computers connected to the internet) to analyse trends, administer the website, track user movements and gather broad demographic information.

§13.5 This information is generally not linked to your as a [User](#) identity, except where it is accessed via links in [Floworder](#) -e -mail messages or where you have identified yourself. We may also collect anonymous information (which is not personal information) regarding your activity on our website (including IP addresses) via cookies. We generally use this information to report statistics, analyze trends, administer our services, diagnose problems, and target and improve the quality of our services. To the extent that this information does not constitute personal information because it does not identify you or anyone else, and we may use this information for any purpose and in any manner whatsoever.

§14. How long does [Floworder](#) store register data?

14.1 [Floworder](#) stores register data for as long as it is necessary to fulfil the purposes,

§15. How can you as a [User](#) complain about privacy breaches?

§15.1 If you as a [User](#) believe that your privacy has been violated by us, if you have any questions or concerns about our Privacy Policy, please contact us via email at info@floworder.se and provide details of the incident so that we can investigate it.

§15.2 We are genuinely committed to the rules, ethos and intentions set out in this [Data Protection & Privacy Policy](#) and we endeavor to ensure that your as a [User](#) enquiries or complaints are treated confidentially. Our representative will contact you within a reasonable time after receipt of your complaint to discuss your concerns and outline options on how they can be resolved. We strive to ensure that your complaint is resolved in a timely and appropriate manner.

§16. To contact Floworder about your as a [User](#) personal data, problems or complaints, please email info@floworder.se