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1.0 Introduction

This Privacy Notice is related to the business known as 'iCreatemotion photography', a self-employed sole trader owned by Ms Francesca Attard, having its registered address at 13, Grognet Court 3, Flat 2, Ta L-Awrora Street, Mosta ('we', 'us', 'our'). We are committed to safeguarding the privacy of our clients using our services ('user' or 'you' 'your'). The business has a separate Privacy Policy for the usage of its website, namely, www.icreatemotionstudio.com/privacy

This Privacy Notice explains how we collect, use, disclose, and safeguard and treat your personal information when you are seeking to become our client (collectively, services).

By utilising, or receiving, our services, you agree with the terms of this Privacy Notice. By providing us with your personal information, you acknowledge us processing your personal data/personal information in accordance with this Notice and the applicable EU laws and regulations.

2.0 What type of personal information shall we hold on you and why?

We may collect, store and use the following kinds of personal information:

- a. Personal details as per our client forms. Details will include your name, surname, address, identification details and similar documentation.
- b. We keep a copy of your communication with us such as emails to ensure any orders you have requested will be kept on record.
- c. We hold photographs of you and your children as per your request and in line with the nature of our services, that is, wedding photography, family photography, newborn photography, general photography, children photography and/or any other types of professional photography services.

3.0 When do we need your consent?

We shall need your consent in the following circumstances:

- a. When sending you marketing material or promotions regarding our services
- b. When sharing your personal information with third parties, unless this is required to perform our service (such as sharing your photographs with professional printers)
- c. When processing your personal information without having one of the other legal basis found in section 4 below.

Please note that you can withdraw your consent any time, unless there is another legal basis that allows us to process your data as per the below section.

4.0 When can we process your personal data?

Apart from the 'consent' noted in section 3 above, we may also process your data if we have at least one of the following legal basis:

- a. Contractual obligation or necessity
- b. Legal obligation
- c. Member-state law
- d. Vital interest of the data subject
- e. When processing the data is in the best interest of the public
- f. Legitimate interest

It is the nature of our business to process your data due to a contractual obligation. When this does not apply, then we will process your data based upon your consent. That said, iCreatemotion may process data according to regulations listed within the General Data Protection Regulation ("GDPR").

5.0 When can we disclose your information?

We may disclose your personal information:

- a. To the extent that we are required to do so by law;
- b. In connection with any ongoing or prospective legal proceedings;
- c. In order to establish, exercise or defend our legal rights;
- d. To any person who we reasonably believe may apply to a court or other competent authority for disclosure of that personal information where, in our reasonable opinion, such court or authority would be reasonably likely to order disclosure of that personal information;
- e. To any of our employees, officers, professional service providers and/or any party required for us to provide the service to our clients;
- f. We will not, without your express consent, supply your personal information to any third party for the purpose of their or any other third party's direct marketing.

6.0 How and when do we share your information to third parties?

We share your personal information as follows:

- a. Third party agents, printers, delivery persons, bound by obligations of confidentiality in connection with the processing of your personal information for the purposes described in this Notice.
- b. Third parties relevant to the Services we provide. This may include, but is not limited to others professional service providers, regulators, authorities, governmental institutions.
- c. To the extent required by law, regulation or court order, if we are under a duty to disclose your personal information in order to comply with any legal obligation.
- d. In all other circumstances where you would have given your consent.

Personal information that you publish on our website or submit for publication on our website may be available, via the internet, around the world. We cannot prevent the use or misuse of such information by others.

7.0 Where is your data stored and how is it protected?

Your data may be stored in one or more of the following locations:

- a. Printed photographs (usually temporarily held between printing and collection by client), which will be safely locked and secured in our registered address;
- b. Computers located at our registered address;
- c. On Cloud which is located within the European Union;
- d. On our laptops which are secured via passwords;

7.1 How is your personal data protected?

We will take reasonable technical precautions to prevent the loss, misuse or alteration of your personal information. We maintain physical, electronic, and procedural safeguards to protect the confidentiality and security of Personal Information and other information transmitted to us.

You acknowledge that the transmission of information over the internet is inherently insecure and while we strive to protect information transmitted on or through the Site or Services, we cannot and do not guarantee the security of any information you transmit on or through the Site or Services, and you do so at your own risk.

That said, when information reaches us, we shall take the necessary steps to protect such information. This is done by one or more of the below:

- a. Ensuring the data is safeguarded by the use of firewalls, encryptions, access restrictions and/or passwords.
- b. In case of physical printouts of your personal information or data, precaution shall be taken to ensure such data is accessible only to authorised individuals that require to access your data to perform their duties and/or to provide you with a service.
- c. We shall ensure that proper backups are taken to prevent the data from being lost.
- d. Without prejudice to section 6 above, your data saved in digital format on our computers, portable disks, cloud or other data holding devices, shall be accessible by individuals that are required to access your data to perform their duties and/or to provide you with a service.

8.0 For how long shall we keep your data?

We shall keep your records, communication you have made with us, and/or photographs, for a maximum period of 5 years. We shall retain the right of deleting your data before such maximum retention period.

8.1 How shall we destroy your data after the retention period is over?

We shall destroy your data in a safe and reliable manner. Physical files shall be destroyed by means of shredding.

When it comes to data stored in digital format, such data shall be permanently deleted. This would include any backups held on portable devices, other computers, and/or cloud.

Communication between us and the client shall be deleted or destroyed.

Should we be required to change one or more of our hard disks where data is or was previously stored, we shall ensure that such hard disk is disposed of in a professional manner and in a way that data cannot be retrieved from it in the future.

9.0 What are your Rights?

- a. You can obtain information regarding the processing of your personal information and access to the personal information which we hold about you by contacting us directly.
- b. You can request that any personal information be rectified by sending an e-mail notification on photography@icreatemotion.com
- c. You have the right to request that we erase your personal information if it is inaccurate or incomplete. There may be circumstances where you ask us to erase your personal information, but we are legally obliged to retain it.
- d. You may object to and request the processing of your personal information in certain circumstances. There might be circumstances where you object to, or ask us to restrict, our processing of your personal information but we are legally entitled to refuse that request.
- e. You may instruct us at any time not to process your personal information for marketing purposes.
- f. You may withdraw your consent given under this Notice at any time by sending an e-mail notification.
- g. Your personal information may only be stored unless further processing is brought about by: individual consent and the necessity for the establishment of legal claims for the protection of the rights of another natural/legal person or for the public interest.
- h. You have a right to lodge a complaint to the supervisory authority of the jurisdiction in which the personal information is being provided.
- i. You may request one printed copy of this Privacy Notice free of charge.

10.0 Where can you complain if you have an issue related to Data Privacy?

We value our customers' comments and we are committed to ensure that all our clients' data is safeguarded and in line with regulation and our internal policies. Should you feel the need to complain about how we are handling your personal data, then you can contact Ms. Francesca Attard on +356 99600600 or by email on photography@icreatemotion.com.

11.0 Contacting the Maltese Data Commissioner

You may also contact the Office of the Data Commissioner as follows:

- a. You may file a complaint with the Maltese Data Protection Commissioner through the following link:

<https://idpc.org.mt/en/pages/contact/complaints.aspx>

- b. Alternatively, you may contact the office of the Maltese Data Commissioner by phone on +356 23287100 or by post using the below address:

The Commissioner

Mr Saviour Cachia
Level 2, Airways House
High Street
Sliema
SLM 1549
Malta

12.0 Can we modify this Privacy Notice?

From time to time, we may change this Privacy notice. If we change this Privacy notice, we will post the updated privacy notice on our website, or by posting notice on our homepage stating that a change has occurred. We shall write to you should there be a 'material change' in the Privacy notice which affects your rights.

This Privacy Policy is in conformity with applicable EU laws and regulations. Icreatemotion Photography is liable only to the extent of the provisions set out under the applicable EU laws and regulations. Last updated in May 2018.