

PRIVACY POLICY AND PERSONAL DATA PROTECTION

1. MCA COMMITMENT

MCA is aware that the globalization and rapid technological developments pose new challenges in the security of personal information.

Aware of the growing relevance of privacy and the protection of personal data, MCA assumes, before each data owner, the commitment to respect their privacy and to process their data in strict compliance with the legislation in force.

Therefore, when dealing with any MCA member company, you can count on strict compliance with the provisions of the General Data Protection Regulation (GDPR), Law No. 58/2019 of August 8 (Personal Data Protection Law), in the guidelines of the National Data Protection Commission (CNPD), the guidelines of the European Data Protection Board (EDPC) and other applicable privacy and data protection legislation.

2. RESPONSIBLE FOR DATA PROCESSING AND DATA PROTECTION OFFICER (DPO)

The entity responsible for the collection and processing of personal data shall be MCA company providing the service or providing the product to the data owner.

MCA has a Data Protection Officer ("DPO") who has as its duties, among others, those of:

- Ensure internal compliance with applicable legislation on privacy and protection of personal data,
- Promote the awareness of MCA workers in the processing of personal data,
- Provide information and advice to MCA on privacy and data protection,
- Cooperate with the CNPD and be the bridge of contact between it and MCA,
- Ensure relations with data owners in matters covered by the GDPR and national data protection legislation.

Contacts DPO

E-mail: dpo@mcagroup.com

Letter: A/C DPO, Rua João de Oliveira Salgado, n.º 385, 4810 – 015 Guimarães, Portugal.

3. PERSONAL DATA AND CATEGORIES OF PERSONAL DATA

Personal data

Personal Data is any information relating to an identified or identifiable natural person ('data owner'), regardless of the method of data collection (manual or automated) and the support on which they arise (digital, physical, etc.).

A person who can be identified directly or indirectly by reference to identifiers (such as a name, an identification number, or an IP address) is considered identifiable.

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Special categories of personal data

With a few exceptions, the processing of the following categories of data is prohibited:

- Racial or ethnic origin,
- Political opinions,
- Religious or philosophical convictions
- Health, sex life or sexual orientation,
- Trade union membership,
- Genetics,
- Biometrics.

4. LEGAL BASIS FOR THE PROCESSING OF PERSONAL DATA

The processing of personal data is only lawful if and to the extent that one of the following grounds is found:

Consent: the consent provided by the data owner shall be prior to its processing and result from a manifestation of the will, free, informed, specific, explicit, and unambiguous. In the specific case of minors under the age of 13, MCA will require the consent provided by its legal representatives.

Execution of a contract or pre-contract due diligence: where the processing of the data is necessary for the conclusion, execution, and management of a contract.

Compliance with legal obligation: when the

treatment is necessary to the compliance with a legal obligation to which any MCA company is subject.

Defence of vital interest: when treatment is necessary for the defence of vital and legitimate interest of the data owner, another natural person or MCA (always prevailing the interest, rights and freedoms of the data owner).

5. PURPOSE AND DURATION OF THE PROCESSING OF PERSONAL DATA

MCA Group will process the data only for the necessary period of time to achieve the purpose that motivated its collection, or until the owner exercises the right to the payment, the right of processing, the right of portability or the right of opposition (see more information on the [point 8](#)).

MCA ceases the processing of personal data if the owner withdraws the consent and may do so to **any time** (see more information on the [point 8](#)).

6. RETENTION OF PERSONAL DATA

MCA will only store your data for the period necessary to fulfil the defined purposes or for the period legally required if it is longer.

If there is a contract between an MCA member company and the owner of personal data, the

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data shall be retained for the duration of the contract plus the limitation periods and expiry of the rights arising therefrom.

Once the finality is fulfilled and in the absence of a legal obligation to hold personal data, MCA will destroy or anonymize.

7. INTERNATIONAL DATA TRANSFER

The processing of personal data carried out by MCA may involve a transfer of data to third countries (countries outside the European Union), if this is necessary to comply with the finalities or legal obligations.

Recognizing that this is a particularly sensitive context, MCA will seek to ensure strict compliance with applicable.

The European Commission has a list of third countries whose level of data protection is considered appropriate and no extraordinary security measures need to be taken. You can consult the list of third countries [here](#).

Where the transfer of data is intended for a third country not listed, MCA shall adopt the appropriate safeguards provided for by law (particularly Articles 46 et thereafter of the GDPR) in the processing of the data.

8. RIGHTS PERSONAL DATA OWNERS

GDPR confers various rights on the owners of personal data, which may be exercised with the DPO of MCA Group.

Right of access

The data owner has the right to know what personal data are specifically processed by MCA and to access various information concerning him /so (such as the finalities of the processing or its estimated retention period). The data owner is also entitled to request a copy of his or her personal data owner to.

Right of rectification

The owner has the right to obtain the rectification of inaccurate data and to request that incomplete data be completed.

Right to payment ('right to be forgotten')

The owner has the right to request the payment of his personal data if there are no valid arguments for its retention (such as the fulfilment of legal preservation obligations imposed on MCA).

Right to limitation of treatment

The data owner has the right to request the limitation of the processing of his data, in which case, for a certain period, the processing is "frozen", and the data may not be communicated to third parties, transferred internationally, or deleted.

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Right of portability

The data owner has the right to receive his/her personal data in a structured, commonly used, and machine-readable format.

Where technically possible, the owner shall be entitled to request that his/her data be directly transmitted by MCA to another person responsible for their treatment.

Right of opposition

The data owner has the right to object at any time to the processing of his/her data for reasons relating to his/her situation, where such processing is based on one of the following situations:

- the processing is necessary for the exercise of public interest functions, or the exercise of the public authority vested in MCA,
- processing is necessary for the pursuit of the legitimate interests of MCA or third party,
- treatment is motivated for the purpose of direct marketing,
- reuse of the data to a different level of data from the one that motivated its initial collection.

Withdraw consent

The owner may withdraw the consent he has given to MCA to **any time**.

According to the GDPR, withdrawal of consent does not affect the lawfulness of the processing of

carried out based on the consent previously provided.

Right of complaint to the CNPD

The data owner has the right to lodge a complaint with the National Data Protection Commission where he considers that the processing of personal data concerning him/her violates the GDPR.

Form of exercise of rights

The exercise of the rights of the data owner is free of charge, unless it is a manifestly unfounded or excessive request, in which case MCA may require payment of a reasonable fee considering administrative costs.

MCA shall provide the data owner with information on the measures taken within one month from the date of receipt of the application, unless it is a particularly complex application, the period of which may be extended up to two months.

The data owner may exercise his rights with MCA DPO through one of the following means:

- E-mail: dpo@mcagroup.com;
- Carta: A/C DPO, Rua João de Oliveira Salgado, n.º385, 4810 – 015 Guimarães, Portugal;
- Filling and sending [this form](#).

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9. SECURITY MEASURES

MCA implements appropriate, needful, and necessary security measures to protect your personal data from destruction, loss, alteration, dissemination, unauthorized access, or any other form of accidental or unlawful processing.

10. COOKIES

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