

## PRIVACY NOTICE

**Treatment of personal data in accordance with the provisions of EU Regulation n°2016/679 of April, 27 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (the “GDPR”) and with any other data protection law applicable to the Grand Duchy of Luxembourg (Together “Data Protection Laws”)**

The firm Luxembourg global trading s.à.r.l, so call thebigcactus.co and all its current and future affiliated Entities (together **THEBIGCACTUS.CO** Group) respect your privacy and are committed to protecting the privacy and security of your personal information.

This privacy policy is issued on behalf of Luxembourg global trading s.à.r.l. when we mention “Thebigcactus.co”, “we”, “us” or “our” in this privacy notice, we are referring to the relevant company/ies in the Luxembourg global trading s.à.r.l. responsible for processing your data.

Thebigcactus.co is a “data controller”. This means that Thebigcactus.co is responsible for deciding how we hold and use personal information about you. You are being sent a copy of this Candidate privacy notice because you are applying for a position with us. This policy provides you with information as to how and why your personal data will be used, namely for the purpose of recruitment, and how long it will usually be retained for. It provides you with certain information that must be communicated by us to you under the Data Protection Laws.

### 1. DATA PROTECTION PRINCIPLES

- 1.1. Your personal data are processed by Luxembourg Global Trading s.à.r.l., 29 Allée Saint Christophe Mondorf-les-bains, Luxembourg, with corporate registration number B0190930.
- 1.2. You can contact us via e-mail at [GDPR@thebigcactus.co](mailto:GDPR@thebigcactus.co)
- 1.3. We reserve the right to modify, change or amend the Privacy Policy at its own discretion and from time to time. Such modification, change or amendment shall be communicated via the websites. If you do not accept the modifications, changes or amendments, you are to inform us by sending an e-mail to [GDPR@thebigcactus.co](mailto:GDPR@thebigcactus.co). If we do not receive such an e-mail from you within three (3) business days after the changes to the Privacy Policy have been announced on our websites, you will be deemed to have unambiguously accepted all such changes.

### 2. TYPES OF PERSONAL DATA WE PROCESS

- 2.1. When you fill out a contact form on our websites or contact us via e-mail, telephone, fax or social media channels, we collect:
  - The basic identity information you provide us with, such as name, e-mail address, postal address, telephone number, the company you work for, and your function;
  - The content of your communication and the technical details of the communication itself (with whom you correspond at our end, date, time, etc.);
  - Any other personal data you choose to provide to us.
- 2.2. When you apply for a job through our websites or by other means we will ask you to give consent to the processing of your personal data. To enable us to assist you in finding an appropriate job, we will gather personal data about you from your CV and your registration process. This includes, but is not limited to:
  - The basic identity information you provide us with, such a name, e-mail address, postal address, telephone number, the company you work for, and your function;
  - Your career history;
  - Any other personal data you choose to provide to us.
- 2.3. When you ask us to work with you as a company we will record information about you, including but not limited to:
  - The basic business contact information you provide us with, such a name, e-mail address, postal address, telephone number;
  - Your job title;
  - Your organisation;
  - The content of your communication and the technical details of the communication itself (with whom you correspond at our end, date, time, etc.);
  - Any other personal data you choose to provide to us.

### **3. PURPOSES FOR WHICH WE USE YOUR PERSONAL DATA**

- 3.1. We process your personal data to provide you in a personalised and efficient way the information, products and services you request.
- 3.2. When you are a jobseeker we process personal data about you in order to:
- Assist you in finding an appropriate job;
  - Communicate with you regarding job opportunities and the progress of any applications you make;
  - Provide your details to appropriate prospective employers. We will only share your information with named prospective employers with your permission;
  - Provide you with job alerts relating to roles we think you might be interested in;
  - Provide you with help and advice to assist in your job search;
  - Provide you with information about general trends in the world of work;
  - Seek your feedback on our services;
  - Fulfil our obligations to our clients when you are offered employment.
- 3.3 When you are an employer and you ask us to work with you, we process your personal data in order to:
- Provide the service you have asked us to provide;
  - Provide you with reports on the work we are undertaking on your behalf;
  - Advise you of relevant services and products;
  - Provide you with information about general trends in the world of work;
  - Seek your feedback on our services.
- 3.4 In addition, we process your personal data to comply with legal obligations or to comply with any reasonable request from competent law enforcement agents or representatives, judicial authorities, governmental agencies or bodies, including competent data protection authorities. Your personal data may be transferred upon our own initiative to the police or the judicial authorities as evidence or if there are justified suspicions of an unlawful act or crime committed by you through your registration with or use of our website or other communication with us.
- 3.5 We process your personal data to perform statistical analyses so that we may improve our websites, products and services or develop new products and services.
- 3.6 We process your personal data for the preservation of our legitimate interests, the legitimate interests of our partners or a third party if and when your registration with or use of our website or other communication channels can be considered (a) a violation of any applicable terms of use or the intellectual property rights or any other right of a third party, (b) a threat to the security or integrity of the websites or other communication channels, (c) a danger to the website or other communication channels or any of our or our subcontractors' underlying systems due to viruses, Trojan horses, spyware, malware or any other form of malicious code, or (d) in any way hateful, obscene, discriminating, racist slanderous, spiteful, hurtful or in some other way inappropriate or illegal.

### **4 LEGAL BASIS FOR PROCESSING YOUR PERSONAL DATA**

- 4.1 For processing your personal data under the conditions outlined in this Privacy Policy, we, as the responsible party, ask for your consent.
- 4.2 The processing of your personal data for the purposes outlined in Clause 3.4 is necessary to allow us to comply with our legal obligations.
- 4.3 The processing of your personal data for the purposes outlined in Clause 3.6 is also necessary for the purpose of our legitimate interests, which are:
- Continuous improvements of our websites, products and services to ensure that you have the best experience possible;
  - Keeping our websites, products and services safe from misuse and illegal activity;
  - Marketing and promotion of our products, services, brands and overall successful commercialisation of our products and services.

### **5 TO WHOM WE SEND YOUR DATA**

- 5.1 We do not send your personal data in an identifiable manner to any third party other than the ones identified in Clause 3 and in this Clause 5 without your permission to do so.

5.2 We rely on third party processors to provide you our websites and services as well as to process your personal data on our behalf. For example, we rely on trusted third parties for research and emailing services. When you are a jobseeker we might rely on third parties that provide functions on our behalf, such as reference, qualification and criminal record checking services, psychometric evaluations and skills testing.

These third party processors are only allowed to process your personal data on our behalf and upon our explicit written instruction to fulfil the purposes of Clause 3.

We warrant that all third party processors are selected with due care and are obliged to observe the safety and integrity of your personal data.

5.3 When required by law, we will share your personal data with regulatory or law enforcement agencies.

## **6 LOCATION AND TRANSFER**

6.1 We process your personal data first and foremost within the European Union and the European Economic Area. However, in order to process your personal data for the purposes outlined in Clause 3 of this Privacy Policy, we may also transfer your personal data to third parties who process on our behalf outside the EEA.

Each entity outside the EEA that processes your personal data shall be bound to observe adequate safeguards with regard to the processing of your personal data. Such safeguards will be the consequence of:

- The recipient country having legislation in place which may be considered equivalent to the protection offered within the EEA; or
- A contractual arrangement between us and that entity.

## **7 QUALITY ASSURANCES**

7.1 We do our utmost best to process only those personal data which are necessary to achieve the purposes listed under Clause 3 of this Privacy Policy.

7.2 Your personal data are only processed for as long as needed to achieve the purposes listed under Clause 3 of this Privacy Policy or up until such time where you withdraw your consent for processing them. Note that withdrawal of consent may imply that you can no longer use the whole or part of our websites and/or other communication channels. We will de-identify your personal data when they are no longer necessary for the purposes outlined in Clause 3 of this Privacy Policy, unless there is:

- An overriding interest of The Big Cactus or any other third party in keeping our personal data identifiable;
- A legal or regulatory obligation or a judicial or administrative order that prevents us from de-identifying them.

7.3 We will take appropriate technical and organizational measures to keep your personal data safe from unauthorised access, improper use or disclosure, unauthorised modification or alteration, theft as well as accidental loss, tampering or destruction. Access by our personnel or our third party processors will only be on a need-to-know basis and be subject to strict confidentiality obligations. You understand, however, that safety and security are best efforts obligations which can never be guaranteed.

## **8 YOUR RIGHTS**

8.1 You have the right to request access to all personal data processed by us pertaining to you. Where we are legally permitted to do so, we may refuse your request and will provide you with our reasons for doing so. We reserve the right to charge an administrative fee for multiple subsequent requests for access that are clearly submitted for causing nuisance or harm to us.

8.2 You have the right to ask that any personal data pertaining to you that are inaccurate, are corrected free of charge. If a request for correction is submitted, such request shall be accompanied of proof of the flawed nature of the data for which correction is asked.

8.3 You have the right to withdraw your earlier given consent for processing of your personal data or to amend your communication preferences at any time.

8.4 You have the right to request that personal data pertaining to you be deleted if they are no longer required in the light of the purposes outlined in Clause 3 of this Privacy Policy or if you withdraw your consent for processing them. However, you need to keep in mind that a request for deletion will be evaluated by us against:

- Overriding interests of The Big Cactus or any other third party;

- Legal or regulatory obligations or administrative or judicial orders which may contradict such deletion.

Instead of deletion you can also ask that we limit the processing of your personal data if and when (a) you contest the accuracy of the data, (b) the processing is illegitimate, or (c) the data are no longer needed for the purposes listed under Clause 3.

- 8.5 You have the right to receive from us in a structured, commonly used and machine-readable format all personal data you have provided to us.
- 8.6 If you wish to submit a request to exercise one or more of the rights listed above, you can send an e-mail to [GDPR@thebigcactus.co](mailto:GDPR@thebigcactus.co). An e-mail requesting to exercise a right shall not be construed as consent with the processing of your personal data beyond what is required for handling your request. Such request should clearly state which right you wish to exercise and the reasons for it if such is required. It should also be dated and signed, and accompanied by a digitally scanned copy of your valid identity card proving your identity. If you use the contact form, we may ask you for your signed confirmation and proof of identity.

We will promptly inform you of having received this request. If the request proves valid, we shall honour it as soon as reasonably possible and at the latest thirty (30) days after having received the request.

If you have any complaint regarding the processing of your personal data by us, you may always contact us via the e-mail address listed above. If you remain unsatisfied with our response, you are free to file a complaint with the competent data protection authority.