



# KGS

Swiss Diamond Technology®

## **KGS DIAMOND GROUP Privacy Statement**

At KGS DIAMOND we try each day to improve our products and come up with new technologies so that we can offer you new diamond solutions to even the most complicated of abrasive challenges. In our quest to do so we occasionally need some information from you. We think that your personal information should remain yours, which is why KGS DIAMOND does not collect or share your data unless we really need to.

In this privacy statement we, The KGS DIAMOND GROUP (“**we**”, “**us**”, “**our**”), would like to inform you or your company (“**you**”, “**your**”) about what you can expect us to do with your personal information when you contact us or make a purchase with us.

As our main customers are other professional legal entities, much of the data we process cannot be qualified as personal data. To be in contact with our business partners or other businesses we will however need to process personal data to some extent, as our communications are of course carried out by representatives of said professional legal entities. In any case where personal data is involved we will always process it with due care to your rights and in accordance with the General Data Protection Regulation.

## **WHAT PERSONAL DATA DO WE PROCESS?**

Personal data means any information relating to an individual (natural person), that would make it possible to identify this person either directly or indirectly.

The categories of personal data that we process can include your:

- *Name*
- *Company details*, such as the name of your company, your function in the company and the company address and contact details;
- *Address details*
- *E-mail address*
- *Phone number*
- *Purchase history*
- *Customer number*
- *Financial details*, required to process your payment, such as bank account- or credit card numbers, or your tax registration number;
- *Activity on our website*, by means of cookies. For more information on cookies please see under the header “[Use of Cookies](#)” near the end of this privacy statement;
- *Other personal data*, that you actively disclose to us in written correspondence, by telephone or by filling out our electronic contact forms;

## **WHEN DO WE COLLECT YOUR PERSONAL DATA?**

- When you purchase products from us by e-mail, online, over the phone or in person
- When we contact, or purchase from, our business partners
- When you contact our customer service or sales team for support
- When you contact us on social media
- When you send us your information, for example either as an open application or in response to a job opening, or to take part in promotions
- When you actively leave your contact details with us, for example at exhibitions

## **WHY DO WE PROCESS YOUR PERSONAL DATA AND WHAT ARE THE LAWFUL GROUNDS FOR DOING SO?**

- *To be able to provide you with our products and services*

When you make a request to KGS, either for services or to purchase our products, we may use your personal information to comply with this request. This means that we may use your data to, among others, correctly log your order in our system, process your payment, deliver the goods to the correct address and to communicate with you regarding any of your requests as mentioned above.

When you place an order for products with us or communicate with us regarding said order we process this data because it is necessary for the performance of our contracts.

- *To communicate with you or your company*

In order to provide our services and products we may need to call, e-mail or otherwise be in touch with you, to ensure that your needs and requests are met to the utmost extent.

We may also need your data to inform you about our products and our solutions that could be of interest to you. This also includes communications about changes to our existing product range. We will also need your data to reply to your questions or requests sent through our online contact form or customer service.

For these communications other than the ones mentioned in the previous bullet point, we rely on our legitimate business interests as a lawful basis for the processing. As a business we need to be able to communicate with our (potential) customers. We will always make sure that we balance our interests against your rights, meaning that we will not process your data if we are of the opinion that your rights outweigh our interests.

- *To improve our operations*

We may keep records of your purchase history, so that we can tailor our service to you and so that we can be of service to you in a faster and more efficient way.

Insofar as a continuous contractual relationship exists we process this data because we deem it necessary for the performance of our contracts. If such a relationship does not exist we will record your data because it is in our legitimate business interests to offer you tailored and efficient service. We will always make sure that we balance our interests against your rights, meaning that we will not process your data if we are of the opinion that your rights outweigh our interests.

- *To tailor our promotional materials to you*

We may use your personal data to send you promotional e-mails and newsletters. The content of these promotional materials will be tailored to you, based on your purchase history or preference settings.

If you have previously purchased from us but not specifically updated your preference settings, we rely on our legitimate business interests as a lawful ground for the processing of your data. We will send you newsletters and product offers we believe you may be interested in based on your purchase. We will always make sure that we balance our interests against your rights, meaning that we will not process your data if we are of the opinion that your rights outweigh our interests.

Alternatively, we will rely on your documented consent for receiving these promotional materials as a lawful ground.

- *To handle legal issues*

We may process your personal data if this is a legal obligation, i.e. to file our tax returns. We may also process your personal data to detect fraud, comply with requests from law enforcement agencies, in legal proceedings, to protect our rights or property and to comply with a court order.

In certain cases, the lawful ground for this processing is that it is necessary for us to comply with legal obligations. In others the lawful ground can be found in our legitimate business interests, for example to protect our rights and property. We will always make sure that we balance our interests against your rights, meaning that we will not process your data if we are of the opinion that your rights outweigh our interests.

We may also use your personal data for other purposes, in accordance with the context in which the data was provided or for which you have given us consent. In any case we will be open about the use of your data and communicate the purpose with you where required.

We do not use any programs or systems that will make automated decisions for us that could affect persons or otherwise.

## **HOW LONG DO WE SECURELY STORE YOUR PERSONAL DATA?**

We will not store your data any longer than is necessary to achieve the purposes outlined in this privacy statement, for which we have collected your personal data. The exact retention periods vary depending on the type of data and the purpose for which it was collected. We maintain an internal registry with retention periods and we strive to put procedures in place that facilitate the timely removal of data.

In case of legal obligations, we will retain your personal data as long as prescribed by said obligations. In other cases, we generally store your personal data as long as we have continuing relations or the prospect thereof. Regard is had to our legitimate business interests and your rights and interests.

## **WHO DO WE SHARE YOUR PERSONAL DATA WITH?**

We will never sell your data to third parties nor do we have any intention of treating your data as a commodity. We may in some cases share your personal data with trusted third-party service providers, who act as data processors. We ensure the proper implementation of contracts with these data processors, so that they are only permitted to use your personal data for the purpose that we have instructed them to use it for. They are not allowed to share your data with others, unless specified in the contract and required for the service we have instructed them to provide.

This means that we may share your data with third parties to complete orders for products, for example so that they can provide delivery services, or process payments.

Insofar as this is not yet clear from the above, we may specifically also share your data with any company within the KGS DIAMOND GROUP for above purposes or because of shared business processes.

Third parties we share your personal data with may also include third parties who provide us with Customer Relationship Management (“**CRM**”) tools, which is electronic software that helps us organize our customer database and administration.

Under circumstances we may also be legally obliged to share your information with relevant authorities or law enforcement agencies, for example under a court order.

We will only share your personal data with group companies outside of the European Economic Area (“**EEA**”) if this is required to fulfil your order or you have agreed to this beforehand, for example if we have agreed that one of our Group Companies outside of the EEA will handle and fulfil your order.

## **HOW DO WE PROTECT YOUR PERSONAL DATA?**

The security of your personal data is an important matter to us, and we take this very seriously. We take appropriate measures to prevent abuse, loss, unauthorized access, involuntary publication and unauthorized changes. Some of these measures include the use of encrypted access, firewalls, or server access partitioning. Your data will therefore only be accessible by employees who need access to your data in the course of their jobs.

Moreover, we have contractual arrangements with third parties that guarantee the security and confidentiality of your data insofar as they process it.

Should you be under the impression that your data is not protected appropriately or if you have reason to believe abuse of your data occurs, please be in touch with us by using the contact details provided at the bottom of this privacy statement.

## USE OF COOKIES

On our website we make limited use of cookies. A cookie is a very simple, small text file that will be stored on your hard drive by your browser when visiting our web site. On our web site we only use technical and functional cookies, along with analytical cookies that do not contain personal data. The cookies we use are only there to ensure an optimal functioning of our website and to analyse the quantity of unique visitors to different pages. This allows us to optimise our web page for your convenience, without infringing on your privacy.

We only use the following cookies on our web site:

Supplier	Cookie	Purpose	Term
Google Analytics	_ga	Used to distinguish unique users, to track unique visits to pages on our website.	2 years
Google Analytics	_gid		24 hours
Google Analytics	_gad	Used to throttle request rate	1 minute

In case you do not want to receive cookies, you can opt out by changing the settings of your web browser.

## YOUR RIGHTS

Under the GDPR your various privacy rights have been further extended and now include your:

- **Right to be informed**  
You have the right to be informed about the ways your personal data is being used, as we strive to do by means of this privacy policy.
- **Right of access**  
You have the right to access any personal data we hold about you.\*
- **Right to rectification**  
You have the right to request us to correct, amend, block or add to your personal data we retain in case this data is incorrect, incomplete or irrelevant, or used contrary to a legal obligation in any way.
- **Right to erasure**  
You have the right to request us to delete your personal data.  
We will delete your personal data within a reasonable timeframe if we no longer require your data for the purposes mentioned in this privacy statement, if you have withdrawn your consent or have objected to the unnecessary processing, or if we discover that the processing is illegal or that we are legally obliged to delete your data.

- **Right to restriction of processing**

You have the right to request us to restrict the processing of your personal data under certain legal conditions, meaning that we will temporarily make the data unavailable and stop the processing.

- **Right to object to processing**

You have the absolute right to ask us to stop using your personal data for direct marketing purposes. We will always stop the processing for this purpose as soon as reasonably possible if so requested. You can also object to the processing if we rely on our legitimate interests as a lawful ground and, depending on the circumstances, we will likely stop processing your data.

- **Right to data portability**

You have the right to send us a request for the transfer of a copy of all personal data you have actively provided us with, either to you or to an enterprise providing similar services.

If you would like to exercise any of the rights mentioned above or otherwise wish to be in touch with us about the processing of your personal data, you may use the contact details as provided here below under “Responsible for this privacy statement”.

\* If you wish to exercise your right to access we kindly request you to enclose a copy of your valid identification document. We strive to respond to your request as soon as possible, and we will always try to do so within four weeks.

As a final remedy, you also have the right to file a complaint with the national privacy authority, “Autoriteit Persoonsgegevens”, if you think that we process data in a way that is contrary to what is outlined in this privacy statement.

## **RESPONSIBLE FOR THIS PRIVACY STATEMENT:**

The responsible entity for the processing of personal data as set forth in this privacy statement is:

**KGS DIAMOND HOLDING BV**

Industriestraat 2  
8081 HG  
Elburg  
The Netherlands

In case of questions or comments about this policy or the way we process your data, you are very welcome to use below contact details:

**Telephone:** +31 525 683 300

**Website:** [www.kgsdiamond.com](http://www.kgsdiamond.com)

**E-mail:** [info@kgsdiamond.com](mailto:info@kgsdiamond.com)