

Online Data Protection Policy

I. Name and Address of the Controller

The controller within the meaning of the with the Dubai International Financial Centre (DIFC) Data Protection Law, DIFC Law No.5 of 2020 and the associated Data Protection Regulations as amended from time to time (together the "DIFC Data Protection Law") is:

KENDRIS Corporate Services (DIFC) Ltd (hereinafter «KENDRIS»)
Office No. 6, DIFC Innovation Hub
Level 1, Gate Avenue, DIFC
PO Box 482098
Dubai
United Arab Emirates Tel.: +971 (4) 401 9671
E-mail: info@kendris.com
Website: www.kendris.com

II. General Remarks on Data Processing

1. Extent of the Processing of Personal Data

KENDRIS basically processes personal data of the data subject only to the extent that this is necessary for the provision of a functioning website and of our contents and services. Personal data of the data subject is generally processed only within their consent. An exception applies in cases where for factual reasons it is not possible to obtain prior consent and the processing of the personal data is legally permitted.

2. Lawful Basis for the Processing of Personal Data

Provided that KENDRIS obtains consent for the personal data processing operations from the data subject, Art. 10(1)(b) of the DIFC Data Protection Law forms the lawful basis where the processing of personal data is necessary for the performance of a contract to which the data subject is a party. This also applies where processing operations are necessary to take steps prior to entering into a contract.

Where processing of personal data is necessary for compliance with applicable laws to which KENDRIS as a company is subject to, Art. 10(1)(c) of the DIFC Data Protection Law, forms the lawful basis.

Art. 10(1)(d) of the DIFC Data Protection Law forms the lawful basis where processing is necessary in order to protect the vital interests of the data subject or of another natural person.

If processing is necessary for the purposes of the legitimate interests pursued by KENDRIS or by a third party to whom the personal data has been made available, and such interests are not overridden by the interests or rights of the data subject, Art. 10(1)(f) of the DIFC Data Protection Law forms the lawful basis for processing the personal data.

Where consent of the data subjects is one of the lawful basis for processing of personal data concerning data subjects, that consent must meet a number of requirements under Art. 12 of the DIFC Data Protection Law and that the controller must be able to demonstrate that such consent obtained is in compliance with the requirements described as follows:

- (1) Consent must be freely given by a clear affirmative act that shows an unambiguous indication of consent if it is to be relied on as a basis for processing personal data under the DIFC Data Protection Law. If the performance of an act by KENDRIS, a data subject or any other party, (including the performance of contractual obligations), is conditional on the provision of consent to process personal data, then such consent will not be considered to be freely given with respect to any processing that is not reasonably necessary for the performance of such act or where the consent relates to excessive categories of personal data.
- (2) Where processing is based on consent, a controller must be able to demonstrate that consent has been freely given.
- (3) If the processing is intended to cover multiple purposes, consent must be obtained for each purpose in a manner that is clearly distinguishable, in an intelligible and easily accessible form, using clear and plain language.
- (4) If a controller seeks to obtain consent for one or more other matters not expressly concerned with the processing of personal data, the request for consent for the processing of personal data must be clearly distinguishable from the other matters, in an intelligible and easily accessible form, using clear and plain language.
- (5) A data subject may withdraw consent at any time in accordance with the right afforded to data subjects as set out in IX below in this Data Protection Policy.

- (6) Other than for the purpose of a Single Discrete Incident, where a controller relies on a data subject's consent for processing, the controller should implement appropriate and proportionate measures to assess the ongoing validity of the consent. This includes considering whether the data subject, acting reasonably, would expect processing to continue based on the consent given, taking into account the circumstances and the terms of such consent.
- (7) Where Processing is not a Single Discrete Incident and continues on the basis of consent, a Data Subject should be given the opportunity to re-affirm or withdraw consent on a periodic basis.
- (8) Where such ongoing assessment conducted in accordance with (6) (above) concludes that a data subject would no longer reasonably expect the processing to be continuing, he must be contacted without delay and asked to re-affirm consent.
- (9) In the circumstances referred to in (7) (above), consent shall be deemed to be withdrawn if there is no positive act of re-affirmation of consent within a reasonable period after a data subject has been contacted.
- (10) KENDRIS must be able to demonstrate to the Commissioner that appropriate methods and procedures are in place to manage the recording of consent and the withdrawal of consent, and that periodic evaluations of the same are conducted.
- (11) For the avoidance of doubt, consent given for processing to perform a Single Discrete Incident remains subject to all foregoing provisions except for (6) and (7) above.

A "Single Discrete Incident" means a processing operation or a collection of processing operations that relate to a:

- (a) single, non-recurring transaction; or
- (b) non-recurring and clearly defined purpose that a data subject is seeking to achieve,

in each case, with a definable end point.

3. Erasing of the Data and Storage Period

The personal data of the data subject will be securely and permanently deleted, anonymised, pseudonymised or securely encrypted, when the grounds for retention no longer apply. Storage can continue after this time if necessary for the establishment or defence of legal claims or must be retained for compliance with applicable laws to which the controller is subject to. Returning or erasing of the personal data will also take place on the expiry of a storage period prescribed under the above-mentioned norms, unless there is a need for continued storage of the personal data for the conclusion or fulfillment of a contract or other lawful grounds.

III. Provision of the Website and Preparation of Log Files

1. Description and Extent of the Data Processing

Every time the KENDRIS website is accessed, the system automatically records personal data and information from the computer system of the accessing computer.

The following personal data is collected:

- (1) Information about the browser type and the version used
- (2) The operating system of the data subject
- (3) The internet service provider of the data subject
- (4) The data subject's IP address
- (5) Date and time of the access
- (6) Websites from which the data subject's system reached our website
- (7) Websites which were accessed by the data subject's system via our website

This personal data is also stored in the log files of KENDRIS's system. This personal data is not stored with the other personal data of the data subject.

2. Lawful Basis for the Processing of Personal Data

Art. 10(1)(f) of the DIFC Data Protection Law is the lawful basis for the temporary storage of the personal data and log files.

3. Purpose of Processing Personal Data

The temporary storage by the system of the IP address is necessary in order to enable the website to be delivered to the data subject's computer. For this purpose, the IP address of the data subject must continue to be stored for the duration of the session.

The purpose of the storage in log files is to secure the proper functioning of the website. Moreover, the personal data helps to optimize the website and to ensure that the information technology systems of KENDRIS are secure. There is no evaluation of the personal data for marketing purposes.

These purposes provide the legitimate interest of KENDRIS for processing personal data according to Art. 10(1)(f) of the DIFC Data Protection Law.

4. Period of Storage

The personal data is securely and permanently deleted as soon as it is no longer necessary in relation to the purpose for which it was collected. In the case of the collection of personal data for delivering the website, this is when the respective session is terminated.

In the case of the storage of personal data in the log files, this is usually the case after seven days at the latest but a longer storage time is possible. In this case the data subject's IP address are erased or anonymised, so that it is no longer possible to assign them to the accessing client.

5. Possibilities of Objection and Removal

The recording of the personal data for the provision of the website and the storage of the personal data in the log files is essential for the operation of the website. The data subject has no possibility to object to this.

IV. Use of Cookies

1. Description and Extent of the Data Processing

The KENDRIS website uses cookies. Cookies are text files which are stored on the internet browser and in the data subject's computer system by the internet browser. If a data subject visits a website, a cookie can be stored in the data subject's operating system. This cookie contains a particular string of characters which makes a clear identification of the browser possible when the website is visited again.

KENDRIS employs cookies in order to make the KENDRIS website more user-friendly. Some elements of the KENDRIS website make it necessary for accessing the browser to be identifiable even after a change of internet page.

The following personal data is stored and transmitted in the cookies:

- (1) Language settings
- (2) Articles in a «shopping basket»
- (3) Log-in information

KENDRIS also uses cookies on the website which facilitate analysis of the data subject's internet surfing behavior.

The following personal data can be transmitted in this way:

- (1) The search terms entered
- (2) The frequency of site calls
- (3) Use of website functions

The data subject personal data collected in this way is recorded by technical means in pseudonymous form. An assignment of the personal data to the data subject accessing the site is therefore no longer possible. The personal data is not stored together with other personal data of the data subject.

When visiting the KENDRIS website, the data subjects are informed about the employment of cookies for the purposes of analysis and their attention is drawn to this Data Protection Policy. In this connection it is also pointed out that the storage of cookies in the browser settings can be suppressed.

2. Lawful Basis for Processing Personal Data

Art. 10(1)(f) of the DIFC Data Protection Law is the lawful basis for the processing of personal data using cookies.

3. Purpose of Processing Personal Data

The objective of using the necessary cookies is to make the use of websites easier for the data subject. Some functions of our website cannot be offered without employing cookies because they rely on the browser being recognized even after a change of internet page.

Cookies are required here for the following applications:

- (1) Taking over language settings
- (2) Memorizing search terms

The data subject personal data collected by means of the necessary cookies is not used to create data subject profiles. The analysis cookies are employed for the purposes of improving the quality of the KENDRIS website and its contents. The analysis cookies make it possible to find out how the website is used and KENDRIS can continually improve its offering.

These purposes provide our legitimate interest in the processing of personal data according to Art.10(1)(f) of the DIFC Data Protection Law.

4. Period of Storage, Possibilities of Objection and Removal

The cookies are stored on the data subject's computer and transmitted by the data subject to the KENDRIS website. The data subject therefore has complete control over the use of cookies. By changing the settings on the internet browser the data subject can deactivate or limit the transmission of cookies. Cookies which are already stored can be deleted at any time. This can also be done automatically. If cookies are deactivated for the KENDRIS website, it may no longer be possible for all functions of the website to be used to the full extent.

The transmission of Flash cookies cannot be stopped via the browser settings, but by changing the settings of the Flash Player.

V. Newsletter

1. Description and Extent of Processing Personal Data

The KENDRIS website offers the possibility of subscribing to a newsletter free of charge. When registering for the newsletter, the personal data from the registration input mask are transmitted to KENDRIS.

In addition, the following personal data is collected on registration:

- (1) IP address of the computer used for access
- (2) Date and time of the registration

The data subject's consent is obtained for processing the personal data within the framework of the registration process and attention is drawn to this Data Protection Policy.

No personal data is passed on to third parties in connection with the personal data processing for the dispatch of newsletters. The personal data is exclusively used for the dispatch of newsletters.

2. Lawful Basis for Processing Personal Data

Art. 10(1)(a) of the DIFC Data Protection Law is the lawful basis for the processing of personal data following registration for the newsletter by the data subject, provided that consent has been obtained in accordance with Art. 12 of the DIFC Data Protection Law.

3. Purpose of Processing Personal Data

The data subject's e-mail address is obtained with the object of sending the newsletter to the data subject.

The collection of further personal data within the framework of the registration process has the purpose of preventing misuse of the services or of the e-mail address used.

4. Period of Storage

The personal data is securely and permanently deleted as soon as it is no longer necessary in relation to the purpose for which it was collected. Thus the data subject's e-mail address will be stored as long as the newsletter subscription is active.

The other personal data collected within the framework of the registration process will generally be erased after a period of seven days.

5. Possibilities of Objection and Removal

The newsletter subscription can be cancelled at any time by the data subject concerned. A corresponding link for this purpose can be found in every newsletter.

As a result of this, a withdrawal of the consent to the storage of the personal data collected during the registration process is also possible.

VI. Registration

1. Description and Extent of Processing Personal Data

On its website, KENDRIS offers the data subject the possibility to register with KENDRIS by giving personal data. Here, the personal data is entered in an input mask and transmitted to KENDRIS and stored. The personal data is not passed on to third parties. The following personal data is collected within the framework of the registration process:

At the time of registration the following personal data is additionally stored:

- (1) The data subject's IP address
- (2) Date and time of the registration

The data subject's consent for processing this data is obtained within the framework of the registration process.

2. Lawful Basis for Processing Personal Data

Art. 10(1)(a) DIFC Data Protection Law is the lawful basis for processing personal data, provided that the data subject's consent has been obtained in accordance with Art. 12 of the DIFC Data Protection Law.

If the registration has the purpose of fulfilling a contract to which the data subject is a contracting party or of taking steps prior to entering into a contract, the additional lawful basis for processing personal data is Art.10(1)(b) of the DIFC Data Protection Law.

3. Purpose of Processing Personal Data

A registration of the data subject is necessary to prepare certain contents and services on the KENDRIS website.

A registration of the data subject is necessary for the fulfillment of a contract with the data subject or for taking steps prior to entering into a contract.

4. Period of Storage

The personal data is securely and permanently deleted as soon as it is no longer necessary for in relation to the purpose for which it was collected.

In respect of the personal data collected during the registration process, this is the case when the registration with the KENDRIS website is cancelled or amended.

In respect of the personal data collected during the registration process for the fulfillment of a contract or for taking steps prior to entering into a contract, this is the case when the personal data is no longer necessary for the implementation of the contract. After conclusion of the contract there may still be a necessity to store personal data, in order to meet contractual or statutory obligations.

5. Possibilities of Objection and Removal

The data subject has the possibility of cancelling the registration at any time. The data subject can have the stored personal data concerning the respective data subject amended at any time.

If the personal data is required for the fulfillment of a contract or for taking steps prior to entering into a contract, an advance erasing of the personal data is only possible where there are no contractual or statutory obligations which prevent erasure.

VII. Contact Form and E-Mail Contact

1. Description and Extent of Processing Personal Data

There is a contact form on the KENDRIS website which can be used for making contact electronically. If a data subject makes use of this possibility, the personal data entered in the input mask is transmitted to KENDRIS and stored. This data is:

- (1) The data subject's IP address
- (2) Date and time of the registration
- (3) Surname, first name, title
- (4) E-mail address
- (5) Language

The data subject's consent for the processing of the data is obtained within the framework of sending in the contact form, and attention is drawn to this Data Protection Declaration and Policy.

Alternatively, contact can be made via the e-mail address provided by the data subject. In this case, the data subject's personal data transmitted with the e-mail is stored.

No personal data is passed on to third parties in this connection. The personal data is used exclusively for the preparation of the conversation.

2. Lawful Basis for Processing Personal Data

Art. 10(1)(a) of the DIFC Data Protection Law is the lawful basis for the processing of the personal data, provided that the data subject's consent has been obtained in accordance with Art. 12 of the DIFC Data Protection Law.

The lawful basis for the processing of the data which is transmitted in the course of sending an e-mail is Art. 10(1)(f) DIFC Data Protection Law. If the e-mail contact is aiming at the conclusion of a contract, the additional lawful basis for the processing is Art.10(1)(b) DIFC Data Protection Law.

3. Purpose of Processing Personal Data

The processing of the personal data from the input mask only serves the purposes of facilitating contact. Where contact is made by e-mail, this constitutes the required legitimate interest in the data processing.

The other personal data processed during the sending in of the contact form have the purpose of preventing misuse of the contact form and ensuring that the information technology systems of KENDRIS are secure.

4. Period of Storage

The data is erased as soon as it is no longer necessary in relation to the purpose for which it was collected. In respect of the personal data from the input mask of the contact form and the data which was sent by e-mail, this is the case when the respective conversation with the data subject comes to an end. The conversation has come to an end when it is apparent from the circumstances that the relevant facts have been definitively clarified.

The personal data additionally collected during the sending in of the contact form will be erased after a period of seven days at the latest.

5. Possibilities of Objection and Removal

The data subject can revoke his consent to the processing of personal data at any time. If the data subject makes contact with KENDRIS by e-mail, he can object to the storage of his personal data at any time. In such a case, the conversation cannot be continued.

In this case all personal data which were stored in the course of the contact will be securely erased.

VIII. Web Analysis

1. Extent of the Processing of Personal Data

On its website KENDRIS uses the open source software tool Matomo (formerly PIWIK) for analyzing the data subject's internet surfing behavior. The software places a cookie on the data subject's computer (for cookies, see above). If pages of our website are accessed, the following data is stored:

- (1) Two bytes of the IP address of the accessing system of the data subject

- (2) The accessed website
- (3) The website from which the data subject reached the accessed website (referrer)
- (4) The sub-pages which were accessed from the accessed website
- (5) The length of the visit to the website
- (6) The frequency of the access to the website

The software runs exclusively on the servers of the KENDRIS website. Storage of the personal data of the data subject only takes place there. Data is not passed on to third parties.

The software is set in such a way that the IP addresses are not stored completely, but that 2 bytes of the IP address is masked (example: 192.168.xxx.xxx). An assignment of the shortened IP address to the accessing computer is thus no longer possible.

The KENDRIS website uses Google Analytics, a web analysis service of Google Inc. ("Google"). Google Analytics employs so-called cookies, text files which are stored on the computer of the data subject and which facilitate an analysis of the use of the website by the data subject. The information about the use of this website by the data subject which is generated by the cookie is generally transferred to a server of Google in the USA and stored there. Should the IP anonymization on this website be activated, the IP address of the data subject is previously shortened by Google within member states of the European Union or in other states being parties to the Agreement on the European Economic Area.

It is only in exceptional cases that the full IP address is transferred to a server of Google in the USA and shortened there. Google will use this information to evaluate the use of the website by the data subject, to prepare reports about the website activities for the website owners and to provide further services connected with the use of the website and the internet. Google will also transfer this information to third parties if necessary, provided that this is required by law or that third parties process this data on behalf of Google. The IP address transmitted by the data subject's browser under Google Analytics will not be joined up with other data of Google.

The data subject can prevent the installation of the cookies by a corresponding setting of his browser software; however, KENDRIS draws the data subject's attention to the fact that the data subject cannot then use all the functions of this website to the full extent. By using this website the data subject declares that he or she consents to the processing of

2. Lawful Basis for Processing Personal Data

Art. 10(1)(f) of the DIFC Data Protection Law is the lawful basis for processing personal data of the data subjects.

3. Purpose Processing Personal Data

The processing of the data subject's personal data enables KENDRIS to make an analysis of the data subject's internet surfing behavior. By evaluating the collected data, KENDRIS is in a position to compile information about the use of the individual components of the KENDRIS website. This helps KENDRIS continually to improve the website and its user-friendliness. These purposes provide the legitimate interest in the processing of data according to Art. 10(1)(f) of the DIFC Data Protection Law. Due to the anonymization of the IP address, the data subject's interest in the protection of his or her personal data is taken sufficiently into account.

4. Period of Storage

The data is erased as soon as KENDRIS no longer requires it for record-keeping purposes. This is the case after seven days at the latest.

5. Possibilities of Objection and Removal

Cookies are stored on the data subject's computer and transmitted to the internet page of KENDRIS. The data subject therefore also has complete control over the use of cookies. By changing the settings in the internet browser, the data subject can deactivate or limit the transfer of cookies. Cookies which are already stored can be erased at any time. This can also be done automatically. If cookies are deactivated for the KENDRIS website, it may no longer be possible for all functions of the website to be used to the full extent.

Further information about the privacy settings of the Matomo software can be found under the following link: <https://matomo.org/docs/privacy/>.

IX. Rights of the Data Subject

If personal data concerning you is processed, you are a data subject within the meaning of the DIFC Data Protection Law and entitled to exercise the following rights against the controller:

1. Right of Access

The data subject can obtain confirmation in writing from the controller as to whether personal data concerning the data subject is processed by KENDRIS.

Where such processing takes place, the data subject has the right to access the personal data and obtain a copy of them from the controller about the following:

The purposes for which the personal data is processed;

- (1) The identity and contact details of KENDRIS;
- (2) Contact details of the Data Protection Officer;
- (3) The lawful basis for processing personal data (contract, consent of the data subject, legal provision, etc.), if the lawful basis for the processing is legitimate interests or compliance with any applicable law, it must be stated clearly what those legitimate interests or compliance obligations are;
- (4) The categories of personal data which are processed;
- (5) The recipients and/or the categories of recipients to whom the personal data concerning the data subject has been or will be disclosed to;
- (6) The envisaged period for which the personal data concerning the data subject will be stored or, in case concrete information is not possible here, the criteria for determining the duration of the storage;
- (7) The existence of a right to access, rectify, erase, restrict and object to processing of personal data concerning the data subject, and a right of portability;
- (8) The existence of a right to lodge a complaint with the DIFC Commissioner of Data Protection;
- (9) The ability to withdraw consent at any time, when processing is based on it (without affecting lawfulness of processing already performed)
- (10) Whether the personal data is obtained pursuant to a statutory or contractual requirement, or a requirement necessary to enter into a contract, as well as whether the data subject is obliged to provide the personal data and the possible consequences of failure to provide such data
- (11) All available information about the origin of the data, where the personal data is not collected from the data subject;
- (12) The existence of a decision based on automated processing including profiling according to Art. 38(1) of the DIFC Data Protection Law and - at least in these cases - meaningful information about the logic involved as well as the consequences and the intended effects of such processing for the data subject;
- (13) Whether personal data will be used for direct marketing purposes; and/or
- (14) A clear and explicit explanation of the expected impact of any processing which restricts the data subject from exercising their rights to rectification, erasure or objection.

The data subject has the right to obtain information as to whether the personal data concerning the data subject is transferred to a third country or an international organization. In this case, the data subject can demand to be informed about the appropriate safeguards according to Art. 29(1)(g) and 30(1)(f) of the DIFC Data Protection Law in connection with the transfer.

2. Right to Rectification

The data subject may exercise their right to rectification, provided that the processed personal data concerning the data subject is inaccurate or incomplete. The controller has to modify or update the personal data without delay, that is, as soon as possible and not later than one month of receiving such a request.

3. Right to Restriction of Processing

The data subject has the right to require the restriction of processing personal data concerning the data subject where any of the following applies:

- (1) If the data subject contests the accuracy of the personal data concerning him or her, for a period enabling the controller to verify the accuracy of the personal data;
- (2) The processing is unlawful and the data subject opposes the erasing of personal data and requests the restriction of its use instead;
- (3) The controller no longer needs the personal data for the purposes of the processing, but it is required by the data subject for the establishment, exercise or defense of legal claims; or
- (4) The data subject has objected to processing pursuant to Art. 34 of the DIFC Data Protection Law pending the verification whether the legitimate grounds of the controller override those of the data subject.

Where processing of the personal data concerning the data subject has been restricted, such data shall be processed without the data subject's consent for storage of the personal data or for the establishment, exercise or defense of legal claims or for the protection of the rights of another natural or legal person or for reasons of substantial public interest.

A data subject who has obtained restriction of processing pursuant to the above will be informed by the controller before the restriction of processing is lifted in writing.

4. Right to Erase

a) Obligation to erase

The data subject has the right to obtain from the controller the erasure of personal data concerning him or her without undue delay and the controller has the obligation to erase personal data without undue delay where one of the following grounds applies:

- (1) The personal data is no longer necessary in relation to the purposes for which it was collected or otherwise processed;
- (2) The data subject withdraws consent on which the processing is based according to Art. 33(2)(b) of the DIFC Data Protection Law, and there is no other lawful basis for processing provided that in such circumstances the Controller must comply with Art. 22 of the DIFC Data Protection Law.
- (3) The data subject objects to the processing pursuant to Art. 33(2)(d) of the DIFC Data Protection Law and there are no overriding legitimate grounds for the processing.
- (4) The personal data concerning the data subject has been unlawfully processed and the personal data concerning the data subject has to be deleted for compliance with a legal obligation pursuant to Art. 33(2)(c) the DIFC Data Protection Law to which the controller is subject to.

5. Right to Notification

Where the data subject has exercised the right to rectification, erasure or restriction of processing towards the controller, the controller is obligated to communicate any rectification or erasure of personal data or restriction of processing to each recipient to whom the personal data concerning the data subject has been disclosed, unless this proves impossible or involves disproportionate effort.

The data subject has the right to be informed by the controller about those recipients.

6. Right to Data Portability

The data subject has the right to receive the personal data concerning the data subject which the data subject has provided to a controller, in a structured, commonly used and machine-readable format, where:

- (1) the processing is based on consent which complies with Art. 10(1)(a) or Art. 11(a) of the DIFC Data Protection Law or the performance of a contract pursuant to Art.10(1)(b) of the DIFC Data Protection Law; and
- (2) the processing is carried out by automated means.

In exercising this right, the data subject further has the right to have the personal data transmitted directly from one controller to another, where technically feasible. This further right may not adversely affect the rights and freedoms of others.

The right to data portability does not apply to a processing of personal data which is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

7. Right to Object

The data subject has the right to object, on reasonable grounds relating to the data subject's particular situation, at any time to processing of personal data concerning the data subject pursuant to Art. 10(1)(e)(i) or 10(1)(f) of the DIFC Data Protection Law, where such processing is carried out on the basis that: (i) it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in a controller; or (ii) it is necessary for the purposes of the legitimate interests, where applicable, of a controller or of a Third Party.

The controller will no longer process the personal data concerning the data subject unless the controller can demonstrate compelling grounds for the processing which override the interests, rights of the data subject or for the establishment, exercise or defense of legal claims.

Where personal data is processed for direct marketing purposes, the data subject has the right to object at any time to processing of personal data concerning the data subject for the purpose of such marketing, which includes profiling to the extent that it is related to such direct marketing; and to be informed before personal data is disclosed for the first time to third parties or used on their behalf for the purposes of direct marketing, and to be expressly offered the right to object to such disclosures or uses, subject to any provision of the DIFC Data Protection Law that does not permit disclosure.

Where the data subject objects to processing for direct marketing purposes, the personal data will no longer be processed for such purposes.

8. Right to Withdraw Consent

The data subject has the absolute right to withdraw his or her consent at any time. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.

9. Automated individual decision-making, including profiling

The data subject has the right not to be subject to a decision based solely on automated processing - including profiling - which produces consequences concerning or impacting the data subject. This does not apply if the decision

- (1) is necessary for entering into, or performance of, a contract between the data subject and the controller,
- (2) is authorized by the DIFC Data Protection Law to which the controller is subject and these legal provisions lay down appropriate measures to safeguard the data subject's rights or
- (3) is based on the data subject's explicit consent.

This right does not apply if the data subject in question is a minor (by reference to the legal age in the applicable jurisdiction from time to time). Decisions affecting a data subject may not be based solely on the automated processing, including profiling of special categories of personal data referred to in Art.11 of the DIFC Data Protection Law, unless Art.11(a) or Art. 11(l) DIFC Data Protection Law apply, where the data subject has given explicit consent to the processing of those personal data for such specific purposes or the processing is necessary for reasons of substantial public interest, on the basis of applicable laws, is proportionate to the aim pursued, respects the principles of data protection and provides for appropriate measures to safeguard the data subject's rights.

In the cases referred to in points (1) and (3), the controller will implement appropriate measures to safeguard the data subject's rights and freedoms and legitimate interests, at least the right to obtain human intervention on the part of the controller, to express his or her point of view and to contest the decision.

10. Right to non-discrimination

The data subject has the right not to be discriminated against as a result of exercising their rights, including not being denied any services, being charged different prices or rates for such services or being provided less favourable level or quality of services.

11. Right to lodge a complaint with the DIFC Commissioner of Data Protection

Without prejudice to any other administrative or judicial remedy, the data subject has the right to lodge a complaint with the DIFC Commissioner of Data Protection, in particular in the member state of his or her habitual residence, the place of work or the place of the alleged infringement if the data subject considers that the processing of personal data relating to the data subject infringes the DIFC Data Protection Law.

By mail:
DIFC Commissioner of Data Protection
The Gate, Level 14
PO Box 74777
DIFC, Dubai, UAE
By phone: +971 4 362 2222
By email: commissioner@dp.difc.ae

The DIFC Commissioner with which the complaint has been lodged will inform the complainant on the progress and the outcome of the complaint including the possibility of a judicial remedy pursuant to Art.60 of the DIFC Data Protection Law.
