

# Privacy Policy for wavetec solutions.com

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## Ownership and master copy

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4	0.1d	Privacy team	12-APR-2021	Finalized document from Privacy Team

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## 1. PRIVACY POLICY

This Privacy Policy is effective **15 March 2021**

This This Digital Privacy Policy (“Privacy Policy”) describes how MAS Innovation (Private) Limited a company duly incorporated under the laws of Sri Lanka having its registered address at No.199, Kaduwela Road, Battaramulla, Colombo 2, Sri Lanka (“we” or “us” or “our”) collects, uses and discloses your personal data through a variety of digital means: when you are accessing or using this website or mobile application (the “Platform”) on any computer, mobile phone, tablet, console or other device (collectively, “Device”). We may modify this Privacy Policy at any time effective upon its posting.

We reserve the right to change this Privacy Policy at any time by posting the updated Policy here along with the date on which the Policy was changed. If we make material changes to this Privacy Policy that affect the way we collect, use and/or share your personal information, if you have signed-up with us or subscribed to our newsletters (if applicable), we will notify you by including a "NEWLY UPDATED" label with the "PRIVACY POLICY" link on our Services for 30 days after material changes are made.

For European Economic Area ("EEA") data subjects: We are required to set out the legal basis for collecting, using, disclosing, transferring or processing your personal data. We have identified that legal basis in this Privacy Policy. For EEA data subjects, we have also explained where appropriate the tests we have applied in assessing that legal basis (such as a "balancing test"). More information on the balancing test is available upon request. The end of this Privacy Policy contains further content specific to EEA data subjects.

## 2. WHAT PERSONAL DATA WE COLLECT AND WHY AND LEGAL BASIS

We collect personal data in the following ways:

### a) Active collection

Active collection means personal data you provide to us when you contact us through the ‘contact us’ section of the Website. We may ask you to provide us with your name, your surname, your company name, your industry, your email address, contact number and other limited amounts of personal data. We process such personal data for the purpose of providing our services to you, to connect you with our trading/manufacturing entities, and to communicate with you regarding the services. Providing such personal data is voluntary. However, without providing such personal data, we will not be able to process your request for quotations and you will not be able to sign up for an account. We will further use this personal data to optimize our products, learn more about our customers, including to build a database of interested consumers who can help us finalize and customize our products, identify potential early adopters and provide you updates on our products if you do expressly confirm that you wish to receive such updates.

We do not collect any credit card or other payment card data from you via the Platform. For the avoidance of any doubt, no financial transaction shall take place via this Platform.

For EEA data subjects: The legal basis for the processing of the above personal data relating to active collection in some cases will be the contract on the use of the Platform concluded with you. The legal basis for the processing of the above personal data in some cases will be our legitimate interest, which is the use of personal data to connect you with our trading/manufacturing entities, develop our products and our business. We have assessed in a balancing test that the processing is necessary to achieve our aforementioned legitimate interests and that our legitimate interests are not overridden by your interests or your fundamental rights and freedoms.

We will also use your personal data to send you email and other marketing messages about our products. The personal data we collect allows us to keep you posted on our latest product announcements. If the law requires us to do so, we will first seek your consent before sending you marketing messages. We will only send you marketing messages when you have consented to receive them. The legal basis for the processing of such personal data is consent.

#### b) Passive collection

Passive collection means: information, which may include personal data, which is automatically collected as you navigate through and interact with the content on the Platform, as well as install information on your Device (such as cookies). The purpose of passively collecting your information is to understand the visitors' behavior and engagement to different areas of the Platform, along with to improve the overall customer experience. Through the tracking code embedded in our Platform, the information, which may include personal data, collected includes:

##### i. Device-specific data

The following information may be collected through your Device and browser:

- your Device's IP address (collected and stored in an anonymized format);
- device screen size;
- device type (unique device identifiers) and browser information;
- geographic location (country location only);
- preferred language used to display the webpage.

##### ii. Log data

Our servers automatically record information that includes:

- referring domain;
- pages visited;
- geographic location;
- preferred language used to display the webpage;
- date and time when Platform pages were accessed;

##### iii. Cookie data

We do not currently respond to "do not track" signals in browsers; we are trying to provide a customized experience. The Platform uses "cookies" to collect information, which may include personal data including standard internet log information and details of your behavioural patterns

upon visiting our Platform. We do this to provide you with a better experience, identify preferences, diagnose technical problems, analyse trends and to improve the Platform. "Cookies" are small data files transferred onto computers or devices by websites for record-keeping purposes and to enhance functionality on the Platform. Find out more about our cookie policy [<click here>](#)

### **3. WHAT WE COLLECT FROM OTHER INTERACTIONS WE HAVE WITH YOU AND FROM THIRD PARTIES**

To the extent you have consented to us doing so, we may combine personal data you give us with other personal data we hold about you from digital/other sources, transactions and communications. This may include personal data obtained from social media platforms, our stores, direct mail, catalogs, events, products and applications, or other interactions. To the extent you have consented, we may also combine that personal data with data that is publicly available and data from third parties.

For EEA data subjects: The legal basis for the combination of such personal data is your consent.

#### **a) CORPORATE GROUP**

We may provide your personal data to our holding company and affiliates, some of which may be outside the European Union. The access is limited to colleagues with a need to know.

For EEA data subjects: The legal basis for the respective transfer of your personal data is our legitimate interests. Our legitimate interests are the transmission of personal data within the group of companies to connect you with our trading/manufacturing entities and for internal administrative and support purposes. We have assessed in a balancing test that the processing is necessary to achieve our aforementioned legitimate interests and that our legitimate interests are not overridden by your interests or your fundamental rights and freedoms.

#### **b) SERVICE PROVIDERS**

We may transfer your personal data to service providers to conduct our business. For example, they may handle data management, email distribution, market research, information analysis, and promotions management, acting as data processor. We may also share your personal data to administer features (e.g. music download, race registration, or workout routine). Those external service providers will be subject to contractual obligations to implement appropriate technical and organizational security measures to safeguard your personal data and to process the personal data only as instructed.

We not share personal information with third parties except as stated in this Privacy Policy. We may disclose information to companies affiliated with us and/or unaffiliated third parties (i) to provide the products and services you have requested; and (ii) for administrative, analytical, and logistical purposes. For example, we may provide information to connect you with our trading/manufacturing entities.

In addition, we may share information with our corporate group companies for the purposes such as vendor and customer registrations, developing and designing products, manufacturing and shipping of products to customers. We also share information with certain third-party companies with which we have a business relationship such as logistic partners, system developers, auditors, legal and regulatory institutes.

If the information is to be collected directly from you, you may in some cases have the option to decline providing that information. However, your choice to not provide information may impact your use of certain features or services.

#### c) BUSINESS TRANSFERS

Your personal data may be transferred to a third party as a part of our business assets in a sale of a part or all of our business. If this should happen, notice of the transfer will be provided by posting to the Platform or other form of communication.

For EEA data subjects: The legal basis for the transfer may be your consent, the performance of a contract, the pursuit of legitimate interests, or other applicable legal bases.

## 4. SHARING - YOU CHOOSE

You may choose to share certain personal data. In order to participate in certain features, you may have to adjust your privacy settings and share more personal data. You may also choose to share your activity on other platforms, such as Facebook and Twitter. Please read the privacy policies of those platforms, because your activity published on those platforms will no longer be governed by this Privacy Policy.

For EEA data subjects: The legal basis for sharing this personal data is your consent.

## 5. PROTECTING THE PERSONAL DATA

Security Measures: We use a variety of security measures, including encryption and authentication tools, to help protect your personal data.

We use reasonable technical, administrative, and physical measures to protect your personal information. When your personal information is shared, we will take a reasonable approach to prevent the unauthorized use of personal information.

Please note, however, that while we attempt to safeguard your personal information, no method of transmitting or storing electronic information is ever completely secure, and thus we make no warranty, express, implied, or otherwise, that your information will never be accessed, used or released in a manner that is inconsistent with this Privacy Policy. In no event shall we be liable for any damages (whether consequential, direct, incidental, indirect, punitive, special or otherwise) arising out of, or in any way connected with, a third party's unauthorized access to your information, regardless of whether such damages are based on contract, strict liability, tort or other

theories of liability, and also regardless of whether we are given actual or constructive notice that damages were possible, except as provided under applicable laws.

## **6. INTERNATIONAL DATA TRANSFER**

The personal data that we collect or receive about you may be transferred to and processed by recipients who are located inside or outside the European Economic Area and which do not provide for an adequate level of data protection. The countries that are recognized to provide for an adequate level of data protection from an EU law perspective are Andorra, Argentina, Canada, Switzerland, Faeroe Islands, Guernsey, the State of Israel, Isle of Man, Jersey, New Zealand and the Eastern Republic of Uruguay. Recipients in the US may partially be certified under the EU-U.S. Privacy Shield and thereby deemed to provide for an adequate level of data protection from an EU law perspective. To the extent your personal data is transferred to countries that do not provide for an adequate level of data protection from an EU law perspective, we will base the respective transfer on appropriate safeguards, such as standard data protection clauses adopted by the European Commission. You can ask for a copy of such appropriate safeguards by contacting us as set out in Section “CONTACT US”. The access is limited to recipients with a need to know.

## **7. KEEPING YOUR PERSONAL DATA**

Please do contact us in the event you wish to modify or delete your profile within certain of our services. Your information previously posted may still be publicly viewable. We may keep information and content in our backup files and archives. Your personal data will be retained as long as necessary to provide you with the services requested. When we no longer needs to use your personal data to comply with contractual or statutory obligations, we will remove it from our systems and records and/or take steps to properly anonymize it so that you can no longer be identified from it, unless we need to keep your personal data, including if we need to keep your personal data to comply with legal or regulatory obligations to which we are subject, e.g. statutory retention periods and usually contain retention periods, or if we need it to preserve evidence within the statutes of limitation.

## **8. CALIFORNIA RESIDENT**

With respect to the California Consumer Privacy Act of 2018 (the “CCPA”), you hereby agree that we are Service Provider with respect to the Personal Information. We shall not (a) Sell Personal Information or (b) retain, use, or disclose any Personal Information for any purpose other than for the specific purpose of providing the Services specified and defined in our Wavetec Terms, including retaining, using, or disclosing the Personal Information for a Commercial Purpose. For the avoidance of doubt, the foregoing prohibits us from retaining, using or disclosing Personal Information outside of the direct business relationship between us.

The parties acknowledge and agree that our access to Personal Information is not part of the consideration exchanged by the parties in respect of the Wavetec Terms, between us. We shall promptly take such actions and provide such information so that we fulfil requests of individuals to exercise their rights under the CCPA and other applicable privacy laws, including, without limitation,



requests to access, delete, opt out of the sale of, or receive information about the processing of, Personal Information pertaining to them.

The terms “Aggregate Consumer Information,” “Commercial Purpose,” “Deidentified,” “Personal Information,” “Sell,” “Service Provider,” and shall have the meanings set forth in the CCPA.

## 9. HEALTH AND MEDICAL INFORMATION

Certain health and medical information about you is protected under the United States Health Insurance Portability and Accountability Act (“HIPAA”) and applicable US state laws. We do not collect, store, process or otherwise handle any health or medical information. Since we do not collect health or medical information on any user, MAS Innovation is not subject to HIPAA and applicable state laws.

## 10. MINORS

Our website is not designed or directed at children. We will not intentionally collect, maintain, or distribute information about anyone under the age of 16.

If you are a parent or guardian of a child who has provided personal information without your knowledge and consent, you may request us to remove this children’s information by emailing us at [PrivacyOffice@masholdings.com](mailto:PrivacyOffice@masholdings.com)

## 11. YOUR RIGHTS

If you have declared your consent for any personal data processing activities, you can withdraw this consent at any time with future effect. Such a withdrawal will not affect the lawfulness of the processing prior to the consent withdrawal.

Pursuant to applicable data protection law you may have the right to: request access to your personal data, request rectification of your personal data; request erasure of your personal data, request restriction of processing of your personal data; request data portability, and object to the processing of your personal data. Please note that these aforementioned rights might be limited under the applicable national data protection law. For further information on these rights, please refer to Section “Your rights in detail”.

You also have the right to lodge a complaint with a data protection supervisory authority. To exercise your rights please contact us as stated in Section “Contact us”.

### Your rights in detail

#### Right of access

You may have the right to obtain from us confirmation as to whether or not personal data concerning you is processed, and, where that is the case, to request access to the personal data. The access information includes – inter alia – the purposes of the processing, the categories of

personal data concerned, and the recipients or categories of recipients to whom the personal data have been or will be disclosed. However, this is not an absolute right and the interests of other individuals may restrict your right of access.

You may have the right to obtain a copy of the personal data undergoing processing. For further copies requested by you, we may charge a reasonable fee based on administrative costs.

#### Right to be informed

You may have the right to know the purposes for processing your personal data, our retention periods for that personal data, and with whom it will be shared. This privacy policy provides you with this information. You may reach out to us to obtain any further information needed to enable to exercise your rights.

#### Right to rectification

You may have the right to obtain from us the rectification of inaccurate personal data concerning you. Depending on the purposes of the processing, you may have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

#### Right to erasure (“right to be forgotten”)

Under certain circumstances, you may have the right to obtain from us the erasure of personal data concerning you and we may be obliged to erase such personal data.

#### Right to restriction of processing

Under certain circumstances, you may have the right to obtain from us restriction of processing your personal data. In this case, the respective data will be marked and may only be processed by us for certain purposes.

#### Right to data portability

Under certain circumstances, you may have the right to receive the personal data concerning you, which you have provided to us, in a structured, commonly used and machine-readable format and you may have the right to transmit those data to another entity without hindrance from us.

#### Right to object

If the processing of your personal data is based on legitimate interests, you may have the right to object, on grounds relating to your particular situation, at any time to the processing of your personal data by us and we can be required to no longer process your personal data.

Moreover, if your personal data is processed for direct marketing purposes, you have the right to object at any time to the processing of personal data concerning you for such marketing, which includes profiling to the extent that it is related to such direct marketing. In this case, your personal data will no longer be processed for such purposes by us.

## 12. LEGAL REQUIREMENTS

Please note that the laws and regulations of several countries, including without limitation, the requirements imposed under the applicable regulation, require us to provide foreign and domestic government agencies with access to the personal information you disclose to us and data that we have about you and transaction history. We do not have control or knowledge of the storage and use of that data after it has been delivered to the respective government entity. Further, to the extent required by law, we may disclose personal information to government authorities, or to third parties pursuant to a subpoena or other legal process, and we may also use or disclose your information as permitted by law to protect the rights or property of us, our customers, our services, or its users.

## 13. APPLICATION OF LOCAL LAWS

Where required by local law, you may have the right to access, update or request that we delete your personal information. To inform us of inaccuracies or changes to your personal information, please use the below contact information to reach out to us. We will, in accordance with applicable law, update, grant access to, or delete such information. Please note, requests to correct, transfer or delete personal information are subject to applicable legal, ethical reporting, or document retention obligations imposed on us.

When you provide us with your information, you acknowledge that this information may be stored, transferred, and processed on servers located anywhere in the World, including either inside or outside of the USA, Singapore or the European Economic Area.

To the extent that the personal information we collect constitutes sensitive personal information under applicable law, we will collect and process this sensitive personal information within the limits provided by applicable law, and only after establishing reasonable security safeguards for such sensitive personal information. Where required by law, we will seek your consent before processing sensitive personal information.

Moreover, if your personal data is processed for direct marketing purposes, you have the right to object at any time to the processing of personal data concerning you for such marketing, which includes profiling to the extent that it is related to such direct marketing. In this case, your personal data will no longer be processed for such purposes by us.

## 14. LINKS TO OTHER SITES

We'd also like to remind visitors that we provide additional links to resources we think you'll find useful. These links will lead you to sites that are not affiliated with us and may operate under different privacy practices. Our visitors are responsible for reviewing the privacy policies for such other websites, as we have no control over information that is submitted to these companies

## 15. CONTACT US

If you have concerns or questions regarding this Privacy Policy, or if you wish to issue a request to exercise your rights where applicable by law, please provide your name and contact information along with the request. Please contact us as follows:

MAS Innovation (Private) Limited

Name: Wavetec Solutions

Email: [wavetec@masholdings.com](mailto:wavetec@masholdings.com)

Address: 50, Foster Lane, Colombo 10, Sri Lanka

Alternatively, inquiries may be mailed to the following address:

Mailing address:

MAS Holdings (Private) Limited

[PrivacyOffice@masholdings.com](mailto:PrivacyOffice@masholdings.com)

-c/o – Data Protection Officer

Privacy Office

No.199, Kaduwela Road,

Battaramulla

Sri Lanka