

PRIVACY STATEMENT

THE SWEX

version March 2024

THE SWEX is a registered trade name of World Whisky Index B.V., a Dutch private limited company, having its registered address at Industriekade 18 A in (2172HV) Sassenheim, the Netherlands, registered in the Trade Register of the Dutch Chamber of Commerce under no. 75042665 (hereinafter: the "**Company**" or "**we**" or "**us**"). THE SWEX offers an online platform for the purchase and sale of bottles of whisky, which is exclusively available on the following website: www.theswex.com (hereinafter: the "**Website**")

We are committed to the appropriate protection and use of your personal information. Our intent is to collect only the personal information that is provided voluntarily by our clients and online visitors so that we can adequately offer information and/or services to you. Please review this privacy statement (hereinafter: the "**Privacy Statement**") to learn more about how we collect, use, share and protect the personal information that we have obtained. This Privacy Statement also includes a Cookie Notice under item 3 below.

When you submit personal information to us, we will use this information in the manner outlined in this Privacy Statement. Your personal information is not used for other purposes, unless we obtain your prior permission, or unless otherwise required or permitted by law or professional standards.

1. What personal information do we collect?

For the purpose of rendering our services to you, we may process various types of personal data, such as:

- name
- date of birth
- address
- gender
- telephone number
- email address
- job title
- company name and further corporate details

For certain services, additional financial data may be processed. In some cases, and only if this is permitted by law, the personal data that we collect may also include special categories of personal data, and we may also be required to collect and retain the national identification number or a (partly shielded) copy of an identification document.

We generally collect only the personal information necessary to fulfill your request. Where additional, optional information is sought, you will be notified of this at the point of collection.

We may process the following personal information when you visit our Website:

- name
- email address
- company name
- job title
- telephone number
- IP Address
- log in details
- your interests and preferences
- social media name
- information on your surfing and viewing behavior and possible your location and other cookie information.

2. Legal grounds for using personal information

Privacy legislation allows us to process personal information, so long as we have a legal ground to do so. It also requires us to tell you what those grounds are. Please be informed that when we process your personal information, we will rely on one of the following processing conditions:

- Performance of a contract: In case the processing of your personal data is necessary to perform our obligations under a contract to which you are party, or prior to entering into such contract;

- Legal obligation: In case we are required to process your personal information in order to comply with a legal obligation, such as:
 - to perform a know-your-client check or complying with other obligations under the Anti-Money Laundering and Anti-Terrorist Financing Act;
 - to keep records for *inter alia* tax purposes;
 - to record our activities in a file; or
 - to provide information to a public body or law enforcement agency (including supervisory authorities).
- Legitimate interests: We will process information about you where it is in our legitimate interest to run and optimize our business, or in the legitimate interest of third parties such as our clients, insofar this does not outweigh your interests, such as:
 - to provide services to our clients;
 - to offer information to the visitors of our Website;
 - to customize your online experience and improve the performance usability;
 - to conduct and to analyze our marketing activities;
 - to keep (financial) records;
 - to conduct client satisfaction surveys;
 - to protect and maintain our IT-systems;
 - to prevent fraud or criminal activity;
 - to develop and improve our services;
 - to comply with our obligations on the basis of law and (professional) regulations; or
 - to meet our legal, corporate and social responsibility obligations.
- Your consent: In some cases, we will ask you for specific permission to process some of your personal information, and we will only process your personal information in this way if you agree to us doing so. You may withdraw your consent at any time by contacting the Company at support@theswex.com.

In the context of the Know-Your-Client check, which we perform on the basis of *inter alia* the Anti-Money Laundering and Anti-Terrorist Financing Act and internal policies, research is done on the client, the 'ultimate beneficial owner' of the client, so called 'politically exposed persons' that are related to a client, the representative of the client and the origin of capital. For the purposes of these checks it might also be necessary to request and keep a copy of the identification document, and to perform research in various (public) sources, which research may involve the processing of personal data and special categories of personal data.

3. Automatic collection of personal information

In some instances, the Company (and/or its service providers) uses cookies, web beacons and other technologies to automatically collect certain types of information when you visit us online, as well as through emails that we may exchange. The collection of this information allows us to customize your online experience, improve the performance, usability and effectiveness of the Company's online presence, and to measure the effectiveness of our marketing activities.

3.1 IP addresses

An IP address is a number assigned to your computer whenever you access the internet. It allows computers and servers to recognize and communicate with one another. IP addresses from which visitors appear to originate will be recorded for IT security and system diagnostic purposes. This information will also typically be used in aggregate form to conduct Website trend and performance analysis.

3.2 Cookie Notice

Cookies will typically be placed on your computer or internet-enabled device whenever you visit us online. This allows the Website to remember your computer or device and serves a number of purposes.

On our Website, a notification banner will appear allowing you to provide and manage your consent to use cookies (cookie banner). Below is a summary of the categories of cookies that may be used on our Website, and how your consent may impact your experience of certain features as you navigate our Website:

- Strictly necessary cookies: These cookies are necessary for our Website to function and cannot be switched off. They are usually only set in response to actions made by you, such as setting your privacy preferences, logging in or filling in forms. For example, if you subscribe for mailings regarding a certain topic, these cookies will be

used to remember your data and preferences and to display them on our Website if you visit again. You can set your browser to block or alert you about these cookies, but some parts of our Website may then not work.

- Performance cookies: These cookies are cookies used to gather data to enhance the performance of our Website.
- Functionality cookies: These cookies are used to remember customer selections that change the way our Website behaves or looks. If you do not consent to use these cookies, this will impact your experience on our Website, and you may need to repeat certain selections each time you visit.
- Targeting cookies or advertising cookies: These cookies are used to deliver content relevant to your interests. They are also used to limit the number of times you see certain marketing materials, as well as help measure the effectiveness of those marketing materials. If you do not provide consent for targeting cookies, your computer or other internet-enabled device will not be tracked for marketing-related activities.

In general, we will only use performance, functionality and targeting cookies based on your consent which you can provide and manage via the cookie banner (if applicable), or by updating your browser's settings (often found in your browser's Tools or Preferences menu). Please note however that performance cookies that are configured in a privacy friendly manner do not require your prior consent and may be used on our Website without your consent. If you wish to revoke your selection, you may do so by clearing your browser's cookies, or by updating your preferences in the cookie banner (if applicable).

Other third party tools and widgets may be used on the individual webpages of our Website from time to time to provide additional functionality. Use of these tools or widgets will typically place a cookie on your device to make their service easier to use, and ensure your interaction is displayed on our webpages properly.

Cookies by themselves do not tell us your email address or otherwise identify you personally. In our analytical reports, we will obtain other identifiers including IP addresses, but this is for the purpose of identifying the number of unique visitors to our Website and geographic origin of visitor trends, and not to identify individual visitors.

3.3 Google Analytics

The Company may use Google Analytics. More information about how Google Analytics is used by the Company can be found here: <http://www.google.com/analytics/learn/privacy.html>.

To provide individuals with more choice on how their data is collected by Google Analytics, Google has developed the Google Analytics Opt-out Browser Add-on. The add-on communicates with the Google Analytics JavaScript (ga.js) to indicate that information about the Website visit should not be sent to Google Analytics. The Google Analytics Opt-out Browser Add-on does not prevent information from being sent to the Website itself or to other web analytics services.

We also use Google Tag Manager, which is a tag management system (TMS) that allows us to quickly and easily update measurement codes and related code fragments collectively known as tags on the Website. Tags like these are placed on our Website for Google Analytics and other platforms to properly function and to collect data in aggregate form.

3.4 Web beacons

A web beacon is a small image file on a webpage that can be used to collect certain information from your computer, such as an IP address, the time the content was viewed, a browser type, and the existence of cookies previously set by the same server. The Company only uses web beacons in accordance with applicable laws.

The Company or its service providers will use web beacons to track the effectiveness of third party websites that provide us with services or to gather aggregate visitor statistics and manage cookies.

You have the option to render some web beacons unusable by rejecting their associated cookies. The web beacon may still record an anonymous visit from your IP address but cookie information will not be recorded.

In some of our newsletters and other communications, we will monitor recipient actions such as email open rates through embedded links within the messages. We collect this information to gauge user interest and to enhance future user experiences.

3.5 Location-based tools

The Company will collect and use the geographical location of your computer or mobile device. This location data is collected for the purpose of providing you with information regarding services which we believe may be of interest to you based on your geographic location, and to improve our location-based products and services.

4. Sharing of personal information

4.1 Transfers within the Company's group of companies

We may share information about you with other companies affiliated to the Company where required for properly conducting our business, the proper performance of contracts, or to meet our legal and regulatory obligations. Other companies of the Company's group of companies are also used to provide services to us and you, performing client conflicts checks and Anti-Money Laundering checks, assisting with client engagement services and otherwise as required in order to continue to run the Company's business.

4.2 Transfers to third parties

We do not share personal information with third parties, except if and as necessary for our legitimate professional and business needs, to perform the contract to which you are a party, to carry out your requests, and/or as required or permitted by law or professional standards. In the event we share personal information with third parties, we ensure that, if and as required, we conclude so-called Data Processing Agreements with these third parties

The Company will not transfer the personal information you provide to any third parties for their own direct marketing use.

5. Your choices

In general, you are not required to submit any personal information to the Company, but we will require you to provide certain personal information in order for you to receive additional information about our services. The Company will also ask for your permission for certain uses of your personal information, and you can agree to or decline those uses. If you opt-in for particular services or communications, such as our newsletter, you will be able to unsubscribe at any time by following the instructions included in each communication. If you decide to unsubscribe from a service or communication, we will try to remove your information promptly, although we may require additional information before we can process your request.

As described in the Cookie Notice above, if you wish to prevent cookies from tracking you as you navigate our Website, you can reset your browser to refuse all cookies or to indicate when a cookie is being sent. Note, however, that some portions of our Website may not work properly if you elect to refuse cookies.

6. Your rights

If the Company processes personal information on you, you have the following rights:

- Right to be informed: You have the right to be informed about the collection and use of your personal data.
- Right to access: You have the right to view and request copies of your personal data. This is sometimes called a 'Subject Access Request'. If we agree that we are obliged to provide personal information to you, we will provide it to you free of charge. Before providing personal information to you, we may ask for proof of identity and sufficient information about your interactions with us so that we can locate your personal information.
- Right to rectification: You have the right to request inaccurate or outdated personal information be updated or corrected.
- Right to be forgotten (right to erasure): You have the right to request your personal data to be deleted. Note that this is not an absolute right and may be subject to exemptions based on certain laws
- Right to data portability: You have the right to ask for your data to be transferred to another controller or provided to them. The data must be provided in a machine-readable electronic format.
- Right to restrict processing: You have the right to request the restriction or suppression of your personal data.
- Right to withdraw consent: You have the right to withdraw previously given consent to process your personal data.
- Right to object: You have the right to object to the processing of your personal data.
- Right to object to automated processing: You have the right not to be subject to a decision based solely on automated processing, including profiling.

You can make a request or exercise these rights by contacting the Company at support@theswex.com and we will make all reasonable and practical efforts to comply with your request, so long as it is consistent with applicable law and professional standards.

7. How long do we retain personal information?

The retention period for personal information depends on the nature of the information and the context in which the information is collected. Personal information is retained as long as necessary for the purpose it is collected for. Personal information that is processed within the scope of our services is usually retained for a period of 7 years after the underlying contract ended. It may be necessary to retain personal data for a longer period in order to comply with legal, regulatory, tax, internal company or policy requirements, or if this is necessary with regard to (preparations for) legal proceedings or disputes.

8. Data security and integrity

The Company has reasonable security policies and procedures in place to protect personal information from unauthorized loss, misuse, alteration, or destruction. Despite the Company's best efforts, however, security cannot be absolutely guaranteed against all threats. To the best of our ability, access to your personal information is limited to those who have a need to know. The persons who have access to the data are required to maintain the confidentiality of such information.

9. Links to other websites

Please be aware that our Website may contain links to other websites, including websites maintained by companies affiliated to the Company, which are not governed by this Privacy Statement but by other privacy statements which may differ from this Privacy Statement. We encourage users to review the privacy policy of each website visited before disclosing any personal information.

10. Changes to Privacy Statement

We may modify this Privacy Statement from time to time to reflect our current privacy practices. Any changes to the processing of personal data as described in this Privacy Statement affecting you will be communicated to you through an appropriate channel, depending on how we normally communicate with you.

11. Questions and comments

If you have questions or comments on our Privacy Statement, please contact us at support@theswex.com.