

# Privacy Notice

Last updated: September 2023

---

## Overview

At daves food stores, operated by the Malta-based Euston Company Limited, we work hard to supply our customers with good-quality products and services every day. To be able to do this, we need to collect, process and store certain types of personal data about you, which personal data we take great care in keeping safe.

Through this Privacy Notice we wish to be as transparent as possible in outlining and explaining to you our data collection and processing procedures, as well as your rights, and this in line with the European Union's General Data Protection Regulation [EU] 2016/679 (the "GDPR") and the Data Protection Act (Chapter 586 of the Laws of Malta) (the "Act"), together the "Data Protection Laws".

For this purpose, our Privacy Notice, which applies whether you visit our stores, shop with us online through the daves food stores website (accessible here, <https://shop.daves.com.mt/category.php>, the "Website") or otherwise engage with us, is intended to provide you with information about:

1. Euston Company Limited
2. What Personal Data do we collect?
3. How do we collect your Personal Data?
4. How do we use your Personal Data?
5. Disclosures of Personal Data to third parties
6. Transfers to third countries
7. Protection of your Personal Data
8. Data retention
9. Your rights

This Privacy Notice was last updated in September 2023, and we may update it from time to time. If we believe that any changes will impact you significantly, we will notify you before they are made.

---

## 1. Euston Company Limited

In this Privacy Notice, the terms 'we', 'us' and 'our' refer to Euston Company Limited, and, as elaborated upon below, we collect and handle Personal Data in the course of operating the daves food stores. The Personal Data we collect relates primarily to our customers when they sign up to our loyalty scheme, create an account on our Website, make use of our services and purchase our products, as further explained below. This makes Euston Company Limited the 'Controller' (as defined under the GDPR) of the Personal Data.

Our contact details are as follows:

Full name of Controller: **Euston Company Limited**

Company registration number: **C26802**

Postal address: **Daves Food Factory, Triq L-Artigjanat, Mriehel, Malta**

Email address: **info@daves.com.mt**

Telephone number: **(+356)2722 2804 or (+356) 7707 1497**

## **2. What Personal Data do we collect?**

We may collect, use, store and transfer different kinds of Personal Data about you for the purposes of providing you with our services, amongst which the benefits under our loyalty scheme (the “daves Rewards Card”), the processing of your orders whenever you choose to make use of our Website, the feedback to your queries whenever you get in touch with us through our Website, our social media platforms or otherwise, and to offer you a better and more personalised shopping experience throughout. We have, therefore, grouped the Personal Data that we may collect, use, store and transfer together, as follows:

### **General**

**Identity Data** includes name, surname, identity card number, date of birth, gender, and footage of you which may be captured the CCTV cameras installed and operating within and outside of our stores.

**Account Data** includes your credentials such as username and an encrypted record of your login password to access your account (if held) on the daves Website, daves Reward Card details (if held), purchases or orders made by you through our Website.

**Contact Data** includes home address, billing and/or delivery addresses, email address and telephone and/or mobile numbers.

**Financial Data** includes bank account and payment card details.

**Transaction Data** includes details about payments from and to you and other details of products you have purchased from us. It will also include information about any points registered on and/or redeemed from the daves Reward Card, or other benefits collected by you when purchasing from our food stores and/or making use of our services.

**Technical Data** includes details on the device that you use to access our Website. This could be information that identifies your device, its operating system, internet address, your login data such as browser and plug-ins, as well as your location details.

**User Data** includes information about you as a user of our stores, products, services, including our Website. This may include information collected whenever you engage with us in a survey or questionnaire, provide feedback on your shopping experience and/or our products.

**Marketing and Communications Data** includes data which we may collect for marketing and communications purposes, including information relating to your preferences in receiving marketing/communications from us.

**Special Categories of Data** includes certain other ‘special information’ which, by law, requires greater

security measures to guarantee its protection. These include any information relating to the following;

- Racial or ethnic origin;
- Political opinions;
- Religious or philosophical beliefs;
- Trade union membership;
- Genetic data;
- Biometric data for the purpose of uniquely identifying a natural person;
- Data concerning health;
- Data concerning a natural person's sex life or sexual orientation.

We generally do not collect any special categories of Personal Data and we shall not collect, process and store any other data which is deemed to consist of special categories of data unless:

- you have made your sensitive data manifestly public;
- you have given your explicit consent;
- there is a law which governs a specific type of data processing for a specific purpose related to public interest or health;
- a law including adequate safeguards provides for the processing of sensitive personal data in areas such as public health, employment and/or social protection.

### **Personal Data concerning Minors**

We do not knowingly collect or maintain any Personal Data from minors below the age of eighteen (18) years. If we learn that data of persons under the age of eighteen (18) years has been in some manner collected, we will take all the appropriate measures to safely delete this information.

### **CCTV**

In line with our security procedures, we have installed CCTV cameras in the main areas of our stores. Notices are affixed on the walls in our stores to inform you of this form of surveillance as you walk in. Some of our cameras also monitor the pavement / pedestrian area that is located exactly outside our stores. Some of our cameras also record audio. These cameras are used solely for security purposes.

We generally retain CCTV footage for a period of seven (7) days, unless we are required to retain CCTV footage for a longer period for security reasons, or upon request of any competent authority or the Police.

## **3. How do we collect your Personal Data?**

We use different methods to collect your Personal Data, including:

A. **Direct Interactions:** The collection of your Identity Data, Account Data, Contact Data, Financial Data, Transaction Data, Technical Data, User Data, and Marketing and Communications Data when you engage with us directly in our stores, by phone, email, our Website or otherwise. This includes Personal Data you provide us with when:

- filling in the daves Reward Card application form
- making use of the daves Reward Card
- creating and making use of a personal account on our Website
- registering your marketing preferences with us
- purchasing our products and/or making use of our services
- contacting us with any queries, demands, requests, complaints or other feedback

- participating in a survey and/or complete a questionnaire compiled by us
- entering prize draws and/or competitions organised by us
- visiting our stores and passing through our CCTV areas as specifically marked
- interacting with us through any one of our social media platforms

**B. Automated technologies and/or interactions:** The collection of your Account Data and Technical Data whenever you access and make use of our services through our Website. We generally collect Technical Data automatically via the use of cookies which are covered under a specifically designated section further below in this Privacy Notice.

**C. Publicly available sources:** We may also need to collect Identity Data, Contact Data and Financial Data from various public sources, including the Malta Electoral Commission, credit reference agencies and court websites.

#### 4. How do we use your Personal Data?

We will only process your Personal Data on the basis of legally permissible grounds in terms of the Data Protection Laws. We will mainly process your Personal Data for the following reasons:

- When we need to comply with a legal or regulatory obligation;
- Where it is necessary for our legitimate interests (or those of a third party), and your interests and fundamental rights do not override those interests;
- In order to satisfy our contractual obligations towards you; and
- When you would have given consent to certain, specific processing activities.

For more detail, please read the section directly below entitled, 'LEGAL GROUNDS FOR PROCESSING'.

*[NOTE: We acknowledge that in most instances, you will be free to provide us with your Personal Data and consent to our further use of such Personal Data. We draw to your attention that, however, if you opt not to provide the relevant Personal Data we need, or are not in a position to provide it, then this may limit our ability to provide some of the services that we offer, such as the benefits under our daves Reward Card, to you.]*

#### LEGAL GROUNDS FOR PROCESSING

The table below provides a description of the ways we process your Personal Data, and which of the legal bases under the GDPR we rely on to do so. We may process your Personal Data on the basis of more than one lawful ground depending on the specific purpose for which we are using your Data.

Purpose of Processing	Personal Data Processed	Legal Grounds for Processing
Registering you as a new loyalty member and issuing the daves Reward Card to you	(a) Identity Data (b) Contact Data (c) Marketing and Communications Data	(a) Performance of our contractual obligations to you  (b) Understanding your preferences, based on your consent, to receiving promotional material,

		including SMS, emails, postal mail and vouchers, from us
Creating your personal online account on our Website	(a) Identity Data (b) Account Data (c) Contact Data (d) Technical Data	(a) Performance of our contractual obligations to you  (b) Protection of our legitimate interests (or those of a third party), such that we may require this information to enhance our efficiency in delivering top quality and customised services to you
Processing your orders whenever you choose to purchase our products from our stores and use the daves Reward Card	(a) Identity Data (b) Contact Data (c) Financial Data (d) Transaction Data (e) Marketing and Communications Data (f) User Data	(a) Performance of our contractual obligations to you  (b) Protection of our legitimate interests (or those of a third party), such that we may require this information for administrative and logistical purposes to better understand what products you are interested to find in our stores and to update our internal records; for security reasons; to recover monies due to us; and to inform you, an active customer of the daves food stores, of the services/products that we genuinely believe that you may be interested in  (c) Complying with a legal or regulatory obligation  (d) Understanding your preferences, based on your consent, to receiving marketing material, including SMS, emails, postal mail and vouchers,

		from us
Processing your orders whenever you choose to purchase our products from our Website	(a) Identity Data (b) Account Data (c) Contact Data (d) Transaction Data (e) Financial Data (f) Technical Data	(a) Performance of our contractual obligations to you  (b) Protection of our legitimate interests (or those of a third party), such that we may require this information for administrative and logistical purposes to better understand what products you are interested to find on our Website and to update our internal records; for security reasons and to recover monies due to us  (c) Complying with a legal or regulatory obligation
Receiving and reacting to:  (i) your queries, demands, requests, complaints or other feedback; and/or  (ii) your participation in a survey and/or a questionnaire compiled by us	(a) Identity Data (b) Contact Data (c) Marketing and Communications Data (d) User Data	(a) Performance of our contractual obligations to you  (b) Protection of our legitimate interests (or those of a third party), such that we may require this information for administrative and logistical purposes in the general course of our business; to better understand what products you are interested to find in our stores and on our Website; to better the services and products that we offer to you; and to update our internal records as necessary  (c) Understanding your preferences, based on your consent, to receiving

		promotional material, including SMS, emails, postal mail and vouchers, from us
Enabling you to participate in prize draws and/or competitions organised by us	(a) Identity Data (b) Contact Data (c) Marketing and Communications Data (d) User Data	(a) Performance of our contractual obligations to you  (b) Protection of our legitimate interests (or those of a third party), such that we may require this information for administrative and logistical purposes in the general course of our business; to better understand what products you are interested to find in our stores and on our Website; to better the services and products that we offer to you; and to update our internal records as necessary  (c) Complying with a legal or regulatory obligation  (d) Understanding your preferences, based on your consent, to receiving promotional material, including SMS, emails, postal mail and vouchers, from us
Delivering promotional material and advertising which is relevant to you	(a) Identity Data (b) Contact Data (c) Marketing and Communications Data (d) User Data (e) Technical Data	(a) Protection of our legitimate interests (or those of a third party), such that we may require this information: to better understand what products you are interested to find in our stores and on our Website; to better the services and products that we offer to you; to exercise and update our marketing

		<p>strategies as required; and to continue growing our business</p> <p>(b) Understanding your preferences, based on your consent, to receiving promotional material, including SMS, emails, postal mail and vouchers, from us</p>
<p>Properly administering our business operations, Website and IT systems</p>	<p>(a) Identity Data (b) Contact Data (c) Technical Data</p>	<p>(a) Protection of our legitimate interests (or those of a third party), such that we may require this information for administrative and logistical purposes in the general course of running our business in the best possible way; and to manage our IT systems and ensure the security of our networks</p> <p>(b) Complying with a legal or regulatory obligation</p>
<p>Processing of CCTV footage and audio as filmed by our CCTV cameras located at our stores and on the pavement / pedestrian area that is located exactly outside our stores</p>	<p>Identity Data</p>	<p>(a) Protection of our legitimate interests (or those of a third party) such that we may require this information to enhance the security levels on and around our premises thereby protecting ourselves, our employees, our customers and walk-ins</p> <p>(b) Complying with a legal or regulatory obligation</p>
<p>Using data analytics to improve your experience on our Website, the services and products that we offer and our relationship with you</p>	<p>(a) Technical Data (b) User Data</p>	<p>Protection of our legitimate interests (or those of a third party), such that we may require this information for administrative and logistical purposes in the general course of running our business in the</p>



		best possible way; to better understand what products you are interested to find in our stores and on our Website; to update our marketing strategies as required; and to generally better the services and products that we offer to you
--	--	---

In some cases, your Personal Data may also be processed by our entrusted third-party processors, in terms of the Data Protection Laws. These third-party processors will assist us in fulfilling our service standard. For more information on third party processors, please refer to section 5 of this Privacy Notice.

## MARKETING AND COMMUNICATIONS

We may process your Personal Data, as an active customer, for marketing and communications purposes in the following instances:

- i. when you would have specifically opted-in to directly receive marketing communications from us;
- ii. when we believe that any of our services and/or products may be of particular interest to you in being similar to those services and/or products that you might have obtained or purchased from us within a twelve (12) month period; and/or
- iii. when we have legitimate reason to do so.

Any such Personal Data shall be collected and processed in line with the requirements and safeguards mandated by the Data Protection Laws, in line with the section above entitled, 'LEGAL GROUNDS FOR PROCESSING'.

You can request us to stop sending you promotional material and, or communications for marketing purposes at any time should you wish to opt-out of our marketing chain, or should you no longer want us to keep you updated with our services and products, by following the opt-out links on any marketing message sent to you, or by contacting us directly via email, telephone or via our other channels of communication.

## HYPERLINKS

Our Website may contain hyperlinks to other websites not owned or managed by us who have their own data protection policies which we have no control over. It shall be your responsibility to check their privacy policies. We shall not be liable for how your Personal Data is dealt with by such external websites.

## COOKIES

Cookies are text files placed on your computer or portable device when using our Website, and which in effect work to collect standard internet log information and visitor information on our Website. Our Website creates cookies every time you visit it. Cookies are used to analyse and record the traffic on and visits to our website.

You can set up your browser to refuse all or some cookies or to alert you when websites set or access

cookies. However, please be aware that, should you choose to disable or refuse your consent to certain cookies, our Website or some parts of our Website may not function in the intended manner and your experience on our Website may be significantly diminished.

## 5. Disclosures of Personal Data to Third Parties

We may have to share your Personal Data with third-party processors for the purposes set out in the table in section 4 directly above. Such third-party processors are:

**Related companies**, including other entities within the same group of companies, in particular C. Grech Manufacturing Limited (C61321) and Patania Limited (C97079), with whom we may share your Personal Data in order to properly render our services.

**IT security and software support service providers**, including service providers who help us in ensuring that your Personal Data remains secure.

**Other services providers assisting us with IT backups**, mainly to ensure that your Personal Data is securely stored whilst ensuring business continuity.

**CCTV security systems and maintenance providers**, including service providers who help us ensure that your Personal Data remains secure and that our security systems are properly maintained and working as expected.

**Administrative software and assistance provided by third-parties**, mainly to enable us to organise and manage our internal administrative processes in a more efficient manner.

**Third-party consultants and professional advisors**, including experts who assist us in various matters, including legal advisors, auditors, payroll assistants, accountants, insurers and brokers.

**Payment services providers**, including service providers that facilitate payment transactions.

**Marketers and media partners**, including service providers who assist us with our marketing and communications practices and activities.

**Delivery couriers**, including entities with which we are required to share your Personal Data to be able to deliver to you the products that you would have purchased from us through our Website.

**Regulatory, governmental or legal authorities**, including entities that may require the disclosure of processing activities in certain circumstances.

**Third-parties involved in business transfers**, including third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business then the new owners may use our personal data in the same way as set out in this Privacy Notice.

We require all third parties with whom we share Personal Data to respect the security of such Personal Data and to treat it in accordance with the law. We do not allow our third-party processors to use your Personal Data for their own purposes and only permit them to process your Personal Data for specified purposes and in accordance with our instructions.

## **6. Transfers to Third Countries**

Generally we do not transfer your Personal Data to persons or entities outside the European Union. However, should this become necessary:

- for the performance of contractual or pre-contractual obligations between you and Euston Company Limited;
- for the purpose of IT security / software support;
- for adherence with our legal and/or regulatory obligations;
- for the establishment, exercise or defence of legal claims; or
- for any other reason where any such transfer would be permitted in terms of law,

we shall endeavor to only transfer Personal Data to countries in the European Economic Area (the “EEA”) or to third countries outside the EEA which ensure an adequate standard of protection for such Data in terms of the GDPR. Should a transfer to countries which are outside the EEA be required, we shall ensure that appropriate safeguards are implemented for the protection of your Personal Data.

## **7. Protection of your Personal Data**

We have implemented appropriate security measures to prevent your Personal Data from being accidentally lost, altered or disclosed in an unauthorised manner. In addition, we limit access to your Personal Data to those employees, agents, contractors and other third-party processors who have a business need to know. They will only process your Personal Data on our instructions and are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected Personal Data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

## **8. Data Retention**

We retain your Personal Data only as long as we have a valid legal reason to do so, which includes satisfying any legal, accounting or reporting requirements.

To determine the appropriate retention period for Personal Data, we consider the amount, nature, and sensitivity of the Personal Data, the potential risk of harm from unauthorised use or disclosure of your Personal Data, the purposes for which we process your Personal Data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In general, we will keep Personal Data for as long as you continue making use of our services or until such time as you ask us to stop communications with you, and for some years thereafter, unless we need to keep the data for a longer period. Indeed, we may retain different types of Personal Data for different lengths of time in line with legal requirements.

In some circumstances we may anonymise your Personal Data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

## **9. Your Rights**

As a data subject, you have certain data protection rights at law. Your rights as a data subject are being

listed and explained in the table below:

<b>Your rights under the GDPR</b>	<b>What does this mean?</b>
ACCESS	You have the right to access your Personal Data and request a copy thereof.
RECTIFICATION	You have the right to rectify any incorrect Personal Data that we may hold about you.
ERASURE	You have the right to be forgotten, which enables you to ask us to delete your Personal Data where there is no good reason for us continuing to process it. On this point, note that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request. We may not be able to provide you with some of our services if we do not hold your Personal Data.
RESTRICTION OF PROCOESSING	You have the right to request the restriction of our processing. This can be done in the following cases: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
PORTABILITY	You have the right to data portability. Your data may be requested in a machine-readable format and you may also ask that your data be transferred directly to another person or service provider.
OBJECTION TO PROCESSING	You may object to the processing of your data where we are relying on legitimate interests (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
WITHDRAWAL OF CONSENT	If you have provided consent for the processing of your data you have the right (in certain circumstances) to withdraw that consent at any time which will not affect the lawfulness of the processing before your consent was withdrawn.

*[NOTE: We may not be able to provide you with some of our services if you opt to: restrict processing, or object to processing, or withdraw your consent.]*

If you wish to exercise any of the rights set out above, please contact us. We will try to respond to all legitimate requests within one month and may require that you send over specific information to help us confirm your identity and ensure your right to access your Personal Data (or to exercise any of your other rights as outlined directly above). This is a security measure.

You will not have to pay to access your Personal Data (or to exercise any of the other rights mentioned above). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may, in such circumstances, refrain from complying with your request.

## **QUESTIONS AND COMPLAINTS**

If you have any further questions about the processing of your Personal Data, please feel free to contact us. We are re-including our contact details below for your ease of reference:

Postal address: **Daves Food Factory, Triq L-Artigjanat, Mriehel, Malta.**

Email address: **info@daves.com.mt**

Telephone number: **(+356)2722 2804 or (+356) 7707 1497**

Should you feel that our data protection practices have infringed your rights in any manner, you may lodge a complaint with the competent data protection supervisory authority. In Malta, this would be the Office for the Information and Data Protection Commissioner, the contact details of which are as follows:

*OFFICE OF THE INFORMATION AND DATA PROTECTION COMMISSIONER [MALTA]*

Email: [commissioner.dataprotection@gov.mt](mailto:commissioner.dataprotection@gov.mt)

Phone: +356 2328 7100

We do, however, endeavour to receive and address your data protection concerns, and would therefore appreciate it if you were to contact us first should you feel that our practices may have violated any privacy rules.