

CHARTER ON THE PROTECTION OF USERS' PERSONAL DATA

1. Definition and nature of personal data

The following terms and expressions, when used with capital letters, have the meaning attributed to them in the General Terms and Conditions of Use of the Start Rec Services.

When you use the website <http://www.imalayamusic.com/> , we may ask you to communicate personal data to us, in order to use the services offered by Start-Rec.

In the context of this charter, the term "**personal data**" refers to all data that can be used to identify an individual, which corresponds in particular to the surname, first name, email address, subject of the request as well as any other information that you choose to communicate to us about yourself.

2. Purpose of this Charter

The purpose of this charter is to inform you about the means we use to collect your personal data, in strict compliance with your rights.

In this regard, we inform you that we comply, in the collection and management of your personal data, with Law No. 78-17 of January 6, 1978 relating to information technology, files and freedoms, in its current version, as well as Regulation (EU) 2016/679 of April 27, 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data.

3. Identity of the data collector

The company responsible for collecting your personal data is Imalaya, SAS, registered in the Nanterre Trade and Companies Register under No. 879 272 540 RCS Nanterre, with its head office at 19 rue Saint James, 92200 Neuilly sur Seine.

4. Contact point for personal data protection

We have appointed a personal data protection contact point, whose details are as follows:
imalayamusic@gmail.com

5. Collection of personal data

The legal basis for our collection of your personal data is as follows:

- Legitimate interest when you voluntarily provide us with personal data during your visit to our Site, the data being collected to enable us to better respond to your requests for information about our Services.
- Your consent to the cookies described in our attached Cookie Policy.

Your personal data is collected for one or more of the following purposes:

- Build a file of prospects,
- Personalize responses to your information requests,
- Meet our legal and regulatory obligations.

We inform you, when collecting your personal data, if certain data must be filled in or if they are optional. Mandatory data is necessary for the functioning of the Services. As for optional data, you are entirely free to indicate them or not. We also tell you what the possible consequences of a failure to answer are.

6. Recipients of the data collected

Will have access to your personal data:

- The staff of our company, the services in charge of the control (auditor in particular);
- Our subcontractors (data hosting provider, e-mail provider, office automation tool provider).

Your personal data may also be sent to public bodies, exclusively to meet our legal obligations, to court officers, to legal agents and to bodies responsible for debt collection.

7. Transfer of personal data

Your personal data will not be transferred, rented or exchanged to third parties.

8. Duration of storage of personal data

- Concerning data related to the management of prospects :

Personal data relating to a prospect, who is not a customer, may be kept for a period of 3 (three) years from the date of their collection or the last contact from the prospect.

At the end of this 3 (three) year period, we may contact you again to see if you wish to continue receiving commercial solicitations.

- Concerning the identity documents :

In the event of exercising the right of access or rectification, data relating to identity documents may be kept for the period provided for in Article 9 of the Code of Criminal Procedure, i.e. 1 (one) year. In the event of exercising the right of opposition, this data may be archived for a period of 3 (three) years.

- Concerning the management of lists of opposition to receive prospecting :

The information that enables us to take into account your right of objection is kept for a minimum of 3 (three) years from the date of exercising the right of objection.

9. Security

We inform you that we take all useful precautions, organizational and technical measures appropriate to preserve the security, integrity and confidentiality of your personal data and, in particular, to prevent them from being distorted, damaged or accessed by unauthorized third parties.

10. Hosting

We inform you that your data is kept and stored, for the duration of its retention, on our company's servers located in France, in the European Union.

11. Transfer outside the European Union

Within the framework of the tools we use (see article 5 on the recipients concerning our subcontractors), your data may be transferred outside the European Union. The transfer of your data in this context is secured by means of the following tools:

- Or the data is transferred to a country that has been deemed to offer an adequate level of protection by a decision of the European Commission;
- Or we have entered into a specific contract with our processors for the transfer of your data outside the European Union, based on the standard contractual clauses between a controller and a processor approved by the European Commission.

12. Access to your personal data

In accordance with the law n° 78-17 of January 6, 1978 relating to data processing, the files and freedoms, and with the RGPD, you have the right to obtain the communication and, if necessary, the correction or the erasing of the data concerning you. You can also contact :

- e-mail address: imalayamusic@gmail.com

Individuals whose data is collected on the basis of our legitimate interest, as mentioned in Article 5, are reminded that they may object to the processing of their data at any time. We may, however, continue to process data if there are legitimate grounds for the processing which override your rights and freedoms or if the processing is necessary to establish, exercise or defend our legal rights.

13. The right to set up guidelines for the processing of your data after your death

You have the right to define directives concerning the conservation, deletion and communication of your personal data after your death.

These directives can be general, i.e. they cover all the personal data concerning you. In this case, they must be registered with a trusted digital third party certified by the CNIL.

Instructions can also be specific to the data processed by our company. In this case, please send them to the following address

- e-mail address: imalayamusic@gmail.com

By providing us with such instructions, you expressly give your consent for such instructions to be retained, transmitted and executed as provided herein.

You may designate in your instructions a person to be responsible for their execution. This person will then be entitled, when you die, to take cognizance of the said directives and ask us to implement them. If you do not designate a person, your heirs will be entitled to take cognizance of your instructions on your death and ask us to implement them.

You may change or revoke your instructions at any time by writing to us at the above address.

14. Portability of your personal data

You have a right to the portability of the personal data you have provided to us, understood as the data you have actively and consciously declared in the context of accessing and using the services, as well as the data generated by your activity in the context of using the services. We remind you that this right does not apply to data collected and processed on a legal basis other than consent or the performance of the contract between us.

This right can be exercised free of charge, at any time, and in particular when closing your account on the Site, in order to recover and retain your personal data.

In this context, we will send you your personal data, by any means deemed useful, in a standard open format that is commonly used and machine-readable, in accordance with the state of the art.

15. Making a complaint to a supervisory authority

You are also informed that you have the right to lodge a complaint with a competent supervisory authority (the Commission Nationale Informatique et Libertés for France) in the Member State in which you are normally resident, where you work or where the violation of your rights would have been committed, if you consider that the processing of your personal data which is the subject of this charter constitutes a violation of the applicable texts.

This recourse may be exercised without prejudice to any other recourse before an administrative or judicial jurisdiction. Indeed, you also have the right to an effective administrative or judicial appeal if you consider that the processing of your personal data, which is the subject of this charter, constitutes a violation of the applicable texts.

16. Limitation of treatment

You have the right to obtain the limitation of the processing of your personal data, in the following cases:

- During the period of verification we carry out, when you dispute the accuracy of your personal data,
- Where the processing of such data is unlawful, and you wish to restrict such processing rather than delete your data,
- When we no longer need your personal data, but you wish to retain it to exercise your rights,
- During the period of verification of legitimate reasons, when you have objected to the processing of your personal data.

17. Changes

We reserve the right, at our sole discretion, to change this policy, in whole or in part, at any time. Such changes will be effective upon posting of the new policy. Your use of the Site following the entry into force of these changes will constitute recognition and acceptance of the new policy. If you do not agree with the new charter, you should no longer access the Site.