

Personal Data Processing – Privacy Notice

- Version 1.0 from May 2020 -

This Privacy Notice on the personal data processing applies to all your interactions, in your capacity as user, with our UpFit mobile app, as described in this document. The app is meant to be used by persons benefitting from an UpFit membership via their employer and, as the case may be, their family members.

Your personal data are processed by UP HELLAS S.A., a Greek company having the registered offices at 3,Mitropoleos str., in Athens, registered with the Trade Register under registration no.136666001000, fiscal identification number 800691552 (hereinafter referred to as “The Company” or “Up Hellas”).

The safety and confidentiality of your personal data is of the utmost importance to us, Up Hellas. Therefore, we shall take all necessary and reasonable measures in order to make sure that your personal data remain secure and confidential and that their processing is carried out according to the applicable legal provisions, exclusively for the purposes mentioned below.

A. Personal Data Processed

Please note that we process the following data as part of your interactions with the mobile app:

1. identification data (full name);
2. contact data (e-mail address, phone number);
3. employer (offering the membership);
4. location data;
5. data on the entrances to the gyms;
6. photo.

B. Personal Data Collection

We collect some of the personal data from your employer, when they decide to grant you the UpFit benefit (full name and e-mail address) and the others directly from yourself via the mobile app installed on your device.

C. The Purposes and Legal Grounds of the Processing

User Account Setting Up and Management

In order to enable you to set up a user account within the mobile app, we process your e-mail address, your first name and surname and the password you define, as part of you having entered into an agreement with us. In order to finalize the process, you will be prompted to also provide the phone number, as an additional verification step. In this context, checking the box for reading and agreeing to the Privacy Policy and Terms and Conditions means that you have also accepted the conditions regulating the use of the mobile app.

You will also be required to take a photo with you. This is needed based on our legitimate interest to ensure that you are the only person having the possibility to enter a gym with your phone. Also, as described in the Terms & Conditions, the gym will check up if you are the same person as in the photo. Please note that the gyms will have access to your personal data (name, surname, employer) only for a small limited period of time at the moment of granting you the access within the facilities

From the section dedicated to your account user, you can also change your contact data, in which case the new contact data will replace the information you have previously provided (if applicable) – this is applicable only in relation to your photo and your mobile phone number.

You will receive a confirmation e-mail right after creating your user account to confirm to you that the process was successful.

Data on your entrances to your preferred gyms

The UpFit Program allows you to enter only once per day at any partner gym you choose. Still, you are allowed only one entrance per day. As such, we shall process your entrances based on our legitimate interest to observe this rule and deny further entrances.

After your first entrance to a new gym, we will send you an invitation to rate the facility. This shall be done based on our legitimate interest to offer you quality services and for the purpose of better managing the gyms, as well as of granting the other users fair information on the gym.

Location Data

Your mobile app can access your location, but only provided that you have given your consent to do so, via the appropriate settings. Location data shall be processed in two cases:

- To check up your true location whenever there is any attempt to enter a gym with your membership;
and
- To let you see the gyms nearby and to search the map.

Location data are not stored either in the app or on Up Hellas' servers. The final purpose for using your location data is to provide you a user experience as good and as easy as possible and ensure that there are no fraud attempts related to your membership.

You can choose at any time to withdraw the permission granted to our app to use your location data from the device settings but please note that these functionalities may not properly work in the absence of accessing your location.

Push Notifications

We may send you push notifications if you choose to enable them for letting you know whenever a new gym has decided to partner with us, based on our legitimate interest to send you updates relevant for you as a user. You can deactivate the notifications at any time you want, directly from your device settings.

D. Storage Duration

Your user account shall be valid for as long as you use our mobile app. Should we find out that your account has been inactive for at least 12 consecutive months, it shall be deactivated. Also, we will deactivate your account when your employer will cease to grant you this benefit.

However, your personal data associated with your quality as beneficiary in the UpFit program shall be retained no longer than 12 months since our contract with your employer has ended.

Location data shall not be stored at all.

E. Third Parties

The Company is using service providers, both in the EU and outside the EU, that are helping us with the storage and the maintenance of both the UpFit mobile app and the UpFit platform. In this regard, we will continuously ensure that we have in place all the needed documents, including standard contractual clauses, as the case may be, attesting that they provide a high security level for your data and act only accordingly to our instructions.

You shall be properly informed with regard to any other use of third-parties for the processing of your personal data, unless transfer or disclosure occurrences are explicitly provided by the European Union laws or by the national legislation and result from our duty to comply with the legal provisions in force.

The Company is using as sub-processor Up Romania (Romania) for the backoffice maintenance, Fitpass Ireland (Ireland) and Emergo (Serbia) for the provision of the program, IT4BIZ/MAINSTREAM (Serbia) for the platform maintenance, Star storage (Romania) as storage provider and ABSTRACT D.O.O (Serbia) for the maintenance of the mobile application.

F. Personal Data Security

The security, integrity and confidentiality of your personal data are of the utmost importance for us. The Company shall therefore take all the organizational and technical measures in this respect.

Should we discover any personal data security breach that may result in risks to your rights and liberties, we shall notify the Hellenic Data Protection Authority for the Personal Data Processing within 72 hours. You shall also be informed about the respective security incident, should it be likely to result in high risks to your personal rights and liberties.

G. Your Rights

You have the following rights related to the processing of your personal data:

1. Right to access personal data. You have the right to request access to the personal data processed.
2. Right to rectify or delete personal data. You have the right to request the rectification of incorrect or not up-to-date personal data or the deletion of personal data, for example in the event of the processing not being necessary or not being legal or in the event of withdrawal of your consent to process some data, consent that you have previously given. Personal data to be retained according to the legal provisions in force cannot be deleted.
3. Right to restrict processing. Under specific circumstances set forth in the applicable legislation, you have the right to obtain the restriction of your personal data processing.
4. Right to data portability. You are entitled to request that copies of your personal data that the company processes are forwarded to either yourself or other data controllers, should such processing be based on your consent or on performance of any agreement you may have concluded with the Company.
5. Right to object. You have the right to object at any time, for reasons related to your particular situation, to the processing of your personal data, whenever such processing is based on our legitimate interests, and you can request that we cease processing your personal data.

H. Exert Your Rights

Should you have any queries with regard to the processing of your personal data or should you have any requests or wish to exert any of your rights related to the processing of your personal data, please feel free to contact us at our offices, 3 Mitropoleos str., Athens or using our phone number 210 3246909. Alternatively, you can also get in touch with us at the following e-mail address: gdpr@uphellas.gr. Each request shall be analyzed as soon as possible, but no later than one month.

Should you consider that we haven't met all your requests or should you be unsatisfied with our answers, you can file a complaint with the Hellenic Data Protection Authority. Furthermore, you can also bring the matter before the competent legal courts.

Any changes of the information included in this Privacy Notice shall be brought to your attention— no modification of the Privacy Notice shall affect in any way whatsoever the rights granted by the law.