

## PRIVACY POLICY OF SEA DONKEY PRODUCTIONS LIMITED ON THE PROCESSING OF PERSONAL DATA IN ACCORDANCE WITH THE DATA PROTECTION (BAILIWICK OF GUERNSEY) LAW, 2017

The Data Protection (Bailiwick of Guernsey) Law 2017 (“the Guernsey Law”) reflects the provisions of the EU General Data Protection Regulation. The following information from Sea Donkey Productions Limited (“SDPL”) is intended to give you an overview of how your data is processed by the company and your rights under the Guernsey Law. “Processing” under the Guernsey Law includes the use of the data and its recording in a filing system.

### **1. Which data is used by SDPL?**

SDPL processes data that it receives from three sources, as follows:

- From its existing intellectual property license and assignment agreements with those who contributed intellectual property to the film “Sea Donkey”. This will include the name, address and email address of those individuals;
- From PayPal in relation to the sale of DVD/Blu-Ray copies of the film “Sea Donkey”. This data includes the name, and e-mail address of the purchaser of the film, and the name and address of the person to whom it is to be delivered;
- Direct from you if you e-mail us using the “Contact” form on our website [www.seadonkeyfilm.com](http://www.seadonkeyfilm.com). The extent of personal information you wish to include will depend on your query but is likely to include, most commonly, your name, email address, postal address or phone number.

### **2. For what purpose and on what legal basis does SDPL use your data?**

#### **a) For the fulfilment of contractual obligations**

The processing of the DVD order data from PayPal allows us to fulfil our contract with you – i.e. to fulfil the order you have placed for a copy of the film “Sea Donkey” on either DVD or Blu-Ray via our website [www.seadonkeyfilm.com](http://www.seadonkeyfilm.com).

The retention of intellectual property licenses and assignments also form the basis of a contract between SDPL and the donor of the intellectual property.

#### **b) On the basis of statutory requirements**

As a Guernsey incorporated company, SDPL is required under Guernsey company law legislation and Guernsey income tax legislation to keep records relating to its income and expenditure for both accounting and tax purposes. DVD order data from PayPal forms part of these records.

#### **c) On the basis of our legitimate interests**

If you email us via the “Contact” form on our website your data will be processed by SDPL in order to fulfil its legitimate interest of growing its business by responding to queries from customers and potential customers.

#### **d) On the basis of your consent**

You may also wish to sign up to the occasional update on “Sea Donkey” by opting in via our website, [www.seadonkeyfilm.com](http://www.seadonkeyfilm.com). In doing so, you give your consent to us to process your personal data. Please note that you can withdraw your consent at any time by using the “Contact” form on our website to tell us that you no longer wish to receive updates.

### **3. Who can access your data?**

SDPL does not transmit personal data to external recipients outside of the company in the normal course of its business. However, the personal data outlined in Section 1 may be examined by:

- SDPL’s advisers such as lawyers or accountants in the event of a legal dispute or in the preparation of SDPL’s annual financial statements.
- By Guernsey public authorities such as the Guernsey Income Tax office in the event of a query relating to SDPL’s annual tax return.

### **4. Does SDPL transmit the data abroad?**

Guernsey is not in the European Economic Area (EEA) but it is considered by the European Commission to be an adequate jurisdiction for data protection purposes.

SDPL does not transmit personal data outside of Guernsey.

### **5. How long will your data be stored?**

SDPL will process and keep your data only for as long as is necessary to fulfil its contractual and legal obligations. As a Guernsey incorporated company, SDPL is required under Guernsey company law legislation to maintain accounting records for a period of at least six years after the date on which they are made. Under Guernsey Income Tax legislation, SDPL is required to keep records for a period of six years from the end of the year in which SDPL’s income tax return was submitted. As sales data forms part of our accounting records, data received from PayPal in relation to your purchase of the film Sea Donkey will be kept for this amount of time before being deleted.

E-mails to us using the “Contact” form will be deleted after 6 years.

IP assignments and licenses will be kept for the life of the film.

### **6. What are your rights under the Guernsey Law?**

Under the Guernsey Law you have the following rights: You can:

- request access to your personal information which enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it;
- request that this be corrected if it is incorrect;
- request that this data be deleted if SDPL is not permitted or does not have to store this data;
- request that the processing of this data be restricted. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it;

- object to the processing by SDPL
  - if the SDPL only processes the data on the basis of its legitimate interests; in this case it will cease the processing unless this is outweighed by its own interests or it needs to process the data in order to exercise its rights, or
  - if the processing is carried out with a view to direct advertising;
- request that your personal data which you have provided to SDPL be transmitted to another party in a generally available, machine-readable, and standard format;
- object to a decision made purely on the basis of automated processing.

You also have a right to complain to the Guernsey Data Protection Commissioner if you believe that SDPL has breached the above rights or any other provision of the Guernsey Law. The Commissioner can be contacted on +44 (0)1481 742074 and its website, which includes details of how to make a complaint, is [www.dataaci.org](http://www.dataaci.org)

## **7. Is decision-making automated?**

No.

## **8. Will your data be automatically processed?**

No.

## **9. How can you contact SDPL?**

If you have any questions about how your data is treated, please contact us using the “Contact” form on our website [www.seadonkeyfilm.com](http://www.seadonkeyfilm.com)

Guernsey, May 2018