

DIRECT TO CONSUMER RETAIL SALES

PRIVACY POLICY

EFFECTIVE AUGUST 2018

Gallaher Limited is a company incorporated in England and Wales with company registration number **01501573** and whose registered office is at Members Hill, Brooklands Road, Weybridge, Surrey KT13 0QU England ("JTI", "we", "us", "our") are committed to protecting and respecting your privacy.

This Privacy Policy ("**Privacy Policy**") applies to direct selling to consumers that JTI conducts for both e-cigarette (Logic) and traditional tobacco products.

This Privacy Policy (together with any other documents referred to in it) sets out the basis on which any personal data we collect from you, or that you provide to us, will be processed by us. Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it.

For the purpose of the General Data Protection Regulation, and any subsequent data protection legislation, the data controller is JTI.

Please note that nothing in this privacy policy is intended to suggest that we will communicate with you in a manner that is not compliant with the Tobacco Advertising and Promotions Act 2002 ("TAPA"). We will at all times comply with applicable tobacco legislation in any communications with you.

Questions, comments and requests regarding this Privacy Policy are welcomed and should be addressed to consumer@jti.com.

INFORMATION WE MAY COLLECT

We may collect the following data about you, in the following ways:

- **Information you give us.** You may give us information about you by corresponding with us during selling activity, or by mail, phone, e-mail, or otherwise. This includes information you provide when you contact us for any reason (such as to request information about our products or to purchase a product). The information you give us may include your name, address, e-mail address, phone number or other personal information about you.
- **Information we receive from you as part of age verification process.** We are legally required to verify your age. You will therefore be required to confirm your age during your interaction with JTI. If JTI require further confirmation, the JTI representative will check a form of valid ID but will not make any copies of this.

Where we need to collect personal data by law, or where we require your consent to process your data as part of a purchase, and you fail to provide that data when requested, we may not be able to provide you with products or services. In this case, we may have to cancel a product or service you have with us but we will notify you if this is the case at the time.

USES MADE OF THE INFORMATION, AND PURPOSES FOR WHICH WE USE YOUR INFORMATION

We will only use your information where the law allows us to. Most commonly, we will use your information in the following circumstances:

- Where 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.
- Where we require your consent to process your data.

These are known as “lawful grounds”. Note that we may process your information for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us at consumer@jti.com if you need details about the specific legal ground we are relying on to process your personal data.

Information you give us.

We use information held about you in the following ways:

- to carry out our obligations arising from any contracts entered into between you and us and to provide you with the information, products and services that you request from us;
- to give product information where a request for information is made
- to notify you about changes to our service, changes to our site or others changes which might otherwise affect you.
- Depending on your marketing preferences, we will contact you only by electronic or postal means (e-mail, SMS or mail) with information about goods and services similar to those which were the subject of a previous sale or negotiations of a sale to you, or by telephone for market research, if you have consented to these
- If you are a new customer, and where we permit selected third parties to use your data, we (or they) will contact you by electronic or postal means only if you have consented to this. If you do not want us to use your data in this way please tick the relevant box situated on the form on which we collect your data or otherwise let us know via consumer@jti.com, 0800 112 3401 or by writing to Customer Contact Centre, JTI, Members Hill, Brooklands Road, Weybridge, Surrey KT13 0QU.

Information we collect about you.

For tobacco sales only, we use this information:

- to record, process, handle and administer request(s) for information in relation to our products;
- to administer our systems and for internal operations, including troubleshooting, data analysis, testing, research, statistical and purposes;
- to process your order

For e-cigarette sales only, we will use this information:

- to record, process, handle and administer request(s) for information in relation to our products;

- to administer our systems and for internal operations, including troubleshooting, data analysis, testing, research, statistical and purposes;
- to process your order;
- to contact you regarding offers on our e-cigarettes and their related products;
- to provide you with information about other goods and services we offer that are similar to those that you have already purchased or enquired about;
- to provide you, or permit selected third parties to provide you, with information about goods or services we feel may interest you;
- to make suggestions and recommendations to you and other users about goods or services that may interest you or them.

For e-cigarette sales only, if you visit the Logic Vapes website as part of this process:

- to improve our site to ensure that content is presented in the most effective manner for you and for your computer;
- to allow you to participate in interactive features of our service, when you choose to do so;
- as part of our efforts to keep our site safe and secure;
- to measure or understand the effectiveness of advertising we serve to you and others, and to deliver relevant advertising to you; and
- to make suggestions and recommendations to you and other users of our site about goods or services that may interest you or them.

Information we receive from other sources. We may combine this information with information you give to us and information we collect about you. We may use this information and the combined information for the purposes set out above (depending on the types of information we receive).

LINKS TO OTHER WEBSITES

Our site may contain links to other websites of interest. However, once you have used these links to leave our site, you should note that we do not have any control over that other website. Therefore, we cannot be responsible for the protection and privacy of any

information which you provide whilst visiting such sites and such sites are not governed by this Privacy Policy. You should exercise caution and read the Privacy Policy applicable to the website in question before proceeding to use that website.

DISCLOSURE OF YOUR INFORMATION

We may share your personal information with any member of our group, which means our subsidiaries, our ultimate holding company and its subsidiaries, as defined in section 1159 of the UK Companies Act 2006.

We may share your information with selected third parties including:

- Business partners suppliers and sub-contractors for the purposes of fulfilling the services; or
- Analytics and search engine providers that assist us in the improvement and optimisation of our systems
- Data agencies for market research purposes

We may disclose your personal information to third parties in the following circumstances:

- In the event that we sell or buy any business or assets, in which case we may disclose your personal data to the prospective seller or buyer of such business or assets.
- If JTI or substantially all of its assets are acquired by a third party, in which case personal data held by it about its customers will be one of the transferred assets.
- If we are under a duty to disclose or share your personal data in order to comply with any legal obligation, or in order to enforce or apply our terms of use or terms and conditions of sale and other agreements; or to protect the rights, property, or safety of JTI, our customers, or others.

WHERE WE STORE YOUR PERSONAL DATA

The data that we collect from you may be transferred to, and stored at, a destination outside the European Economic Area ("EEA"). It may also be processed by staff operating outside the EEA who work for us or for one of our suppliers. Such staff maybe engaged in the provision of support services. We will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this Privacy Policy.

All information you provide to us is stored on our secure servers. Any payment transactions will be encrypted. Where we have given you (or where you have chosen) a password which enables you to access the Logic Vapes site, you are responsible for keeping this password confidential. We ask you not to share your password with anyone.

DATA SECURITY

Once we have received your information, we will use appropriate procedures and security features to try to prevent unauthorised access, and to prevent your information being accidentally lost. We limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your information on our instructions and they are subject to a duty of confidentiality.

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

HOW LONG WE WILL KEEP YOUR INFORMATION

We will only keep your information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To decide 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 information, the purposes for which we process your information, and whether we can achieve those purposes through other means, and the applicable legal requirements.

YOUR LEGAL RIGHTS

Under certain circumstances, you have rights under data protection laws in relation to your information:

- Request access to your personal data (known as a “data subject access request”)
- Request correction of your personal data where there is incomplete or inaccurate information.

- Request erasure of your information where there is no good reason for us to be processing your information, or where you have successfully exercise your right to object to processing of information.
- Object to processing of your information where we are relying on legitimate interest (or those of a third party) and you believe this impacts on your fundamental rights and freedoms. (Note, we may have compelling legitimate grounds to process information which override your rights and freedoms).
- Request restriction of processing your information in the following circumstances: (a) if you want us to establish the accuracy of your information; (b) where our use of the information is unlawful but you do not want us to erase it; (c) where you need us to hold the information 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 information but we need to verify whether we have overriding legitimate grounds to use it.
- Request transfer of your information to you or a third party in a structured, commonly used, and machine-readable format.
- Right to withdraw consent where we are relying on consent to process your data.

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that your information is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

Please note that some of the above rights, for example the right to request transfer of your information, may not apply as they have specific requirements and exemptions which apply to them and they may not apply to personal information recorded and stored by us.

Additionally, some have no conditions attached: in particular, the right to object to processing for direct marketing is an absolute right.

Although this Privacy Policy sets out a general summary of your legal rights in respect of personal information, this is a complicated area of law. For further information, please visit the Information Commissioner's Office website (<https://ico.org.uk/your-data-matters/>).

If you wish to exercise any of the rights set out above, please contact us at consumer@jti.com.

If you are unhappy with the way that we are using your personal information, you also have the right to make a complaint to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues (www.ico.org.uk). We are here to help and would encourage you to contact us to resolve your complaint in the first instance.

YOUR DUTY TO INFORM US OF CHANGES

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

CHANGES TO OUR PRIVACY POLICY

Any changes we may make to our Privacy Policy in the future will be posted on this page and, where appropriate, notified to you by e-mail. Please check back frequently to see any updates or changes to our Privacy Policy.