

# Modern Expo

## Direct Marketing and Business Development Guidelines

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# Part A. Direct Marketing

## 1. What is direct marketing?

Direct marketing is the communication (by whatever means) of advertising or marketing material which is directed to particular individuals.

All:

- emails;
- personal social media messages;
- text (SMS) messages;
- phone calls;
- WhatsApp, Viber, Skype etc. messages or calls;

are "directed to particular individuals", and so are likely to be "direct marketing" if they contain something that is aimed at winning new or additional business from a customer.

For example, this may include messages whose purpose is to get a customer to extend an existing contract with Modern Expo.

## 2. No direct marketing other than by email

The only form of direct marketing permitted by Modern Expo is email (and then only if in compliance with these Guidelines). Exceptions to this policy must be approved by the Legal Office.

## 3. Only business recipients

We do not send direct marketing messages to consumers. All of our direct marketing messages are directed to businesses, and can only be sent to a person within that business.

## 4. No direct marketing without consent

Our general policy is no direct marketing without a valid consent of the recipient.

The Legal Office may approve exceptions to this policy for particular countries, taking into account the local laws of that country. For example, it may be possible to send direct marketing messages without prior express consent in certain circumstances to (a) corporate recipients in France and the UK or (b) previous customers of Modern-Expo.

## 5. Requirements to consent

### 5.1 Form

The terms of the consent must be in writing (including electronic means). The recipient must have indicated consent to the terms by a statement or a clear affirmative action.

## 5.2 Contents

The consent must contain an express and unambiguous agreement to receive direct marketing, and must specify:

- the name and address of the Modern Expo entity that may act as sender (see section 6 below);
- Modern Expo products and services in respect of which the marketing offers may be made; and
- how the recipient can withdraw the consent (unsubscribe) (see section 7 below).

The consent must be in a clear and plain language.

The consent must be in the form approved by the Legal Office.

## 5.3 Evidence

Before any employee engages in direct marketing, they must make sure that:

- Modern Expo has written evidence of the consent of each recipient (including the details of the recipient and the date and terms of the consent); and
- the consent has not been withdrawn (see section 7 below).

## 5.4 No bundling. Freely given

Consent to direct marketing must be separate from any other matters. For example, it must be separate from any consent to any other processing of personal data.

The consent must be knowingly and freely given. There must be no negative consequences for the individual if they do not give consent. The consent must also not be incentivized.

In case of doubt, see Article 29 Working Party Guidelines on consent under Regulation 2016/679 ([https://ec.europa.eu/newsroom/article29/item-detail.cfm?item\\_id=623051](https://ec.europa.eu/newsroom/article29/item-detail.cfm?item_id=623051)) and/or seek legal advice.

## 6. Who can be the sender?

Only the Modern Expo entity that (a) collects the contact details from the recipient; and (b) is indicated in the consent form, can be the sender of direct marketing.

The involvement in this process of other Modern Expo entities must be approved by the Legal Office. In this case the Legal Office will consider in particular whether the form of the consent for direct marketing should be modified, and the need to receive a separate consent of the recipient to the transfer of personal data between specified Modern Expo entities for the purposes of direct marketing.

## 7. Withdrawal of consent (unsubscribe)

It must be at least as easy for the individual to withdraw consent as it was for them to give it.

Each direct marketing email must contain a link to unsubscribe, prominently displayed.

No further direct marketing is allowed after a recipient unsubscribes or otherwise indicates objection by any means. However, direct marketing can be resumed if the recipient later gives another valid consent to direct marketing.

If there has been a change in circumstances in which the consent was given (for example, the recipient gave the consent when creating an account on our website, but later decided to close that account), or a long time has passed from the date of the consent, it may no longer be safe for us to rely on the consent. If in doubt, seek the advice of the Legal Office.

## 8. Form of e-mails

The e-mail message used for direct marketing must be in a form approved by the Legal Office.

Each e-mail must:

- contain the full name and physical address of the sender, prominently displayed (see section 6 above);
- be sent from an e-mail address in the @modern-expo.com domain, or otherwise make it clear that the email originates from Modern Expo;
- not confuse or mislead the recipient;
- contain a link to unsubscribe, prominently displayed.

The Modern Expo products or services promoted in the email must be within the scope of the consent given by the recipient.

It should be obvious for the recipient of the email that it is a marketing email as soon as it is received. The marketing message must not be disguised.

We do not promote third-party products, services or causes.

## 9. No profiling

"Profiling" is automated processing of personal data of recipients to evaluate certain things about them (for example, to target an email marketing campaign to a particular group of recipients who share the same features or interests).

Profiling is not allowed, unless approved by the Legal Office. When approving exceptions to this rule, the Legal Office will in particular evaluate whether a data protection impact assessment is needed, will make sure that the individuals are informed of the proposed profiling and that measures are in place to protect their rights.

## 10. No children recipients

No direct marketing is allowed if the recipient has not reached the age of 18.

## 11. Responsibility can't be outsourced

When we outsource e-mail campaigns to third-party providers, we must make sure that the providers comply with these Guidelines, and that any deviation from the Guidelines is approved by the Legal Office.

## 12. Exceptions. Additional requirements

Because these Guidelines apply across a number of countries where Modern Expo does business, certain of its rules may be stricter than some of the national laws.

Legal Office may approve exceptions to these Guidelines for a particular country, taking into account the local laws of that country.

The Legal Office may also stipulate for additional or stricter rules to apply in respect of certain countries.

# Part B. Business Development

## 1. Mention the Privacy Notice

When you collect a potential business partners' contact details (for example, a business card), you are processing personal data. The law requires that certain information is given to the individual at this point, for example, how Modern Expo will use that data and how long we will keep it.

This information is contained in our Privacy Notice. The Privacy Notice is at Modern Expo's web-site, and also (if practicable) must be made available at the venue where the business development event takes place.

When collecting personal data, you should draw attention of the person whose data you collect to the Privacy Notice.

## 2. Offer to Opt Out

If you collect contact details in the course of negotiating a sale with a business partner, tell them that if they wish, they can opt out of receiving offers of similar products or services from Modern Expo. They can tell you whether or not they opt out.

If they **do** opt out, make a record of it and make sure it is kept together with the person's contact details.

If they **do not** opt out, Modern Expo may have the right to contact the person with offers of similar products or services (depending on the local laws). But this right will be lost if you had not offered to opt out at the point of collecting their details.

If practicable, keep record of the fact that you have offered the opportunity to opt out.