

PHILLIPS app for iOS

Privacy Policy

The PHILLIPS app for iOS (**the app**) is provided by the PHILLIPS Group of companies trading as PHILLIPS (**'we', 'our' or 'us'**).

We take your privacy very seriously. Please read this privacy policy carefully as it contains important information on who we are and how and why we collect, store, use and share any information relating to you (**your information**).

It also explains your rights in relation to your information and how to contact us or the relevant regulator in the event you have a complaint. Our collection, storage, use and sharing of your information is regulated by applicable laws, including under the UK General Data Protection Regulation (**UK GDPR**).

We are the controller of your information obtained via the app, meaning we are the organisation legally responsible for deciding how and for what purposes it is used.

To use the app, you must be aged 18 or over and have a bank account in your name which you control.

**If you are aged under 18 you must not use the app as it is not designed for you.** We do not intend to collect the information of anyone under 18. If you are aware that information of anyone under 18 has been shared with the app, please let us know so that we can delete that data.

This app is currently distributed only on the Apple app store.

This privacy policy is divided into the following sections:

- What this policy applies to
- Information we collect about you
- How your information is collected
- How and why we use your information
- Marketing
- Who we share your information with
- How long your information will be kept
- Transferring your information out of the UK and the EEA
- Your rights
- Keeping your information secure
- Changes to this privacy policy
- How to contact us

### **What this policy applies to**

This privacy policy relates to your use of the PHILLIPS app only.

The app links to the PHILLIPS website and to other apps, websites or services owned and operated by the PHILLIPS Group and certain trusted third parties, to make information and services available to

you. These other apps, websites or services may also gather information about you in accordance with their own separate privacy policies. For privacy information relating to these other apps, websites or services, please consult their privacy policies as appropriate.

### Information we collect about you

The information we collect about you depends on the particular activities carried out through the app. We will collect and use the following information about you:

Category of data	In more detail
Identity and account data you input into the app  Registration is mandatory in order to use more than the basic features of the app	—your name, address and contact information, including email address and telephone number and company details (where applicable)  —information to check and verify your identity, eg date of birth  —your account details, such as username and password  —your replies to security questions
Data collected when you use specific functions in the app	—data you store online with us using the app including your account and sale registration details and bidding history
Other data the app collects automatically when you use it	—your activities on, and use of, the app, including bidding history or which reveal your preferences, interests or manner of use of the app and the times of use

You must provide that information to use the app and its services unless we tell you that you have a choice.

We collect and use your information for the purposes described in the section ‘**How and why we use your information**’ below.

### How your information is collected

We collect information from you directly, when you input it into the app, or indirectly, from your activity while using the app.

### How and why we use your information

Under data protection law, we can only use your information if we have a proper reason, eg:

- where you have given consent
- to comply with our legal and regulatory obligations
- for the performance of a contract with you or to take steps at your request before entering into a contract, or
- for our legitimate interests or those of a third party

A legitimate interest is when we have a business or commercial reason to use your information, so long as this is not overridden by your own rights and interests. We will carry out an assessment when relying on legitimate interests, to balance our interests against your own. You can obtain details of this assessment by contacting us (see **'How to contact us'** below).

The table below explains what we use your information for and why.

<b>What we use your information for</b>	<b>Our reasons</b>
Create and manage your account with us	For our legitimate interests, i.e. to be as efficient as we can so we can deliver the best service to you
Providing services and/or the functionalities of the app to you	Depending on the circumstances: <ul style="list-style-type: none"> <li>—to provide you with services you request, such as bidding and buying in our auctions</li> <li>—for our legitimate interests, i.e. to be as efficient as we can so we can deliver the best service to you</li> </ul>
Conducting checks to identify you and verify your identity or otherwise to help prevent and detect fraud against you or us	To comply with our legal and regulatory obligations  For our legitimate interests, i.e. to minimise the risk of account or identity theft or fraud that could be damaging for you, a third party or us
To enforce legal rights or defend or undertake legal proceedings	Depending on the circumstances: <ul style="list-style-type: none"> <li>—to comply with our legal and regulatory obligations</li> <li>—in other cases, for our legitimate interests, i.e. to protect our business, interests and rights</li> </ul>
Communications with you not related to marketing, including about changes to our terms or policies or changes to the app or service or other important notices	Depending on the circumstances: <ul style="list-style-type: none"> <li>—to comply with our legal and regulatory obligations</li> <li>—in other cases, for our legitimate interests, i.e. to provide the best service to you</li> </ul>
Protect the security of systems and data used to provide the app and its services	To comply with our legal and regulatory obligations  We may also use your information to ensure the security of systems and data to a standard that goes beyond our legal obligations, and in those cases our reasons are for our legitimate interests, i.e. to protect systems and data and to

What we use your information for	Our reasons
	prevent and detect criminal activity that could be damaging for you and/or us
Operational reasons, such as improving efficiency, training and quality control or to provide support to you	For our legitimate interests, i.e. to be as efficient as we can so we can deliver the best service to you
Statistical analysis to help us understand our customer base	For our legitimate interests, i.e. to be as efficient as we can so we can deliver the best service to you
Updating and enhancing customer records	<p>Depending on the circumstances:</p> <ul style="list-style-type: none"> <li>— to provide you with services you request, such as bidding and buying in our auctions</li> <li>—to comply with our legal and regulatory obligations</li> <li>—where neither of the above apply, for our legitimate interests, e.g. making sure that we can keep in touch with our customers about our sales, exhibitions, events and services and other information which may be of interest to them</li> </ul>
Disclosures and other activities necessary to comply with legal and regulatory obligations, e.g. to record and demonstrate evidence of your consent to our use of your information where relevant	To comply with our legal and regulatory obligations
Marketing our sales, exhibitions, events and services to existing and former customers	<p>For our legitimate interests, i.e. to promote our business to existing and former customers</p> <p>See '<b>Marketing</b>' below for further information.</p>
<p>To share your information with members of the PHILLIPS group and third parties that will or may take control or ownership of some or all of our business (and professional advisors acting on our or their behalf) in connection with a significant corporate transaction or restructuring, including a merger, acquisition, asset sale, initial public offering or in the event of our insolvency</p> <p>In such cases, information will be anonymised where possible and only shared where necessary</p>	<p>Depending on the circumstances:</p> <ul style="list-style-type: none"> <li>—to comply with our legal and regulatory obligations</li> <li>—in other cases, for our legitimate interests, i.e. to protect, realise or grow the value in our business and assets</li> </ul>

## How and why we use your information—sharing

See ‘**Who we share your information with**’ for further information on the steps we will take to protect your information where we need to share it with others.

### Marketing

We will use your information to send you updates (by email, text message, telephone or post) about our auctions, exhibitions, events and services, including new services.

We have a legitimate interest in using your information for marketing purposes (see above ‘**How and why we use your information**’). This means we do not need your consent to send you marketing information. If we change our marketing approach in the future so that consent is needed, we will ask for this separately and clearly.

You have the right to opt out of receiving marketing communications at any time by:

- using the ‘unsubscribe’ link in emails, or
- updating your notification preferences on the app.

We will always treat your information with the utmost respect and never sell share it for marketing purposes with organisations outside the PHILLIPS Group of companies .

For more information on your right to object at any time to your information being used for marketing purposes, see ‘**Your rights**’ below.

### Who we share your information with

We routinely share your information with service providers we use to help us run our business or provide you with services or functionalities in the PHILLIPS app, including:

- Amazon Web Services (AWS) and the functions they perform,
- Apple;
- Google analytics

We only allow the companies referred to above to handle your information if we are satisfied they take appropriate measures to protect your information. We also impose contractual obligations on other service providers we use to ensure they can only use your information to provide services to us and to you.

We or the third parties mentioned above occasionally also need to share your information with:

- our or their external auditors, e.g. in relation to the carrying out of audits, the recipients of the information in these circumstances will be bound by confidentiality obligations
- our or their professional advisors (such as lawyers and other advisors)—the recipients of the information will be bound by confidentiality obligations
- law enforcement agencies, courts or tribunals and regulatory bodies to comply with legal and regulatory obligations

- other parties that have or may acquire control or ownership of our business (and our or their professional advisers) in connection with a significant corporate transaction or restructuring, including a merger, acquisition, asset sale, initial public offering or in the event of our insolvency—usually, information will be anonymised but this may not always be possible. The recipient of any of your information will be bound by confidentiality obligations

If you would like more information about who we share your information with and why, please contact us (see '**How to contact us**' below).

### **How long your Information will be kept**

The Phillips Group may retain your Personal Data:

- for as long as we are providing you with information and/or services;
- for as long as you remain a client of the PHILLIPS Group; and
- after your account / agreement with us is terminated, or if your application for a particular service or services is declined or abandoned, for as long as we are permitted or required to under applicable laws for legal, regulatory, fraud prevention and/or our legitimate business purposes.

Our legitimate interests include the indefinite maintenance of core transaction data, in the interests of complying with the legal obligations to which we are subject and maintaining the integrity of the wider art market.

### **Transferring your Personal Data**

Phillips is an international business and operates globally through a network of affiliates worldwide. Your Personal Data may be transferred and processed outside of the UK and the European Economic Area ('EEA') in countries that do not provide the same level of data protection. Where we do so, we will put in place an appropriate safeguard (typically approved data protection clauses) to ensure adequate protection of your Personal Data when it is transferred outside of the UK and the EEA.

You can obtain more details of the protection given to your Personal Data when it is transferred outside the EEA by contacting us (see '**How to contact us**' below).

### **Your rights**

You generally have the following rights, which you can usually exercise free of charge:

Access to a copy of your information	The right to be provided with a copy of your information
Correction (also known as rectification)	The right to require us to correct any mistakes in your information
Erasure (also known as the right to be forgotten)	The right to require us to delete your information—in certain situations

Restriction of use	The right to require us to restrict use of your information in certain circumstances, eg if you contest the accuracy of the data
Data portability	The right to receive your information that you provided to us, in a structured, commonly used and machine-readable format and/or transmit that data to a third party—in certain situations
To object to use	<p>The right to object:</p> <ul style="list-style-type: none"> <li>—at any time to your information being used for direct marketing (including profiling)</li> <li>—in certain other situations to our continued use of your information, eg where we use your information for our legitimate interests unless there are compelling legitimate grounds for the processing to continue or the processing is required for the establishment, exercise or defence of legal claims</li> </ul>
Not to be subject to decisions without human involvement	<p>The right not to be subject to a decision based solely on automated processing (including profiling) that produces legal effects concerning you or similarly significantly affects you</p> <p>We do not make any such decisions based on data collected by the app</p>
The right to withdraw consents	<p>If you have provided us with a consent to use your information, you have a right to withdraw that consent easily at any time</p> <p>You may withdraw consents by [<i>insert details as relevant depending on consents</i>]</p> <p>Withdrawing a consent will not affect the lawfulness of our use of your information in reliance on that consent before it was withdrawn</p>



For further information on each of those rights, including the circumstances in which they do and do not apply, you may find it helpful to refer to guidance published by your local data protection supervisory body. You can also contact us.

If you would like to exercise any of these rights, please write to us (see '**How to contact us**' below).

## **Keeping your information secure**

### *Things we do*

We are committed to ensuring that any Personal Data we hold about you is properly safeguarded. We have appropriate security measures to prevent your information from being accidentally lost, or used or accessed unlawfully. Where possible we limit access to your information to those who have a genuine business need to access it.

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

Whilst we endeavour to take all reasonable, commercial steps to protect your information from external threats, please be aware that there are inherent security risks associated with online communications, particularly if your device is lost or stolen. We cannot therefore guarantee the security of your information.

### *Things you can do*

When you sign up to create a PHILLIPS account to participate in auctions or receive other services, you may be provided with log-in information and will have the ability to set passwords to allow you to access your account. You are responsible for ensuring that such log-in information and any passwords are kept secure and confidential at all times. You will not share any log-in information or passwords with others. We cannot be responsible for any loss or damage caused by your negligence, misuse of log-in details or your decision to share account access with others.

If you would like detailed guidance on how to protect your information, computers and devices against fraud, identity theft, viruses and many other online problems, you may find it helpful to consult the following online resource: <https://www.getsafeonline.org>.

## **Changes to this privacy policy**

We may change this privacy policy from time to time. When we make significant changes we will take steps to inform you, for example via the app or by other means, such as email.

## **How to contact us**

Please email us at [dataprotection@phillips.com](mailto:dataprotection@phillips.com) or, if you are a California resident, by phone at 212 940 1200, if:

- you have any questions relating to the processing of your Personal Data by the Phillips Group;
- you have previously given your consent to our processing of your Personal Data for certain purposes and wish to withdraw it for some or all of those purposes.
- you wish to bring to our attention any concerns or complaints with the way we are processing your Personal Data.

Please note that if you withdraw your consent to our processing of your Personal Data for certain purposes, we may not be able to provide you with all or some of the services unless other legal grounds exist justifying our processing of your Personal Data for these purposes.

If you have raised a concern with us regarding the processing of your Personal Data in respect of which the UK or EU GDPR applies and which we have not been able to resolve or you are not satisfied with our response, you may refer the matter to the UK Information Commissioner or, if applicable, another relevant European data protection authority.

**Version:** Effective from 14 February 2025