

Privacy Notice

1. Who we are

Simon De Pury, is a sole proprietorship trading under the name De Pury having its place of business at Le Mirabeau 2 Avenue Des Citronniers 98000 Monaco MC Principaute de Monaco, with the dossier fiscal no. 7490B 22359 and French VAT no. FR610001535 (“we”/”us”). By accessing the website at <https://auction.de-pury.com/en/> the “Website”), you acknowledge and consent to the information collection and use practices by us in our capacity as data controller as described below. Please read this Privacy Notice carefully and contact us if you have questions or concerns at auctions@de-pury.com or write to us at our above registered address.

2. Personal Data

Personal data means data relating to natural persons who can be identified or who are identifiable, directly from the data in question or who can be indirectly identified from that data in combination with other data (“Personal Data”).

We set out below the categories of Personal Data that we may process:

- **“Contact Data”** includes data such as your delivery address, billing address, email address and telephone numbers;
- **“Identity Data”** includes first name, last name, maiden name, username or similar identifier;
- **“Financial Data”** means data relating to your payment (such as credit or debit card number, bank account information, purchase amount, date of purchase, payment method and in some cases, information about your purchases); and
- **“Technical Data”** includes internet protocol (IP) address, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you are using.

Most of the Personal Data we process is provided directly by you or made available when you access or use the Website. We set out below some examples of how you may provide Personal Data to us:

- registering on the Website as a bidder;
- bidding on lots or consigning lots to auction;
- submitting information to the Website by filling in forms and sending enquiries (for example if you are enquiring about consigning a lot, bidding on a lot or about payment);
- contacting us by phone, e-mail, social media or otherwise; or
- in the form of information provided by your web browser, when you search and browse the Website for content (through the use of cookies or similar software).

3. Purpose

We may use your Personal Data for the following purposes and reasons:

- **Contract:**
We may process your Identity Data, Contact Data and Financial Data that you provide when you enquire about an auction, bid on or purchase a lot from us or consign a lot to us. We process this Personal Data to enable us to carry out the pre-contract and contractual relationship between you and us.
- **Where you become a buyer of the lot:**
We will process and share your Identity Data (in particular your first name and last name) and Contact Data (in particular your email address, telephone numbers and postal address) with the seller following your successful bid on a lot at auction in order for you both to coordinate the collection of the lot from the seller. This is necessary in order to be able to arrange the collection of the lot pursuant to the Terms and Conditions for Buyers and Sellers and to enable us, the seller and you to carry out the contract. If you do not agree to this, you should not register nor place a bid on the Website.

- **Where you are a bidder of the lot (whether or not you are the winning bid):**

We will process and share your Identity Data (in particular your first name and last name) and Contact Data (in particular your email address, telephone numbers and postal address) with the seller following the auction for the purpose of enabling the artist and their gallery to build a relationship with you and facilitate you buying artworks from the artist down the line. We will not share your Personal Data with sellers of lots that you did not bid on. This is a requirement of registration and necessary to carry out our contractual relationship with you as a bidder. If you do not agree to this, you should not register on the Website. If after registering and prior to the end of the auction, you change your mind and do not wish to have your details shared with the seller, you should write to us immediately at the email address or registered address listed above, and we will promptly deactivate your profile.

Consent:

- When you subscribe to the newsletter, we may process your Contact Data and Identity Data. You have the right to withdraw consent at any time, simply click the link provided in the newsletter, write to us either at the email address or registered address listed above.

Legitimate Interests:

- We may also process additional data that you submit to us (for example, requests for customer support and technical assistance) and Technical Data that we automatically collect using cookies, server logs and other similar technologies.
- We may process the Personal Data (in particular Contact Data and Identity Data) of a previous client with whom we have worked to personalise emails, send updates about us and the material changes in the Privacy Notice, or for other purposes permitted by law.
- We may provide you with information about auctions or lots we feel may interest you. If you are an existing client, we will only contact you by electronic means with information about lots that are similar to those which were the subject of a previous sale to you or consignment by you.
- Pursuant to the Buyer Terms where you are the buyer of a lot, and you resell the lot in the future, you are required to give us advanced notice of the proposed sale and we will confirm with you at that point whether we can disclose this information to the original seller. It is your responsibility to ensure you obtain the necessary third party consents for this disclosure.

Where we rely on our legitimate business interests to process these categories of Personal Data about you, we will balance our legitimate interests against your interests and rights (for example, responding to inquiries, improving the Website, and enabling network and information security).

- **Legal Obligation:** We may process your Personal Data, in particular your Financial Data (such as details of your past transactions and the source of your funds) and your Sensitive Personal Data (which is set out in greater detail below), to comply with our legal obligations or making disclosures to government, regulatory or other public bodies where in our reasonable opinion the disclosure is appropriate and permitted by law. This includes legal obligations with respect to Anti-Money Laundering (“AML”) requirements if applicable as set out under Clause 4 of this Privacy Notice.

We may also collect Personal Data to perform other functions that are not listed above, which will either be described to you when the Personal Data is collected or it may be collected if you have granted your consent for a particular purpose.

4. AML and Sensitive Personal Data

For certain transactions, we may be required to fulfil some AML obligations for regulatory purposes and we may collect Personal Data about you through direct interaction, such as requesting copies of passports, proof of address and other information or through third parties/ publicly available sources, for example when we need to conduct background checks. These obligations may also require us to process more sensitive categories of Personal Data which requires additional protection because it is more sensitive (“Sensitive Personal Data”). Sensitive Personal Data may include identifiers from the following categories of data:

- **“Criminal Offence Data”** is Personal Data relating to criminal convictions and offences or related security measures and may include a wide range of information about criminal activity, allegations, investigations and proceedings; and
- **“Special Category Data”** includes details about race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data.

We may ask you for further information to comply with our AML obligations, for example to conduct enhanced due diligence on you in the event that we consider that you present a higher risk of money laundering or where you are in a category such as a politically exposed person, where we are required to conduct enhanced due diligence. These enhanced due diligence measures (which in particular may require us to process your Financial Data and Sensitive Personal Data) may include (but is not limited to):

- Examining the background and purpose of a transaction;
- Increase the degree and nature of monitoring of your customer activity;
- Obtaining, and where appropriate verifying, additional information on the customer and any beneficial owner;
- Obtaining information on the source of funds or source of wealth of the customer; and/or
- Requiring settlement to be carried out through an account in the customer's name with a bank subject to similar due diligence standards.

We will process any Sensitive Personal Data in accordance with the lawful basis set out below and the additional conditions and safeguards set out in the EU General Data Protection Regulation.

5. Third-Party Services

We use third-party platforms to support communications. We are not responsible for their privacy practices and you are encouraged to read their privacy notices. The third-party platforms currently used are set out below, but may change from time to time:

- **Snoofa Ltd (“Snoofa”)**: An online platform that provides auction management software for auction houses. We use Snoofa as our data storage, website hosting and verification software. As such, Snoofa processes Personal Data on our behalf, in particular your Identity Data and Contact Data when you sign up for an account, your Financial Data when you pay the applicable registration fee and your Sensitive Personal Data in the event we perform identity verification checks. Please see their privacy notice [here](#) and the Snoofa Policy [here](#) which details how the identification and verification procedures are conducted and how your Sensitive Personal Data is processed.
- **Stripe Payments UK Ltd (“Stripe”)**: An online payment processing and credit card processing platform for businesses. We use stripe to facilitate payments for transactions on the platform, including payment of the registration fee when you register on the Website. Stripe may process your Financial Data, Identity Data and Contact Data that you provide according to its privacy notice [here](#).
- **Art Logic Media Ltd (“Art Logic”)**: A website and database integration, CRM and built-in sales management platform. We use Art Logic to host the Website, for invoicing and accounting, to manage marketing lists and we may also store your Personal Data, including Sensitive Personal Data, on Art Logic's CRM database. Please read Art Logic's privacy notice [here](#) to understand how they process your Personal Data.
- **Campaign Manager**: A third party email platform to manage email marketing subscriber lists and send emails to subscribers. When you subscribe to the newsletter, Campaign Manager may process your Personal Data, particularly your Contact Data and Identity Data. Campaign Manager has its own privacy notice which is available online.

We will not share your Personal Data with third parties other than as necessary for the purposes outlined above and only with third party service providers that provide business, professional or technical support functions on our behalf or as required by law.

6. International Transfers

Your Personal Data may be transferred outside the UK and EU. For example, this may be in relation to an international sale at auction (where the buyer or seller are located outside of the UK/EU), or where we are sharing information with our third party service providers who operate outside the UK or EU. We only transfer your Personal Data outside of the UK and/or EU where we are satisfied that the transfer is in accordance with applicable data protection and privacy laws.

7. Storage and Retention

We are strongly committed to protecting your Personal Data and we take reasonable and appropriate steps to protect your Personal Data from unauthorised access, loss, misuse, alteration or corruption. We have put in place physical, electronic, and organisational procedures to safeguard and secure the Personal Data you provide to us, including industry-standard access controls such as secure passwords and multi factor authentication.

We take reasonable steps to ensure that the Personal Data we hold about you is as accurate and complete as is necessary to carry out the relevant purposes described in this Privacy Notice and we will retain your Personal Data for so long as is reasonably necessary for us to fulfil the relevant purposes described in this Privacy Notice, unless a longer retention period is required or permitted by law (for example for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements or in the event of a complaint or where there is a prospect of litigation).

We will then securely dispose of your Personal Data that we hold by permanently deleting it and any back-up files. Personal Data shared with third party service providers is stored and deleted according to their privacy notices.

Please be aware that no electronic transmission or storage of Personal Data can be guaranteed to be 100% secure. We cannot and do not warrant the security of any Personal Data that you transmit, and all such transmissions are done at your own risk.

8. Cookies

Like most websites, we receive and store Technical Data whenever you use the Website. We use “cookies” to improve the Website. A cookie is a small file of letters and numbers that is stored on your browser or the memory of your computer or device. Cookies mean that a website will remember you and enable online transactions and help us understand how you use the Website. For more information on the cookies that we use on the Website, please see our Cookie Policy available on the Website.

9. Your Rights

Under the EU General Data Protection Regulation, you have rights including:

- **Right of Access:** To ask for copies of your Personal Data.
- **Right to Rectification:** To ask to rectify inaccurate/incomplete Personal Data.
- **Right to Erasure:** To ask for your Personal Data to be erased in certain circumstances.
- **Right to Restriction of Processing:** To ask to restrict the processing of your Personal Data in certain circumstances.
- **Your right to Object to Processing:** To object to the processing of your Personal Data in certain circumstances.
- **Your right to Data Portability:** To ask that your Personal Data be transferred to another organisation, or to you, in certain circumstances.

For more information or to exercise your data protection rights regarding our processing, please write to us at the email address or registered address listed above. We will try to respond to all legitimate requests within one month.

If you are unhappy with any aspect of how we handle your Personal Data you can make a complaint to the information commissioner's office Information's Commissioner Office [here](#).

10. Changes to the Privacy Notice

This Privacy Notice may be updated from time to time. All amendments will take effect immediately upon posting of the updated Privacy Notice on this Website. If the changes are material, we will post a notice on the Website before the changes go into effect. We encourage you to periodically review this Privacy Notice to stay informed about how we are helping to protect your Personal Data.

This version of the Privacy Notice was last updated on 15 August 2023.