

**GUIDE TO COMPLY WITH
Article 22.2 of the LSSICE 34/2002.**

**ATENCIÓN
Este documento es una Guía
para adaptar un sitio web a la LSSI en lo
referente a las cookies.**

CASTILLOS DE SAN MIGUEL S.L.

1.- INTRODUCTION

Pursuant to **Article 22.2 of Law 34/2002**, drafted by section five of the second final provision of Law 9/2014, of May 9, 2014, General Telecommunications Law (B.O.E. (Official State Bulletin) May 10; B.O.E. Correction of errors May 17) and in force since May 11, 2014: "Service providers may use data storage and retrieval devices (so-called cookies) in terminal equipment of the recipients, provided that they **have given their consent after they have been provided with clear and complete information on their use**, specifically, on the purposes of data processing, in accordance with the provisions of Organic Law 3/2018 on the protection of personal data." However, and in accordance with the third paragraph of Article 22.2 *"The foregoing shall not prevent the possible storage or access of a technical nature for the sole purpose of effecting the transmission of a communication over an electronic communications network or, to the extent strictly necessary, for the provision of an information society service expressly requested by the recipient."* This last point refers to what are known as technical cookies.

The procedure to comply with the regulatory obligations regarding cookies is:

- a) To make a **list of the cookies** used by the website, collecting: the name of the cookie, its entity (own or third party), its purpose and the conservation period. To carry out this task you can use the tools for developers that include web browsers or go to the company that designed and programmed the website.
- b) To define a text of the purposes in a summarized form to be included in the so-called **"first layer"**. The installation of this first layer requires computer and programming knowledge or the use of third party tools, always bearing in mind that the user must be given the possibility of rejecting the installation of cookies, except for technical cookies that cannot be rejected.
- c) To add a link to a web page with the cookies policy (called "second layer"). This page must be accessible from any page of the website.

2.- HOW TO INFORM AND OBTAIN INFORMED CONSENT

In its guidelines on transparency, WP29 recommends the use of layered privacy statements or notices, i.e., containing the information in layers, so as to allow users to go to those aspects of the statement or notice that are of most interest to them, thus avoiding information fatigue, and this without prejudice to the availability of all the information in a single place or in a complete document that can be easily accessed if the interested party wishes to consult it in its entirety.

This system consists of displaying the essential information in a first layer together with 3 buttons, ACCEPT, REJECT (only technical cookies are authorized) and MORE INFORMATION. This first layer is manifested for practical purposes by displaying a banner when accessing the web page or application, and then complemented by a second layer, which materializes in a page providing more detailed and specific information about cookies (usually called the cookie policy page).

The first layer, which for clarity may be identified by a commonly used term (e.g., "cookies"), would include the following information:

- a) Identification of the editor responsible for the website. The company name will not be necessary, provided that its complete identification data appear in other sections of the website (legal notice, privacy

policy, etc.) and its identity can be clearly seen from the website itself (for example, when the domain itself corresponds to the name of the publisher or the brand with which it identifies itself to the public or said name or brand clearly appears on the website).

b) Identification of the purposes of the cookies to be used.

c) Information on whether the cookies are own cookies, i.e. from the person responsible for the website, or also from third parties associated with it, without it being necessary to identify the third parties in this first layer.

d) Generic information on the type of data to be collected and used in case of user profiling (for example, when using behavioural advertising cookies).

e) How the user can accept, configure and reject the use of cookies.

f) A clearly visible link to a second layer of information including more detailed information, for example using the term "Cookies", "Cookie policy" or "More information, click here".

This information shall be provided prior to the use of cookies, including, where appropriate, their installation, in a format that is visible to the user and shall be maintained until the user performs the action required for consent or refusal (**in the meantime, technical cookies may be installed on the user's equipment, e.g. PHPSESSID, ASPNET_SESSION, and similar**).

3.- TEXT OF THE "COOKIES POLICY" PAGE

1.- BACKGROUND

In accordance with Spanish regulations governing the use of cookies in relation to the provision of electronic communications services, contained in Article 22.2 of Law 34/2002, of July 11, services of information society and electronic commerce, we inform you about the cookies used on the website of **CASTILLOS DE SAN MIGUEL S.L.** and the reason for its use.

2.- WHAT ARE COOKIES?

A cookie is a file that is downloaded to your computer when you access certain web pages. Cookies allow a website, among other things, to store and retrieve information about the browsing habits of users or their devices and, depending on the information they contain and the way they use their devices, can be used to recognize users. Cookies are only associated with an anonymous user and his/her computer or device and do not provide references that allow us to know his/her personal data.

3.- TYPES OF COOKIES

3.1.- According to the entity that manages them

a.- **Own Cookies:** Those that are sent to the user's terminal equipment from a computer or domain managed by the editor itself and from which the service requested by the user is provided.

b.- **Third-party cookies:** Those that are sent to the user's terminal equipment from a computer or domain that is not managed by the editor, but by another entity that processes the data obtained through the cookies.

3.2.- According to the purpose

There are many purposes for the use of cookies. Depending on the purpose for which the data obtained through cookies are processed, some of the purposes may be:

a) Technical cookies: these cookies allow the user to navigate through a website, platform or application and the use of the different options or services that exist in it, including those that the publisher uses to enable the management and operation of the website and enable its functions and services, such as, for example, control traffic and data communication, identify the session, access parts of restricted access, remember the elements that make up an order, make the buying process of an order, manage the payment, control fraud linked to the security of the service, make the request for registration or participation in an event, count visits for the purpose of billing licenses of the software with which the service works (website, platform or application), use security features during navigation, store content for broadcasting videos or sound, enable dynamic content (for example, animation of loading a text or image) or share content through social networks.

Technical cookies will be exempt from compliance with the obligations set forth in Article 22.2 of the LSSI when they allow the service requested by the user to be provided, as in the case of the cookies listed in the preceding paragraphs. However, if these cookies are also used for non-exempt purposes (for example, for behavioural advertising purposes), they will be subject to these obligations.

b) Preference or personalization cookies: these cookies allow information to be remembered so that the user can access the service with certain characteristics that can differentiate their experience from that of other users, such as, for example, the language, the number of results to be displayed when the user performs a search, the appearance or content of the service depending on the type of browser through which the user accesses the service or the region from which the user accesses the service, etc.

If it is the user who chooses these characteristics (for example, if he/she selects the language of a website by clicking on the icon of the flag of the corresponding country), the cookies will be exempt from the obligations of article 22.2 of the LSSI because it is considered a service expressly requested by the user, and this provided that the cookies obey exclusively to the selected purpose.

c) Analysis cookies: these cookies allow the party responsible for them to monitor and analyse the behaviour of users of the websites to which they are linked, including the quantification of the impacts of advertisements. The information collected through this type of cookies is used in the measurement of the activity of the websites, application or platform, in order to make improvements based on the analysis of the data on the use made by users of the service.

d) Behavioural advertising cookies: these cookies store information on user behaviour obtained through the continuous observation of their browsing habits, allowing the development of a specific profile to display advertising based on the same.

3.3.- According to the period of time they remain active

a) Session cookies: these cookies are designed to collect and store data while the user accesses a web page. They are usually used to store information that is only of interest to keep for the provision of the service requested by the user on a single occasion (for example, a list of products purchased) and disappear at the end of the session.

b) Persistent cookies: in these cookies, the data remain stored in the terminal and can be accessed and processed for a period defined by the person responsible for the cookie, which can range from a few minutes to several years.

4.- LIST OF COOKIES USED BY THIS WEBSITE

The use of cookies offers advantages in the provision of services within what is known as the information society, since it facilitates user navigation and access to the different services offered by this website; it avoids the user having to configure the predefined general characteristics each time you access the website; it favours the improvement of the operation and services provided through this website, after the corresponding analysis of the information obtained through the cookies installed.

Specifically this website uses the following cookies:

Name	Entity	Expiration	Purpose
__utma	Third Party (Google Analytics)	2 years	Used to distinguish users and sessions.
__utmb	Third Party (Google Analytics)	30 minutes	Used to determine new sessions or visits.
__utmc	Third Party (Google Analytics)	At the end of the session	Configured for use with Urchin.

NOTA IMPORTANTE: La tabla superior es un **EJEMPLO**. Es necesario analizar el sitio web para determinar las cookies utilizadas y su finalidad, o también se puede consultar con el programador web para que nos indique las cookies que utiliza.

5.- WITHDRAWAL AND DELETION OF COOKIES

You can access your browser settings at any time by accepting or rejecting all cookies, or select those whose installation is allowed and which are not, following the procedures of the browser you use.

6.- THIRD PARTY SERVICE PROVIDERS

The third party service providers with whom we have contracted a service for which the use of cookies is necessary are listed below:

Provider	Purpose of Service and Cookie	Provider Information
GOOGLE Inc.	Statistical analysis of the website in terms of visitor count, pages visited, keywords used and the like.	http://www.google.es/intl/es/policies/privacy/

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