

Terms & Conditions for the Metcalfe's® & Aqua Libra Competition (2022) on Instagram – 28 January 2022

1. The Metcalfe's® & Aqua Libra Competition (2022) ("the Competition") will officially launch on Instagram at 09.00 hours on 28 January 2022 and will officially close on 4 February 2022 at 09.00 hours.
2. To be in with a chance of winning the Competition prize, entrants must:
 - i. Like the Competition post;
 - ii. Comment on the Competition post, telling us who they would share the Competition prize with. Any comments that are offensive, inappropriate or unlawful will be automatically disqualified and hidden from public view; and
 - iii. Follow us on @metcalfesnacks and Aqua Libra on @aqualibradrinks.
3. There will be 1 winner drawn at random from all the entries submitted before the Competition closes. Only one entry per person will be accepted. Multiple or third-party entries will not be accepted. Entrants found to be using multiple Instagram accounts to enter the Competition will be ineligible.
4. Entries received through the Instagram private message system will not be considered as valid.
5. The winner will be contacted via an Instagram direct message within 3 working days of the Competition closing to inform them that they have won the prize.
6. The winner will receive the following prize:
 - 10 x 80g bags of Metcalfe's® Sweet N Salt popcorn;
 - 10 x 70g bags of Metcalfe's® Cinema Sweet popcorn;
 - 10 x 70g bags of Metcalfe's® Salted popcorn;
 - 12 x 34g packs of Metcalfe's® Yoghurt and Strawberry Rice Cakes;
 - 12 x 34g packs of Metcalfe's® Belgium Milk Chocolate Rice Cakes;
 - 12 x 34g packs of Metcalfe's® Belgium Dark Chocolate Rice Cakes;
 - 24 x 330 ml cans of Aqua Libra sparkling water infused with cucumber, mint & lime;
 - 24 x 330 ml cans of Aqua Libra sparkling water infused with pineapple & grapefruit; and
 - 24 x 330 ml cans of Aqua Libra sparkling water infused raspberry & blackcurrant.

The Metcalfe's® portion of the prize will be sent from Metcalfe's®, dispatched by post and will arrive on or before 28 February 2022.

The Aqua Libra portion of the prize will be dispatched by Britvic Soft Drinks Limited, Breakspear Park, Breakspear Way, Hemel Hempstead, Herts HP2 4TZ via post and will arrive on or before 28 February 2022.

In the event that either parcel does not arrive, the winner will be contacted to re-arrange delivery.

If any element of the prize is unavailable, we reserve the right to substitute it with a similar product of equal or greater value.

It is the winner's responsibility to share the Competition prize with the person mentioned in their comment on the Competition post and Metcalfe's® is not responsible for this.

7. The prize is not for resale nor is it redeemable in whole or in part for cash and nor is it refundable.
8. Competitions, promotions and prize draws are open to all residents of the United Kingdom aged 18 or over (proof of ID may be necessary), excluding employees of Metcalfe's®, their families, agents or anyone else connected with the company.
9. Metcalfe's® decision is final, binding and represents Metcalfe's® decision on all matters related to the Metcalfe's® & Aqua Libra Competition (2022) on Instagram. No correspondence can be entered into.
10. The winner will be contacted in accordance with clause 5 above and asked to message Metcalfe's® direct providing their full name, postal address, email address and contact telephone number. If a winner does not respond with their details within 7 days, then their prize will be forfeited, and an alternative winner will be drawn at random from the remaining entries. The postal address supplied must be the delivery address.
11. Adverse weather conditions, strike action, seasonal peaks or disruption to postal services and public holidays may affect delivery dates. Metcalfe's® accepts no responsibility for this.
12. Junk filters and IT difficulties may affect email delivery. Metcalfe's® accepts no responsibility for this.
13. All entries become the property of Metcalfe's®. Metcalfe's® reserves the right to withdraw this promotion, terminate the promotion or declare void any entry in the event of actual fraud in its sole opinion.
14. The winner may be asked to take part in publicity accompanying or resulting from this promotion.
15. Metcalfe's® reserves the right to hold void, suspend or cancel the promotion at any time where it is reasonable to do so.

16. Metcalfe's® accepts no responsibility for entries that are incomplete, damaged, defaced, or not received for any reason or are a duplicate of a previous entry.
17. This promotion is in no way sponsored, endorsed or administered by, or associated with Instagram. You are providing your information to Metcalfe's® and not to Instagram.
18. Details of winner(s) surnames and county will be available for one month after the close of the Competition by writing to the Metcalfe's® & Aqua Libra Competition (2022), Metcalfe's®, 38 Barnard Road, Bowthorpe, Norwich, Norfolk NR5 9JP. Winner(s) of the Competition have the right to object to the publication of their surname when contacting Metcalfe's® to accept the prize in accordance with the provisions of these terms and conditions. In such circumstances, only the county of the winner(s) will be available on request. For the avoidance of doubt, Metcalfe's® is still obliged to provide the winner(s) full name(s), county and details of the winning entry to the Advertising Standards Agency (ASA) if requested by the ASA.
19. By entering the competition, all entrants will be deemed to have accepted and be bound by the rules and consent to the transfer of their personal data to Metcalfe's® and Britvic Soft Drinks Limited for the purposes of the administration of this promotion and for any other purposes to which the entrant has consented. All entry instructions form part of the rules. Metcalfe's® reserves the right to verify all entries and winners and refuse further participation in the promotion and disqualify the participant where there are reasonable grounds to believe there has been a breach of these terms and conditions or any instructions forming part of this competition's entry requirements or otherwise where a participant has gained unfair advantage in participating in the promotion.
20. These terms and conditions and any issues or disputes which may arise out of or in connection with these terms and conditions (whether such disputes or issues are contractual or non-contractual in nature, such as claims in tort, for breach of statute or regulation or otherwise) shall be governed by and construed in accordance with English law. Entrants hereby irrevocably submit to the exclusive jurisdiction of the English courts to settle any such dispute or issues.
21. Promoter: Kettle Foods Ltd trading as Metcalfe's®, 38 Barnard Road, Bowthorpe, Norwich NR5 9JP.
22. Terms and conditions of this promotion are correct as of 19 January 2022.

Kettle Foods Ltd's Privacy Policy

The Competition is promoted by Kettle Foods Ltd ("we," "us," or "our"). At Kettle Foods Ltd, we are committed to protecting your privacy. We take the issue of security of your personal information very seriously.

This Privacy Policy (this "Policy") together with the Competition Terms & Conditions explains when and why we collect personal information about people who enter the Competition, how we use it, the conditions under which we may disclose it to others and how we keep it secure. Personal information is any information about you from which you can be identified (such as your name or your email address).

Our details

We are Kettle Foods Ltd (company number 2238320) a leading manufacturer of premium hand cooked potato chips and snacks in the UK. Our registered office address is at 38 Barnard Road, Bowthorpe, Norwich, Norfolk NR5 9JP, UK. We are the data controller for the purposes of data protection laws, in respect of your personal information collected and used through you entering the Competition. We dictate the purpose for which your personal information is used and how we use your personal information. See "**Questions or complaints**" section below for more information on how to contact us.

As described in the section below entitled "**How is your personal information shared?**", we may share your personal information with other organisations, such as other entities in the Kettle Foods Family, that may receive and process your personal information as a controller in their own right.

What personal information do we gather from you and how is it collected?

We gather personal information from you such as the first/last name and email address of all Competition entrants that you provide voluntarily when you enter the Competition. If proof of identity is required, we may also request a copy of your passport or drivers licence. The postal address and telephone number of all winning entrants may also be requested for the purposes of administration of this promotion, in order to send you the Competition prize and for any other purpose for which an entrant has consented.

If you provide us with personal information about another person e.g. their name, photograph or any other personal information that could identify them, you must ensure that before you provide us with their personal information, you have their agreement to do so and that they are aware of the ways in which we use personal information as set out in this Policy.

How is your personal information used and on what legal bases?

Our main aim in gathering your personal information is to provide you with a customised service. In particular, your personal information may be used by us, our employees and service providers and disclosed to third parties for the following purposes. For each of these purposes, we have set out the legal basis on which we use your personal information.

Purpose	Legal Basis
To provide you with the services we offer (including any promotions or competitions).	This is in our legitimate interest (i.e., the provision of the services to you), and depending on the circumstances, to perform a contract between you and us.
To communicate with you and other individuals and to carry out your requests and respond to your communications.	This is in our legitimate interest (i.e., the provision and support of social media pages).
To carry out our obligations arising from any contracts entered into between you and us.	This is to perform a contract between you and us.
To comply with any legal or regulatory obligations	This is in our legitimate interests (i.e., protection of our business, employees and customers) and for compliance with legal obligations to which we are subject.

We may also use aggregate personal information and statistics for the purposes of monitoring our social media pages in order to help us develop the pages and our services. These statistics will not include any data that can be used to identify any individual.

How is your personal information shared?

We do not share personal information with third parties unless certain safeguards and contractual arrangements are in place. We may share personal information within the Kettle Foods Family and certain selected companies. By “Kettle Foods Family”, we mean the companies within the same group as Kettle Foods Ltd. The Kettle Foods Family will process your personal information in accordance with this Policy and all applicable data protection legislation.

The selected companies are those that provide technical assistance and support and perform other functions to support our marketing activities or a promotional partner who may be supplying an element of the Competition prize. Our third-party service providers include our IT service providers and marketing agencies. In some cases, third party providers will be acting as a data controller of your information and therefore we advise you to read their Privacy Policy. If any of our third-party service providers shares your information with us, we will use it in accordance with this Policy.

All selected companies may have access to personal information if needed to perform such functions, but will only be permitted by us to use such personal information for the purpose of performing that function (which may include one to which you have expressly given your consent) and not for any other purpose.

We may transfer your personal information to a third party as part of a sale of some or all of our business and assets to any third party or as part of any business restructuring or

reorganisation, or if we are under a duty to disclose or share your personal information in order to comply with any legal obligation or to enforce or apply our terms of use or to protect the rights, property or safety of our customers. However, we will take steps with the aim of ensuring that your privacy rights continue to be protected.

We reserve the right to use or disclose any personal information as needed to satisfy any law, regulation or legal request, to fulfil your requests, or to cooperate in any law enforcement or regulatory investigation. Save for this, we do not sell, rent, transfer or disclose personal information we have collected from you to third parties outside the Kettle Foods Family.

Transferring your information outside of the UK

Whilst we do not anticipate transferring your personal data outside of the UK, due to the global nature of our business, as part of the services offered to you through our competitions, the information which you provide to us may be transferred to countries outside the UK (such a country is called a “third country”). Data protection law imposes restrictions on the transfer of personal information outside of the UK but such transfers can be made if the country to which we may transfer the data has an adequate level of protection for your rights, there are appropriate safeguards or a contract is in place allowing the transfer to take place or the transfer is necessary for reasons set out in the data protection laws. Some countries may not have similar data protection laws to the UK. If we transfer your information outside of the UK in this way, we will take reasonable steps and implement measures to ensure that appropriate security safeguards are taken with the aim of ensuring that your privacy rights continue to be protected as outlined in this Policy and in accordance with UK data protection law.

Data breach

The Data Protection Act 2018 requires us as Data Controller of your personal information to notify any breach of personal information to the applicable regulator, and in certain instances to you, the data subject, which we will do as appropriate.

Children

Our social media pages are designed and intended for use by people aged 18 and over. You must be 18 in order to “Like” our pages. Please do not attempt to do so if you are under 18. Although we are not responsible for determining the age of our user, we reserve the right to check an individual's age and deny access to any of our competitions, prizes, samples or other content to anyone under 18. We will delete any personal information which has been inadvertently collected from anyone under 18 as soon as possible after we are aware of it.

Protection of your personal information and retention

We keep your personal information confidential. We use appropriate technical, physical, legal and organisational measures, which comply with data protection laws to keep personal information secure. For example, all outgoing and incoming email is scanned for viruses.

We will retain your personal information for as long as is necessary for purposes for which it was collected. The precise period will depend on the reason why it was collected; for competitions it will be retained until the competition has been administered (unless you have consented otherwise) or as long as the law requires whichever is the later. Once the retention period for each situation has expired, we will take all reasonable steps to destroy or erase from our systems all personal data that we no longer require in accordance with all our applicable record retention schedules and policies.

Your rights

You have certain rights with respect to your personal information. The rights may only apply in certain circumstances and are subject to certain exemptions. Please see the table below for a summary of your rights. You can exercise those rights using the contact details below.

	Summary of your rights
Right of access to your personal information	You have the right to receive a copy of your personal information that we hold about you, subject to certain exemptions.
Right to rectify your personal information	You have the right to ask us to correct your personal information that we hold where it is incorrect or incomplete.
Right to erasure of your personal information:	You have the right to ask that your personal information be deleted in certain circumstances. For example (i) where your personal information is no longer necessary in relation to the purposes for which it was collected or otherwise used; (ii) if you withdraw your consent and there is no other legal ground for which we rely on for the continued use of your personal information; (iii) if you object to the use of your personal information (as set out below); (iv) if we have used your personal information unlawfully; or (v) if your personal information needs to be erased to comply with a legal obligation.
Right to restrict the use of your personal information	You have the right to suspend our use of your personal information in certain circumstances. For example (i) where you think your personal information is inaccurate and only for such period to enable us to verify the accuracy of your personal information; (ii) the use of your personal information is unlawful and you oppose the erasure of your personal information and request that it is suspended instead; (iii) we no longer need your personal information,

	but your personal information is required by you for the establishment, exercise or defence of legal claims; or (iv) you have objected to the use of your personal information and we are verifying whether our grounds for the use of your personal information override your objection.
Right to object to the use of your personal information	You have the right to object to the use of your personal information in certain circumstances. For example (i) where you have grounds relating to your particular situation and we use your personal information for our legitimate interests (or those of a third party); and (ii) if you object to the use of your personal information for direct marketing purposes.
Right to data portability	You have the right to obtain your personal information in a structured, commonly used and machine-readable format and for it to be transferred to another organisation, where it is technically feasible. The right only applies where the use of your personal information is based on your consent or for the performance of a contract, and when the use of your personal information is carried out by automated (i.e. electronic) means.
Right to withdraw consent	You have the right to withdraw your consent at any time where we rely on consent to use your personal information.
Right to complain to the relevant data protection authority	You have the right to complain to the relevant data protection authority where you think we have not used your personal information in accordance with data protection law. You may lodge a complaint in the UK with the Information Commissioners Office (“ICO”) for an alleged infringement of data protection law. Please see the Questions or Complaints section below for the ICO’s contact details.

Changes to our privacy policy

We keep this Policy under regular review and reserve the right to make changes at any time to take account of changes in our business, legal requirements, and the manner in which we process personal information. Any changes we make to this Policy will be posted on our social media pages. The updated Policy will take effect as soon as it has been updated or otherwise communicated to you. This Policy was last updated in November 2021.

Questions or complaints:

If you have any questions, concerns, comments or complaints about this Policy and/or our collection or use of personal information, or if you wish us to stop processing your personal

information for any particular purpose or purposes, then please contact our Data Protection Officer on privacy@kettlefoods.co.uk or telephone [+44 \(0\)1603 744788](tel:+44(0)1603744788).

You can also contact the Information Commissioner's Office on helpline telephone number 0303 123 1113 (local rate) or 01625 545745 (national rate); live chat via the ICO's website at www.ico.org.uk (the helpline and live chat options are available Monday to Friday 9 a.m. to 5 p.m. (closed Wednesday's from 1 p.m.)); email: casework@ico.org.uk or other such appropriate email address detailed on the ICO's website (address above); post: Wycliffe House, Water Lane, Winslow, Cheshire SK9 5AF.