

## PRIVACY POLICY

1. This Privacy Policy sets out the rules for the processing of personal data by Apply Capnor Poland Sp. z o.o. ("Company").
2. The personal data administrator is Apply Capnor Poland Sp. z o.o. with the registered office in Krakow, Gabrieli Zapolskiej street 44, 30-126 Krakow, Poland, entered in the Register of Entrepreneurs kept by the District Court for Kraków - Śródmieście in Kraków, XI Commercial Department of the National Court Register under number 0000244389, statistical number: 120133053, Tax ID: 6751334621. If you have any questions regarding the processing of personal data, please contact us by sending mail to the Company's postal address or by e-mail to the address: [rodo@applycapnor.com](mailto:rodo@applycapnor.com).
3. In order to fulfill the obligation set forth in art. 13 para. 1 and 2 and art. 14 para. 1 and 2 of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46 / EC (hereinafter referred to as "GDPR ") in force in all EU Member States from May 25, 2018, we would like to inform you about the manner and purpose in which we process your personal data (hereinafter referred to as "data "), and about your rights related to the protection of your data.

### § 1 Objectives and legal basis for the data processing process

1. The Company processes personal data concerning its clients, employees, job candidates, suppliers and cooperating entities.
2. We collect personal data mainly directly from interested entities, in particular contractors, clients and business partners. We also obtain data from our employees and colleagues. It may happen that we obtain data from widely available sources, websites, organizers of industry conferences, etc.
3. We process personal data for the following purposes:
  - a) performance of contracts concluded for the provision of services within the framework of business and employment relationships (on the basis of Article 6 paragraph 1 point b of the GDPR);
  - b) fulfillment of legal obligations (on the basis of Article 6 paragraph 1 point b of the GDPR);
  - c) offering by the Company services in a form of direct marketing (on the basis of Article 6 paragraph 1 point f of the RODO);
  - d) customer satisfaction surveys and determining the quality of our service, which is the legitimate interest of the Company (on the basis of Article 6 paragraph 1 point f of the RODO);
  - e) a possible determination, investigation or defense against claims, which is the legitimate interest of the Company (the basis of Article 6 paragraph 1 point f of the RODO);
  - f) performance of activities for which we have obtained consent (the basis of Article 6 paragraph 1 point a and of the RODO);
4. Personal data provided to the Company is provided on a voluntary basis in connection with concluded contracts for the provision of services or performance of a contract of employment. Failure to provide the necessary information will prevent the performance of contracts.

### § 2 To whom the data is being disclosed and entrusted to?

1. The Company may transfer personal data to other entities for the purpose of executing the concluded contract, as well as for the purpose of enforcing the legal

obligation imposed on the Company resulting from the provisions of law or final decisions.

2. The Company may also transfer personal data to cooperating entities, including providers providing hosting services, accounting and legal services, banks.
3. Service providers to whom personal data is transferred to, depending on contractual arrangements and circumstances, operate according to the instructions of the Company (processing entities) or independently specify the purposes and methods of their processing (administrators).

### **§ 3 Can data be transferred outside the EEA?**

1. Due to the nature of the activities performed, the Company may transfer certain personal data outside of the European Economic Area (EEA). The company makes every effort to ensure that the level of data protection remains safe, therefore the transfer outside the EEA is always carried out using mechanisms recognized by the European Commission, including the use of Standard Contractual Clauses.
2. Data is transferred outside the EEA only if:
  - a) it is necessary for the performance of the contract concluded or to take the action necessary to conclude such a contract;
  - b) it is necessary for the Company to use the Internet infrastructure / email, cloud or website /;
  - c) such an obligation is provided for in the provisions of Polish or European law as well as international agreements ratified by Poland;

### **§ 4 How long is the data stored?**

Customers' personal data is stored:

- a) if the basis for the processing of personal data is consent, then personal data are processed by the Company until the consent is cancelled, and after the consent has been withdrawn for a period of time corresponding to the period of limitation of claims;
- b) if the basis for data processing is the performance of the contract, then personal data are processed by the Company as long as it is necessary for the performance of the contract, and after that for the period corresponding to the period of limitation of claims.
- c) in the scope of fulfilling the legal obligations incumbent on the Company in connection with running a business - until such time as the Company fulfils these obligations in accordance with specific legal regulations;
- d) in other situations until the legitimate interests of the Company that constitute the basis for data processing or pending such opposition are fulfilled, provided that there are legitimate grounds for data processing by the Company.

### **§ 5 The mechanism of cookies**

1. The Company does not automatically collect any information, except for information contained in cookie files.
2. Cookies (so-called "cookies") are IT data, in particular text files, which are stored in the user's end device and are intended for using the Company's website. Cookies usually contain the name of the website from which they originate, their storage time on the end device and a unique number.

3. The entity placing cookies on the user's end device and obtaining access to them is the Company.
4. Cookies are used to:
  - a) adjusting the content of the website to the user's preferences and optimizing the use of the website; in particular, these files allow to recognize the user's device and properly display the website, tailored to his individual needs;
  - b) create statistics that help to understand how the user uses the website, which allows improving its structure and content;
5. One type of cookies are used: "session" cookies. Session cookies are temporary files that are stored in the user's end device until they leave the website or disable the software (web browser).
6. In many cases, the software used to browse websites (web browser) by default allows the storage of cookies on the user's end device. The user can change the settings for cookies at any time. These settings can be changed in particular in such a way as to block the automatic handling of cookies in the web browser's settings or inform about their every posting in the user's device. Detailed information about the possibilities and ways of handling cookies are available in the software (web browser) settings.

## **§ 6 Rights of the persons whose data is being processed**

1. *The right to withdraw consent* - legal basis: art. 7 par. 3 GDPR.
  - a) withdrawal of consent has effect since the withdrawal of consent,
  - b) withdrawal of consent does not affect the processing carried out by the Company in accordance with the law before its withdrawal.
2. *Right to object to data processing* - legal basis: art. 21 GDPR.
  - a) a natural person has the right to object at any time - for reasons related to his special situation - to the processing of his personal data, including profiling, if the Company processes its data based on a legitimate interest,
  - b) if the objection turns out to be well founded and the Company has no other legal basis to process personal data, the personal data of the natural person will be deleted.
3. *The right to delete data* ("the right to be forgotten") - legal basis: art. 17 GDPR An individual has the right to request the deletion of personal data if:
  - a) personal data are no longer necessary for the purposes for which they were collected or processed;
  - b) withdrew a specific consent in so far as personal data were processed based on its consent;
  - c) objected to the use of its data for marketing purposes;
  - d) personal data are processed unlawfully;
  - e) personal data must be erased in order to comply with a legal obligation under Union law or the law of a Member State.

Despite the request to delete personal data, in connection with opposition or withdrawal of consent, the Company may retain certain personal data to the extent necessary to establish, assert or defend claims.
4. *The right to limit data processing* - legal basis: art. 18 GDPR
  - a) the natural person has the right to demand the restriction of the processing of his personal data;
  - b) a natural person has the right to request a restriction of the use of personal data in the following cases:
    - i. when he challenges the accuracy of his personal data;
    - ii. when the processing of data is unlawful, and instead of deleting the data, the natural person will demand to limit their use;

- iii. when personal data are no longer necessary for the purposes for which they were collected or used, but are needed to establish, assert or defend claims;
  - iv. when he objected to the use of his data
5. *Right of access to data* - legal basis: art. 15 GDPR. An individual has the right to obtain confirmation from the Company whether he processes personal data and also has the right to access his personal data;
  6. *The right to rectify data* - legal basis: art. 16 GDPR A natural person has the right to require the Company to immediately correct personal data that is incorrect about it. Taking into account the purposes of processing, a natural person has the right to request supplementing incomplete personal data.
  7. *The right to data transfer* - legal basis: art. 20 GDPR. A natural person has the right to receive his personal data, which he provided to the Company, and then send them to another personal data administrator of his choice. The natural person also has the right to demand that personal data be sent by the Company directly to such other administrator, if it is technically possible.
  8. *The right to lodge a complaint*
    - a) a natural person may submit complaints, inquiries and requests to the Company regarding the processing of his personal data and the exercise of his rights.
    - b) a natural person has the right to lodge a complaint to the President of the Office for Personal Data Protection in the scope of violation of his right to the protection of personal data or other rights granted under the GDPR.