

## **PRIVACY POLICY**

in effect as of May 25, 2018

**DMC Poland Spółka z o.o.**[Ltd], the organizer of the conference, protects the privacy of persons making use of its services, and their personal data.

With a view to implementing the principle of lawful, reliable and transparent processing of personal data, while using DMC Poland services, the Company has adopted the present "Privacy Policy" which defines the purposes and scope of personal data processing, methods of their protection, legal grounds for the processing, and the attendant rights of the data holders.

### **I. Definitions**

**1) Administrator** - DMC POLAND Sp. z o.o. [Ltd] with its registered seat at ul. Smolki 1A, 30-513 Kraków, evidenced in the National Court Register of Entrepreneurs, as maintained by the District Court of Law for Kraków - Śródmieście in Kraków, 11th Commercial Division, under the entry KRS 0000412901, NIP: 6793080504, REGON: 122519868

**2) Account** - an electronic service created and provided by the Administrator to the User on the Website, which is the exclusive access area for the User within the ICT system provided by the Administrator

**3) Personal data** - all information about an identifiable User or a User not-logged-in, i.e. a person who can be directly or indirectly identified, in particular on the basis of an identifier such as name and surname, identification number, location data, Internet identifier, or a single, or several specific identifying factors that determine physical, genetic, psychological, economic, cultural or social identity of a natural person

**4) Customers** - all entities cooperating with the Administrator, his contractors to whom the Administrator provides his services, and any directly related to him scope of marketing services

**5) Service providers** - all entities cooperating with the Administrator, his contractors that provide the Administrator with their services, and any directly related to them scope of marketing services

**6) GDPR** - Regulation (EU) 2016/679 of the European Parliament and of the Council of April 27, 2016, on the protection of individuals with regard to the processing of personal data and on the free movement of such data, and on repealing Directive 95/46/EC (General Regulation on Data Protection).

**7) Website** - a web portal belonging to and managed by the Administrator, through which the Administrator provides his scope of services, located within the domain: dmcpoland.pl

**8) Account settings** - an Account function, which allows the User making use of the Services to effectively manage these services, including autonomous modification of their scope, as well as facilitates a selection of preferences regarding the actual scope and purposes of processing his personal data

**9) User** - a natural person who holds an Account and uses a scope of Services

**10) User not-logged-in** - a natural person who uses a scope of Services via the Website, for which no Account needs to be set up

**11) Services** - a scope of services provided electronically by the Administrator, in particular via the Website, as well as any direct marketing services

## **II. Administrator of personal data**

The Administrator is entrusted with the task of administering the personal data of both the Users and the Users not-logged-in.

In the event of any questions or queries regarding the processing of personal data and the rights of the Users and the Users not-logged-in, you may contact the Administrator via e-mail at: office@dmcpoland.com.

**Legal grounds:** obligation to provide statutory advice, Article 13, Section 1, letter a, GDPR

## **III. The scope and purposes of processing personal data of the Users and of the Users not-logged-in**

In view of the fact that the Administrator provides various types of services for the Users and the Users not-logged-in, their personal data are being processed for various purposes, in a different scope, and in compliance with different legal grounds, as set out in GDPR. In order to ensure overall transparency of information, we have grouped them in consideration of the actual purposes the data processing is meant to serve.

**Objective 1:** Registration, making use of the Services requiring registration

**Data scope:** For this purpose, the Administrator processes personal data provided by Users in the registration form available on the Website, i.e. name, surname, address, e-mail, company name and address, position.

**Legal grounds:** statutory requirement for executing a contract for the provision of Services to the User (Article 6, Section 1, letter b, GDPR).

**Objective 2: Making use of the Services that require setting up an Account**

**Types of Services:** The Administrator processes the Users' personal data to provide the Services that require setting up an Account, e.g. placing orders for the services offered on the Website.

**Data scope:** The Administrator processes the following Users' personal data for the above-referenced purpose: name and surname, e-mail, and address, company name and address, position.

**Legal grounds:** statutory requirement for executing a contract entered into remotely via the Website (Article 6, Section 1, letter b, GDPR)

**Objective 3: Determination, assertion, and enforcement of claims**

**Data scope:** For this purpose, the Administrator may process certain personal data provided within the Account scope, or order placement, i.e. name, surname, address, data on the use of the Services, other data in support of the claim, including the extent of the damage sustained.

**Legal grounds:** legitimate interest of the Administrator (Article 6 (1) (f), GDPR), consisting in determining, pursuit, and enforcing claims, and defending against any such claims in legal proceedings before the courts of law and other authorities or government agencies.

#### **Objective 4: Processing of complaints and requests, answering queries**

**Data scope:** For this purpose, the Administrator processes the personal data provided by the User within the Account's scope, i.e. name, e-mail, as well as any data on the use of the Services that may have caused a complaint or originated a claim, any data contained in the documents attached to the complaint or a claim.

**Legal grounds:** statutory requirement for data processing so as to comply with the legal obligations vested in the Administrator (Article 6, Section 1, letter c, GDPR) and legally legitimate interest of the Administrator (Article 6, Section 1, letter f, GDPR), consisting in enhancing the functioning of the Services and forging satisfactory public relations with the Users.

#### **Objective 5: Featured offers of services**

**Type of services:** The recommended offers of services are the special, individually tailored offers addressed to the Users, based on their activity on the Website. The featured offers are presented:

(i) by being sent out directly to the User's e-mail address.

#### **Objective 6: Marketing and remarketing**

**Type of Services:** The Administrator processes personal data of the Users not-logged-in for direct marketing of own services or products.

**Data scope:** For this purpose, the Administrator processes personal data, i.e. name and surname, e-mail (in the cases whereby consent was granted for the use of telecommunications terminal equipment for direct marketing purposes via electronic means), telephone number, position, company, company address, affiliation to professional guilds/associations.

**Remarketing:** In order to reach out to the Users and the Users not-logged-in with the Administrator's marketing messages outside the Website, the Administrator makes use of the services offered by external providers.

**Legal grounds:** consent of the data holder (Article 6 (1) (a), GDPR, and Article 22 (2) (c), GDPR), and legally justified interest of the Administrator (Article 6 (1) (f), GDPR), pertaining to direct marketing of Administrator's services or products.

### **IV. Obligatory submission of personal data and the consequences of a failure to do so**

Providing some personal data is a prerequisite for making use of the Services or concluding a distance contract with the Administrator (mandatory data). Mandatory data is marked off on the Website using [\*]. The consequence of not providing this data is the User's inability to make use of the Services. Apart from the data marked as mandatory, providing other personal data is entirely voluntary.

Within the scope of personal data, which are collected automatically, their submission is also voluntary. A will to do so on the part of the User or the User not-logged-in may be expressed through appropriate browser settings.

## **V. Processing of children's personal data**

In order to make use of the Services, the User must be at least 16 years of age, or secure the consent of the person holding parental authority or legal custody of a minor. The Administrator does not intend to collect personal data from any minors under 16 years of age without prior obtaining the consent of their parent(s) or guardian(s).

## **VI. Recipients of personal data**

The Users' personal data may be made available by the Administrator to other parties. Depending on the circumstances, these parties may be subject to the Administrator's instructions as to the purposes and methods of data processing (processing entities), or autonomously determine both the purposes and methods of processing the Users' personal data (administrators). The Administrator shall make the Users' personal data available to the following categories of recipients:

### **1) Co-Administrator**

The Users' personal data shall be shared with the entities jointly administering the Users' personal data - organizers of the event specified on the Website. These entities are obliged to make use of the same means of personal data protection, principles, and purposes of their processing as the Administrator, and to act as administrators with respect to personal data made available to them.

**Location.** Affiliated entities are based mainly in Poland and in other countries of the European Economic Area (EEA).

### **2) Service Providers**

The Users' personal data may be made available to the entities that provide services to the Administrator, effectively supporting his operations, e.g. suppliers of marketing tools, accounting solutions, legal advisors.

**Processing entities.** The Administrator makes use of the services provided by the entities that process the Users' personal data exclusively on his own behalf. These are, among others, the entities providing hosting services, disk space in the cloud, provide marketing systems (e.g. for sending newsletters and other e-mail messages), analyse traffic on the Website, or overall effectiveness of marketing campaigns, etc.

Currently, the Administrator cooperates with the following Service Providers, i.e. the entities processing personal data:

Freshmail Sp. z o.o. [Ltd], with its registered seta in Krakow, at Aleja 29 listopada 155 c,  
Nazwa.pl Sp. z o.o. [Ltd], with its registered seta in Krakow, at ul. Medweckiego 17,

Google LLC, 1600 Amphiteatre Parkway, Mountain View, California 94043, USA (active, confirmed user of „Privacy Shield“)

**Administrators.** The Administrator also makes use of the services provided by entities that do not act exclusively on his own behalf, and autonomously set the objectives and methods for making use of the Users' personal data. These are the entities that provide mainly some remarketing campaign services and conduct statistical surveys.

Currently, the Administrator cooperates with the following Service Providers, or types of entities that are personal data administrators:

Elavon Financial Services Designated Activity Company, with its registered seat in Loughlinstown, Dublin shire, Ireland

Entities in charge of organising conferences

**Location.** The Service Providers are based mainly in Poland and in other countries of the European Economic Area (EEA). Some of the Service Providers, however, may be established outside the EEA. With regard to the transfer of personal data outside the EEA, the Administrator has made sure that the service providers would guarantee a high level of personal data protection. These guarantees are implied in particular by the participation in the "Privacy Shield" programme established by EU Commission Executive Decision (EU) 2016/1250, of July 12, 2016 on the adequacy of protection provided by the EU-US Privacy Shield. In the cases whereby the above-referenced requirement is not complied with, the Administrator ensures compliance of data processing with GDPR by receiving consent from the Users for any such a transfer, and in the absence thereof - excluding the personal data of any such a User from the transfer to a third country.

### **3) Government agencies / statutory bodies**

Personal data is also made available when government agencies or other authorities, in particular, remaining within the organizational structure of the Prosecutor's Office, the Police, or the supervisory authority in charge of personal data protection (GIODO / PUODO), should request it.

## **VII. Personal data retention period**

Personal data shall be retained only for the period useful for the purposes for which it has originally been collected:

- upon the execution of the contract for the provision of services, and the lapse of 3 years of the date of their termination (with regard to personal data statutorily required for entering into a contract, and have it subsequently executed)

- in the event of a significant change in the subject of the Administrator's activities, termination of the Administrator's marketing activities, or termination of the Administrator's operations to the extent that he had conducted business upon the day of collecting personal data (with regard to personal data processed for marketing purposes).

## **VIII. Prerogatives of the data holders**

The Administrator ensures the implementation of the following rights to the benefit of the Users and the Users not-logged-in, by contacting them in one of the ways indicated in Item II further above. Furthermore, some of the rights may be implemented by changing the Settings accordingly. All the rights, as referred to further below, which apply to the to Users, are also vested in the Users not-logged-in.

**Legal grounds:** Article 7, Section 3, GDPR

**The right to object to making use of personal data**

The User has the right to object at any time to the processing of his/her personal data, including automated data processing, should the data be processed in line with the Administrator's legitimate interest.

Notwithstanding the foregoing, the data holder has the right to object at any time to the processing of his/her personal data for the purposes of direct marketing, to the extent that the said processing be related to any such direct marketing purposes.

Resignation from receiving the recommended offers in the form of e-mail messages, as well as resignation from receiving commercial information on the Administrator's products or services, shall be deemed an objection to the processing of personal data for marketing purposes, and therefore any further data processing for this purpose shall be discontinued.

Should the Administrator be unable to invoke any other legal grounds for processing personal data of the User who had filed in an objection, that should override the interests, rights, and statutory liberties of the User, or the grounds for establishing, asserting or defending any claims, the User's personal data shall be promptly deleted from the system by the Administrator.

**Legal grounds:** Article 21, GDPR

**The right to have personal data deleted (i.e. "the right to be forgotten")**

The User has the right to request the removal of all or some of his/her personal data. A request to delete all personal data shall be treated as a request to have an entire Account deleted from the system.

The above-referenced right applies, should at least one of the following circumstances occur:

- (a) personal data are no longer necessary for the purposes for which they had originally been collected or otherwise processed
- b) the User has objected to the processing and there are no overriding legitimate grounds for any such processing, or the User has objected to the processing of his/her data for direct marketing purposes
- c) personal data have been processed unlawfully
- d) personal data must be deleted in order to comply with a pertinent obligation, as implied by applicable legislation

Despite the request to have personal data deleted, in connection with an objection or withdrawal of consent, the Administrator may retain a certain scope of personal data to the extent necessary to establish, assert or defend any claims. This applies in particular to personal data including: name, surname, e-mail address and the ordering history, which shall be retained for the purpose of handling complaints and claims regarding making use of the Services.

**Legal grounds:** Article 17, GDPR

**The right to have personal data processing limited**

The User has the right to request that the processing of his personal data be restricted. This right should apply, should at least one of the following conditions be satisfied:

- a) The User queries the correctness of his/her personal data - the restriction is applied for the period allowing the Administrator to verify the correctness of any such queried data
- b) The processing of personal data is unlawful, while the User opposes its deletion demanding that their processing be restricted instead
- c) The Administrator no longer needs the User's personal data for processing, but it is needed by the User himself/herself in order to establish, assert, or defend claims
- d) The User has objected to the processing of his/her personal data - the restriction is applied until it has been established whether the legitimate grounds on the part of the Administrator actually overriding the grounds for objection, as expressed by the data holder.

**Legal grounds:** Article 18, GDPR

#### **The right to access personal data**

Everyone has the right to verify with the Administrator whether we process the personal data of a specific person, and should this be the case, that person has the right to:

- a) gain access to his/her own personal data
- b) be furnished with the information on the purposes of any such processing, categories of personal data being processed, recipients or categories of recipients of these data, planned period of its retention, or the criteria for determining this period, rights under GDPR, and the rights to lodge a complaint with pertinent supervisory body, the source of these data, on automated decision-making, including personal Profiling, and on the safeguards applied in connection with the transfer of these data to a third country;
- c) obtain a copy of his/her personal data.

**Legal grounds:** Article 15, GDPR

#### **The right to have personal data amended**

The User has the right to have the personal data provided by himself/herself duly amended or supplemented. This right may be exercised from the Account level through making pertinent changes in the Account Settings, and subsequent verification of the scope of data actually entered there.

With regard to personal data not accessible from the Account level, the User has the right to request the Administrator to have these data amended (should they be incorrect) and/or supplemented (should they be incomplete).

**Legal grounds:** Article 16, GDPR

**IX. Response time**  
Should the User, whilst exercising his/her rights, as referenced in Item VIII further above, should apply to the Administrator with a pertinent request, the Administrator should promptly consider this request, be that favourably or not, although not later than within one month of its receipt. If, however, due to the complexity of the request or the number of requests, keeping the monthly deadline should prove unfeasible, the Administrator should fulfil this obligation within the following two months, having prior advised the User on the circumstances accordingly.

**X. Complaints and motions**  
Administrator encourages the Users to lodge questions and submit motions regarding the processing of the Users' personal data and exercising their rights.

Every person has the right to lodge a complaint with a pertinent supervisory body with regard to personal data protection (GIODO/PUODO), should any such a person deem his/her rights regarding

the protection of personal data or any other rights granted to him/her under GDPR to have been infringed by the Administrator.

**XI. Security of personal data**

The Administrator and the entities with whom he cooperates make every effort to ensure the security of personal data processed within the Website, inclusive of making use of encrypted data transmission (SSL) during registration and logging, which ensures protection of the credentials being entered into the system and significantly impedes any attempts at their interception, with a view to accessing the Account by any unauthorized systems or persons.

**XII. Amendments to the Privacy Policy**

In line with the specific needs of the Administrator, we may have the Privacy Policy updated and amended accordingly. All Users shall be advised on any amendments or modifications by a pertinent announcement posted on the Website's home page, or via an e-mail sent out to the Users.