

## **PRIVACY POLICY OF PFLEIDERER POLSKA** **("Privacy Policy")**

Acting out of concern for the security of personal data of our customers and business partners, on the basis of Articles 13 and 14(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 (General Data Protection Regulation) (OJ L EU of 2016, No. 119, p. 1, as amended), hereinafter also referred to as the "GDPR", we hereby present information and principles related to the processing of your personal data by Pfleiderer Polska Spółka z ograniczoną odpowiedzialnością with its registered office in Wrocław.

### **§ 1 [ PERSONAL DATA CONTROLLER ]**

1. The Personal Data Controller for our customers, business partners and associates is **Pfleiderer Polska Spółka z ograniczoną odpowiedzialnością with its registered office in Wrocław**, ul. Strzegomska 42 AB, 53-611 Wrocław, entered into the Register of Entrepreneurs of the National Court Register kept by the District Court for Wrocław-Fabryczna in Wrocław, 6th Commercial Division of the National Court Register under number: 0000247423, share capital: PLN 1,563,499,000.00, fully paid up, NIP: 719-150-39-73, REGON: 200052769, hereinafter referred to as the "**Controller**" or "**Pfleiderer Polska**".
2. For matters relating to the processing of personal data (hereinafter referred to as the "**PD**") you can obtain information at the following address: Pfleiderer Polska Sp. z o.o., ul. Strzegomska 42 AB, 53-611 Wrocław or by e-mail: [rodo@pfleiderer.com](mailto:rodo@pfleiderer.com).
3. The Controller processes personal data of individuals (consumers), data relating to individuals who are self-employed under commercial or professional activity and individuals representing legal persons or organisational units which are not legal persons to whom the law grants legal capacity, who are self-employed under commercial or professional activity, hereinafter referred to as "**Customers**" or "**Users**".

### **§ 2 [ PRINCIPLES FOR THE PROCESSING OF PERSONAL DATA ]**

1. When processing personal data, the Controller observes the following principles of personal data protection:
  - a) **The principle of lawfulness, fairness and transparency of data processing** according to which data is processed by the Controller in a lawful, fair and in a manner which is transparent for the data subject.
  - b) **The principle of limiting the purpose of data processing** - data is collected by the Controller in a manner consistent with the purposes of its processing.
  - c) **The principle of data processing minimisation** - the Controller processes a quantity of data which is adequate, relevant and limited to what is necessary for the purposes for which it is processed.
  - d) **The principle of correctness of processed data** - the Controller processes only correct and, if necessary, updated data. The Controller shall take all reasonable steps to ensure that personal data which is inaccurate in the light of the purposes of its processing is erased or rectified immediately.
  - e) **The principle of limitation of processing time and purposes for which data may be retained** - the Controller shall keep the data in a form which permits identification of the data subject for a period not longer than necessary for the purposes for which the data is processed. The Controller may retain personal data for a longer period of time, provided that it is retained for statistical purposes. The Controller shall at the same time implement appropriate technical and organisational measures to protect the rights and freedoms of data subjects.
  - f) **The principle of ensuring data processing in an integral and confidential manner** - the Controller shall process data in a manner ensuring adequate security of personal data, including protection against unauthorised or unlawful processing and accidental loss, destruction or damage, by using appropriate technical or organisational measures.
  - g) **The principle of accountability** - the Controller shall be responsible for and able to demonstrate compliance with all the principles for the processing of personal data listed in items a) - f) above.
2. The Controller shall implement appropriate technical and organisational measures which ensure the highest level of security for the personal data it processes, in accordance with the principles mentioned above.

**§ 3 [ PURPOSES OF PD PROCESSING; LEGAL BASIS FOR PD PROCESSING;  
PD RETENTION AND PROCESSING TIME ]**

Purpose of PD processing	Legal basis for PD processing	PD retention time
<p><b>Creation and registration of an individual account by the customer in order to carry out online sales</b></p>	<p>Article 6(1)(a) of the GDPR - the consent of the data subject (customer) expressed through the voluntary registration of a Customer account</p> <p>Article 6(1)(b) and (c) of the GDPR - necessary for the conclusion and performance of the agreement</p>	<p>Until submitting a declaration of withdrawing consent for personal data processing</p> <p>For the duration of the agreement and after its termination until the expiry of the limitation periods for claims arising from it, as a rule 3 years, maximum 6 years. The limitation period results from the provisions of the Civil Code.</p>
<p><b>Conclusion and performance of sales and supply agreements with the customers/business partners of Pfleiderer Polska (in case of individuals)</b></p>	<p>Art. 6(1)(b) of the GDPR - sales or supply agreement concluded between the customer and Pfleiderer Polska</p> <p>Article 6(c) of the GDPR - provisions of the Civil Code Act</p>	<p>For the duration of the agreement and after its termination until the expiry of the limitation periods for claims arising from it, as a rule 3 years, maximum 6 years. The limitation period results from the provisions of the Civil Code.</p> <p>If the time limits for the assertion of possible claims are shorter than the periods for storing settlement documents for tax purposes, we shall keep these documents for the time necessary for tax and settlement purposes, i.e. for 5 years from the end of the year in which the tax obligation was updated.</p>
<p><b>Processing of data of associates or employees of customers or business partners of Pfleiderer Polska for the purpose of proper performance of sales and supply agreements (in the case of business partners who are legal persons or entrepreneurs)</b></p>	<p>Article 6(1)(f) of the GDPR - a legitimate interest of the Controller whose aim is the proper performance of the agreement and contact with the business partner</p>	<p>For the duration of the agreement and after its termination until the expiry of the limitation periods for claims arising from it, as a rule 3 years, maximum 6 years. The limitation period results from the provisions of the Civil Code.</p>
<p><b>Handling customer complaints (under statutory warranty and warranty)</b></p>	<p>Art. 6(1)(b) of the GDPR - sales or supply agreement concluded between the customer and Pfleiderer Polska</p> <p>Article 6(1)(c) of the GDPR - in connection with the applicable laws, including the Civil Code</p>	<p>The documentation related to the handling of a given customer's complaint shall be kept for one more year after the statutory warranty period expiration or settlement of the complaint. The deadlines for handling statutory warranty and warranty claims are specified in the Civil Code Act.</p>
<p><b>Conducting marketing activities with regard to potential and current customers (without using electronic communication means)</b></p>	<p>Article 6(1)(f) GDPR - the Controller's legitimate interest manifests itself in the desire to conduct advertising campaigns with regard to customers</p>	<p>Until the customer objects to the processing of their data for marketing purposes</p>
<p><b>Conducting marketing</b></p>	<p>Article 6(1)(a) GDPR, i.e. the</p>	<p>Until such time as the consent is withdrawn, or informing by</p>

<b>activities with regard to potential and current customers (with the use of electronic communication means)</b>	consent of data subjects  The legal basis for the processing is the consent of the data subjects in view of the content of the Telecommunication Law Act and Act on Rendering Electronic Services	any means of the wish to cease contact and receiving of information about the Personal Data Controller's actions by e-mail or telephone.
<b>Asserting claims by the Controller or defending against legal claims made against the Controller</b>	Article 6(1)(f) GDPR - on the basis of the Controller's legitimate interest to secure and defend against claims	For the duration of the proceedings in respect of the asserted claims, until their final conclusion, and in the case of enforcement proceedings, until the asserted claims are finally satisfied.
<b>Storage of documents containing personal data (agreements, invoices) for settlement purposes</b>	Article 6(1)(c) of the GDPR - in accordance with applicable tax law provisions	We shall store these documents for the time necessary for tax and settlement purposes, i.e. for 5 years from the end of the year in which the tax obligation has been updated.
<b>Subscription to the Pfleiderer Polska newsletter (performance of the agreement the subject of which is an electronically provided service)</b>	Article 6(1)(a) of the GDPR - the consent of the data subject expressed voluntarily by ticking a box on the Pfleiderer Polska website	Personal data processed in connection with the subscription to the Pfleiderer Polska newsletter until the time of withdrawal of consent, in the same manner it was granted.
<b>Transmission of personal data by customers through the use of a contact form on the Pfleiderer Polska store's website in order to perform the agreement the subject of which is an electronically provided service</b>	Article 6(1)(a) of the GDPR - the consent of the data subject expressed by voluntarily providing data in the contact form  Article 6(1)(b) of the GDPR - sales or supply agreement concluded between the customer and Pfleiderer Polska	Until the time of withdrawal of consent, in the same manner it was granted  For the duration of the agreement and after its termination until the expiry of the limitation periods for claims arising from it, as a rule 3 years, maximum 6 years. The limitation period results from the provisions of the Civil Code.
<b>Establishing cooperation on the basis of civil-law agreements and activities and settlements related to the conducted cooperation</b>	Article 6(1)(c) of the GDPR - on the basis of the provisions of applicable law, including the Civil Code and tax law acts  Art. 6(1)(B) of the GDPR - relevant civil-law agreement between Pfleiderer Polska and the business partner	For the duration of the agreement and after its termination until the expiry of the limitation periods for claims arising from it, as a rule 3 years, maximum 6 years.  If the time limits for the assertion of possible claims are shorter than the periods for storing settlement documents for tax purposes, we shall keep these documents for the time necessary for tax and settlement purposes, i.e. for 5 years from the end of the year in which the tax obligation was updated.

#### § 4 [ TYPE AND CATEGORIES OF PROCESSED PERSONAL DATA ]

1. The Controller processes the following personal data of the Users of the Pfleiderer Polska Online Store:
  - a) in the event of registering a Customer Account in the Store, the Users provide the following personal data:
    - full name;
    - e-mail address;
    - address details, including place and postal code, street, house number and flat number;
    - phone number;
    - NIP number (for entrepreneurs and legal persons);

The Users set the password for access to the Customer's Account on the e-store's website themselves. The Users have the right to change their password at any time.

- b) in the event of placing an Order in the Store, the Users provide the following personal data:
  - full name;
  - e-mail address;
  - address details, including place and postal code, street, house number and flat number;
  - phone number;
  - NIP number (for entrepreneurs and legal persons);
  - company name (for entrepreneurs and legal persons);
- c) in the event of subscribing to the Controller's Product Newsletter, the Users provide the following personal data:
  - the User's e-mail address;
- d) in the event of transferring data by means of the contact form, the Users provide the following personal data:
  - full name;
  - e-mail address;
  - phone number;
  - address details (optional).

- 2. In connection with the use of the Pfleiderer Polska website and the online store, the Controller may process the following information, i.e. IP address of the User's computer or Internet provider, browser type, access time, navigation data, location data, operating system type, payment transaction history, website visit history, website user behavioural data.

#### **§ 5 [ PERSONAL DATA SOURCE OF ORIGIN ]**

The processed personal data is obtained by the Controller:

1st directly from the Customers;

2nd from such publicly available sources as:

- a) Central Registration and Information on Business (CEIDG);
- b) Information Centre of the National Court Register (KRS);
- c) the Internet.

#### **§ 6 [ PERSONAL DATA RECIPIENTS ]**

- 1. The recipients of your personal data are:
  - a) state authorities or other entities empowered by law;
  - b) entities supporting the Controller in their activity on their behalf, in particular: suppliers of external ICT systems supporting the Controller's activity, as well as the operation of the online store, carriers and postal operators, including Poczta Polska S.A., couriers carrying out deliveries on behalf of the Controller, online sales platforms;
  - c) domain, hosting and e-mail providers;
  - d) banks when settlement handling is necessary;
  - e) in the event of court proceedings, asserting claims - law firms or debt collection companies.
- 2. The processing of personal data may only be outsourced to such entities which provide sufficient guarantees that appropriate technical and organisational measures shall be implemented to ensure that the processing meets the requirements of the GDPR and protects the rights of data subjects.
- 3. The Controller applies the implemented principles for selection and verification of entities processing data on order of Pfleiderer Polska, designed to ensure that the processors provide guarantees of implementation of appropriate organisational and technical measures to ensure security, exercise individual rights and other data protection obligations.

#### **§ 7 [ EXERCISE OF DATA SUBJECTS' RIGHTS ]**

- 1. Pfleiderer Polska exercises the rights of data subjects by introducing procedural guarantees of protection of rights and freedoms of data subjects. Pursuant to the content of Articles 12 - 23 of the GDPR, you have the right to:
  - a) access your data and to receive a copy of it;

- b) rectify (correct) your personal data if it is incorrect;
  - c) limit the processing of personal data;
  - d) erase personal data;
  - e) lodge a complaint with the President of the Office for Personal Data Protection (address: ul. Stawki 2, 00-193 Warsaw), should you consider that the processing of your personal data violates the provisions of the GDPR;
  - f) withdraw the consent for the processing of personal data if the processing was based on consent;
  - g) object to the processing of data in the cases referred to in Articles 21 to 22 of the GDPR.
2. **[Right of access to PD]** Pursuant to Article 15 of the GDPR, the User has the right to obtain confirmation from the Controller whether it is processing personal data, and if so, the User shall have the right to:
- a) access their personal data;
  - b) obtain information about the purposes of processing, categories of processed personal data, about the recipients or categories of recipients of this data, the planned period of retention of the User's data or the criteria for determining this period (when determining the planned period of data processing is not possible), about the rights the User has under the GDPR and about the right to lodge a complaint with the supervisory authority, about the source of this data, about automated decision making, including profiling, and about the safeguards applied in connection with the transfer of this data outside the European Union;
  - c) obtain a copy of their personal data;
3. **[Right to obtain a copy of PD]** At the request of the User, the Controller shall issue a copy of the data concerning the data subject and shall record the fact of issuing the first data copy. The Controller introduces and maintains a price list for copies of data, according to which it charges for subsequent copies of data. The price of a data copy is calculated based on the estimated unit cost of handling a data copy issuance request.
4. **[Right to rectify incorrect PD]** The Controller shall rectify incorrect data at the request of the data subject. The Controller has the right to refuse to rectify the data, unless the data subject reasonably proves irregularities in the data which they request to be rectified.
5. **[Right to erase PD]** At the request of the data subject, the Controller shall erase the PD in the following cases:
- a) the data is neither necessary for the purposes for which it was collected nor processed for other purposes;
  - b) the data subject has withdrawn their consent to the processing of the data, and the Controller has no other legal basis for processing the data;
  - c) the data subject has lodged an effective objection to the processing of that data;
  - d) the personal data was unlawfully processed;
  - e) the necessity for erasure of personal data arises from a legal obligation;
  - f) the request concerns data of a child collected on the basis of consent in order to provide information society services offered directly to the child.
6. The Controller shall execute the request for data erasure in such a manner as to ensure the effective exercise of this right while respecting all data protection principles, including security, and it also has a defined manner of verifying whether there are no exceptions referred to in Article 17(3) of the GDPR.
7. If the data to be erased has been made public by the Controller, the Controller shall take reasonable steps, including technical measures, to inform the other controllers and processors of this personal data of the need to erase and access the data.
8. The Controller refuses to exercise the right to delete personal data to the extent that processing is necessary:
- a) to exercise the right to freedom of expression and information;
  - b) to fulfil a legal obligation requiring processing under Union law or the law of a Member State to which the Controller is subject or to perform a task carried out in the public interest or with regard to the exercise of public authority entrusted to the Controller;
  - c) to establish, assert or defend against claims.
9. **[Right to restrict the processing of PD]** The Controller shall restrict the processing of data at the request of the data subject if:
- a) the person questions the correctness of the data - for a period of time allowing to check its correctness;
  - b) the processing is unlawful and the data subject objects to the erasure of personal data and instead demands a limitation of its use;

- c) the Controller no longer needs personal data, but it is necessary for the data subject to establish, assert or defend against claims;
  - d) the data subject has objected to the processing for reasons related to their particular situation - until it is determined whether there are legitimate grounds on the part of the Controller overriding the grounds for objection.
10. During the restriction of processing, the Controller shall retain data, but does not process it (does not use, does not transfer) without the consent of the data subject, unless for the purpose of establishing, asserting or defending against claims, or to protect the rights of another individual or a legal person, or for important reasons related to the public interest.
  11. The Controller shall inform each recipient to whom personal data has been disclosed about the rectification or erasure of personal data which it carried out according to Article 16, Article 17(1) and Article 18 of the GDPR, unless it is impossible or requires a disproportionately huge effort. The Controller shall inform the data subject about these recipients if the data subject requests it.
  12. **[Right to PD portability]** At the request of the data subject, the Controller shall issue, in a structured, commonly used, machine-readable format, or transmit to another entity, if possible, the data concerning that person, which the person has provided to the Controller, processed on the basis of that person's consent or for the purpose of concluding or performing an agreement concluded with them, in the Controller's information systems.
  13. **[Right to object to data processing]** The User shall have the right to object at any time - for reasons related to their particular situation - to the processing of their personal data, including profiling, if the Controller processes their data on the basis of a legitimate interest, e.g. marketing of products and services, sending commercial information by electronic means, including a newsletter, keeping statistics on the use of particular functionalities of the online store.
  14. An e-mail resignation from receiving marketing messages concerning products or services shall be considered as the User's objection to the processing of their personal data, including profiling for these purposes.
  15. If the User's objection proves to be justified and the Controller has no other legal basis for processing the personal data, the User's personal data against which the objection has been lodged shall be deleted and shall not be processed for this purpose.
  16. In the event of the User's submission of a request regarding the rights specified in this section, Pfleiderer Polska shall fulfil the request or refuse to fulfil it immediately, but not later than within one month after receiving it. However, if, due to the complicated nature of the request or the number of requests, Pfleiderer Polska shall not be able to fulfil the request within one month, it shall fulfil it within the next two months, informing the User in advance within one month of receiving the request about the intended extension of the deadline and its reasons.
  17. **[Right to lodge a complaint with the supervisory authority]** The User has the right to lodge a complaint with the President of the Office for Personal Data Protection (address: ul. Stawki 2, 00-193 Warsaw) if, in their opinion, the Controller violates their rights in the scope of personal data protection or other rights granted under the GDPR.

## **§ 8 [ RIGHT TO WITHDRAW CONSENT TO DATA PROCESSING IN CONNECTION WITH DIRECT MARKETING AND PROFILING ]**

1. With regard to your personal data processed on the basis of your consent, you have the right to withdraw your consent at any time without affecting the lawfulness of the processing carried out on the basis of your consent prior to its withdrawal (including, in particular, for the purposes of direct marketing, sending newsletter, presentation of commercial information and profiling).
2. You have the right to withdraw your consent at any time, however, withdrawal of consent shall take effect from the time of withdrawal of consent.
3. The consent is withdrawn by submitting a declaration on withdrawal of consent, sent to the Controller's address by mail or electronically, as specified in § 1 of this Privacy Policy of Pfleiderer Polska. The consent may also be withdrawn by unchecking the appropriate check boxes available on the Pfleiderer Polska online store website.
4. Withdrawal of consent shall not affect the processing carried out by the Controller in accordance with the law prior to the submission of the declaration of its withdrawal.
5. Submitting a declaration on withdrawal of consent does not entail any negative legal consequences for the Users, however, it may prevent them from continuing to use some of the services or functionalities which the Controller may legally provide only with consent.

## **§ 9 [ INFORMATION ON THE OBLIGATION TO PROVIDE DATA ]**

1. Providing the data is necessary for the conclusion of agreements and their settlement and for the Controller to meet the legal requirements and this applies to the following situations:
  - a) conclusion and performance of agreements with customers / business partners;
  - b) handling customer complaints (under statutory warranty and warranty) and claims;
  - c) asserting claims by the Controller or defending against legal claims made against the Controller;
  - d) storage of documents containing personal data (agreements, invoices) for settlement purposes.
2. For the remaining scope (in particular for the purpose of data processing for marketing purposes), the provision of the data is voluntary, with the Controller pointing out that failure to provide the data specified in the forms during the process of registration and setting up of a Customer Account prevents the registration and setting up of a Customer Account, and in the case of placing an order without the registration of a Customer Account, it shall prevent the submission and execution of the User's order.

#### **§ 10 [ PROFILING ]**

1. Pfleiderer Polska may carry out profiling within the meaning of Article 4(4) of the GDPR, i.e. use a form of automated processing of your personal data consisting in the use of such data to assess certain personal factors of an individual interested in Pfleiderer Polska products. In other words, Pfleiderer Polska can make automated decisions based on your personal data we possess. Thus, we record information about your purchases so that next time we can offer you other products, tailored to your preferences, expectations and needs as a Pfleiderer Polska Customer.
2. In connection with profiling, the Controller has implemented appropriate measures to protect the rights, freedoms and legitimate interests of the data subject, and at least the right to obtain human intervention from the Controller, to express own views and to challenge the decision.
3. Decisions consisting in presenting you with a specific commercial offer by the Controller are made to evaluate certain information about the Customers of Pfleiderer Polska, including on the basis of the history of your payment transactions, website visit history, location data, and behavioural data of the store user.
4. Profiling is carried out for the Controller's marketing purposes (the Controller's legitimate interest).
5. You have the right to object to the processing of your personal data in connection with profiling for marketing purposes at any time. Objections should be submitted to the Data Controller in writing to the mailing address indicated in § 1 or by e-mail at the address: [rodo@pfleiderer.com](mailto:rodo@pfleiderer.com)

#### **§ 11 [ TRANSFERRING PERSONAL DATA OUTSIDE THE EEA ]**

- 1st Your personal data may be transferred outside the European Economic Area (EEA) to countries such as Belarus, Russia, Ukraine in connection with the sale or supply of goods by the Controller. As these countries are not recognised by the European Commission as providing an adequate level of protection for personal data, the transfer of data to these countries involves greater risks.
- 2nd The transfer of personal data outside the EEA is based on Article 49(1)(b) of the GDPR which allows for the transfer of personal data in such a situation, provided that it is necessary for the performance of an agreement between the data subject and the Controller, or on Article 49(1)(c) of the GDPR which allows for the transfer of personal data if it is necessary for the performance of an agreement concluded in the interest of the data subject.
- 3rd The Controller implements the necessary technical and organisational measures to maintain the security of the Customers' personal data, among others, the Customers' personal data is processed only by persons authorised to do so, it is stored on data carriers and in places which guarantee security.

#### **§ 12 [ COOKIE POLICY ]**

1. In order to adjust the sales of particular products to individual needs and preferences of the Customers, information is collected in the form of so-called cookies. Cookies are IT data, mainly text files, stored on end devices of the website User and are intended for using the website's pages.

2. Cookies are used to identify the software used by the website User and to optimise the functioning and safety of the website. Cookies contain data of the domain from which they originate, determine the time of their storage on the User's computer and have an assigned number.
3. The entity which places cookies on the User's end device and has access to them is the website's Administrator.
4. We use two types of cookies on our website:
  - a) session cookies - temporary files stored on the User's end device until logging out, leaving the website;
  - b) persistent cookies - stored on the User's end device for the time specified in the cookie file parameters or until the user deletes them.
5. Detailed information on the possibilities and manners of handling cookies and the setting of the mechanism for their handling by the User's software is available in the settings of the User's software (web browser).
6. The User has the option to limit the use of cookies, however, this limitation may affect the functionality and availability of some functions contained on the website's pages.

### **§ 13 [NARZĘDZIA ANALITYCZNE UŻYWANE NA NASZEJ STRONIE ]**

1. Google Analytics  
Google Analytics is a web analysis tool. Google Analytics uses so-called "cookies", which are stored on your computer and enable an analysis of the use of this website. The information generated by these cookies, e.g. the time of your visit to the website, your location and the frequency of your visits to our website.
2. Google Tag Manager  
Google Tag Manager does not collect any personal data. This tool triggers other tags that may collect data. Google Tag Manager does not have access to this data. If tracking has been blocked at the domain or cookie level, this also applies to all tags that are deployed with Google Tag Manager..
3. Pixel Facebook  
Pixel Facebook - this tool is used to track the behaviour of users who have displayed or clicked on a Facebook ad, provided they have given their express consent. It is used to assess the effectiveness and further optimisation of advertisements on FB. The data is anonymous but is stored and processed by FB for its own purposes in accordance with <https://www.facebook.com/about/privacy..>

### **§ 14 [ CHANGES TO THE PRIVACY POLICY ]**

4. This Privacy Policy is effective as of 2 January 2020.
5. The Controller reserves the right to change the website's Privacy Policy which may be affected by the development of Internet technology or possible changes in the law on personal data protection and the development of our website.
6. We shall inform you of any changes to the Privacy Policy in a visible and understandable manner on the website.

**Should you have any questions concerning the processing of your personal data, please contact us at:**

**[rodo@pfleiderer.com](mailto:rodo@pfleiderer.com)**