

## Regulations on personal data protection and privacy policy

### I. General provisions

- I.** This Regulations (hereinafter referred to as the „**Regulations**“) may constitute a part of the lease agreement („**Agreement**“) executed by the Client, being a natural person and the companies within the Controller’s capital group or a part of other agreements executed by these companies.
- II.** The Regulations also define the rights of other natural persons whose data is gathered by the companies within capital group and processed by the Administrator, such as apartment owners, who share their data with companies from the Administrator's capital group as well as employees and natural persons performing services for the benefit of the companies under civil law agreements, as well as natural persons whose data the companies obtains from other sources, in particular in connection with agreements concluded with third parties.
- III.** Persons being subject of the data processed by the Administrator may also be hereinafter referred to as the "**Client**".
- IV.** The administrator of personal data is under the contract within the capital group: Platinum Residence limited liability company, with its registered seat in Warsaw 00-844, ul. Grzybowska 61B/Antresola, entered into the Register of Entrepreneurs kept by the District Court for the capital city of Warsaw in Warsaw, XII Commercial Division under KRS number: 0000316110, NIP (tax identification number): 527-262-11-09, REGON (statistical number): 141712168, hereinafter referred to as the „**Company**“ or „**Controller**“.
- V.** Regardless of the function of the Administrator, each of the companies from the Administrator's capital group is obliged to respect the Client's rights resulting from the Regulations and relevant provisions of law and to help the Client's to better understand and use of his rights.
- VI.** Company’s delivery address: Warszawa, Grzybowska 61B str./Antresola, 00-844 Warszawa
- VII.** Company’s e-mail address: rodo@platinumresidence.com.pl

### 1 Basic data for the Client

#### 1. Scope and purpose of the processing of the personal data

- 1.1.** Client's personal data in case of the Clients entering into lease or other agreement with the companies within Administrator’s capital group is collected and processed for the purpose and to the extent necessary for the performance of the Agreement, as well as taking action related to the Customer's request before entering into Agreement, namely in order to perform activities related to the conclusion of the Agreement and to making an actions regarding the booking for the Client (if booking is made). For this purpose, it is necessary to provide such data as, in particular: name, surname, contact details (eg telephone, address, e-mail), and for the payments for services - payment instrument data (eg credit card details, bank account).
- 1.2.** In the case of personal data provided by Client’s who own premises made available to the Company (or companies within capital group), personal data of the Client are collected and processed for the purpose and to the extent necessary to perform the contract concluded with the Client, as well as take actions related to the Client's request before its conclusion, that is, settlements with the Client, informing about the performance of the contract, keeping correspondence related to the contract, etc. For this purpose, it is necessary to provide personal data, i.e. specified in point 1.1. above.
- 1.3.** In the case of personal data of employees and natural persons performing services for the benefit of the Company (or companies within capital group) under civil law contracts, personal data is collected and processed for the purpose and to the extent necessary to perform the agreement with them, as well as take actions related to customer demand before its conclusion. For this purpose, following personal data are collected, i.e. name, surname, correspondence address, previous employment history, professional experience, specific professional rights and data, the acquisition of which results from the legal act - Labour Code and other legal provisions or to which the Client gave consent.
- 1.4.** By making an order or entering into agreement, the Client agrees to the provisions of the Regulations (which is made available to Client) and the processing of his data in the above-mentioned scope and declares that the data provided is reliable, truthful and do not violate the rights of third parties. The current version of the Regulations is made available to the Client before entering into the agreement (in case when agreement is concluded after Regulations came into force) and is also available on the Company's website: <http://www.platinumresidence.com>
- 1.5.** The Client's personal data may be made available to third parties within the capital group of the Company, including V-Hotels Sp. z o.o., Platinum Services Sp. z o.o., Platinum Concept Sp. z. o.o., Concierge Services Sp.

z. o.o., Platinum Residence Mokotów Sp. z o.o., Platinum Towers Management Sp. z o.o. solely in the purpose of the proper performance of the Agreement and activities for the benefit of the Client (eg accounting service, IT system service) under agreements regarding the data protection with these entities. The Client has the right at any time to be inform through which entities and to what extent his or her personal data are processed.

- 1.6.** Client's personal data may also be collected and processed for other purposes not directly related to the performance of the agreements, in particular marketing (distribution of advertising and information materials, eg leaflets, advertising, newsletter). In such event, the Client gives a separate statement consent to the collection and processing of his personal data solely in the scope specified in the consent. Granting consent in this respect is not a necessary condition for the performance of the agreement for the Client.
- 1.7.** The Client has the right to withdraw consent for the processing referred to in point 1.6. above at any time in the form of at least a written or e-mail (verified by the Company during the registration process) to the Company's address. Withdrawal of consent does not affect the lawfulness of the processing which was carried out on the basis of consent before its withdrawal.
- 1.8.** If the Client is a person who is under 16 years old or who does not have full legal capacity, the consent referred to in point. 1.6. the above is only effective if it has been expressed or approved by a person having parental authority over child and only in the scope of expressed consent.

## **2. Information regarding the Company and the processing the personal data of the Client**

- 2.1.** The Company hereby provides the following information connected with processing the personal data of the Client:
  - a)** Company's contact details: Data given in the comparison of these Regulations. Any change of data has effect from the date of informing the Client in writing or by e-mail,
  - b)** the purposes of the processing for which the personal data are intended as well as the legal basis for the processing: Client's personal data is collected and processed for the purpose and to the extent necessary for the performance of the Agreement, as well as taking actions related to the Client's request before entering into Agreement, namely in order to perform activities related to the conclusion of the Agreement and to making an actions regarding the booking for the Client and upon the Client's separate consent in other purposes i.e. marketing (distribution of advertising and information materials, eg leaflets, advertising, newsletter).
  - c)** the period for which the personal data will be stored: The period of performing the Agreement and the status of the profile activity established by the Client during registration. The Client in order to delete the profile and his personal data after completing the services for him should inform the Company in writing or at least in the form of an e-mail from the address verified by the Company during the registration,
  - d)** the recipients or categories of recipients of the personal data, if any: Personal data is disclosed to employees and co-workers of the Company and to companies co-operating with the Company with respect to performing services (such as accounting) and providing services of servers and website of the Company (hosting) in order to duly perform the Agreement and actions for the benefit of the Client and companies carrying out the service of the Client's order.

## **3. Client's rights and obligations**

- 3.1.** The data subject (both when he gave his personal data directly, as well as when data was obtained from other persons, eg registration for a third party), is entitled to obtain confirmation from the Company whether his personal data are being processed concerning, and if it is, is entitled to access to them and to the following information:
  - a)** the purposes of the processing;
  - b)** the categories of personal data concerned;
  - c)** the recipients or categories of recipient to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations;
  - d)** where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
  - e)** the existence of the right to request from the Company rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing;
  - f)** Client has a the right to lodge a complaint with a supervisory authority in accordance with the provisions of law;
  - g)** where the personal data are not collected from the Client, any available information as to their source;

- h)** the existence of automated decision-making, including profiling, and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.
- 3.2.** The Company delivers the data subject copy of the personal data being processed at the request of the Client made in writing or by e-mail. For any further copies requested by the data subject, the controller may charge a reasonable fee based on administrative costs. Where the data subject makes the request by electronic means, and unless otherwise requested by the data subject, the information shall be provided in a commonly used electronic form.
- 3.3.** The data subject shall have the right to obtain from the controller without undue delay the rectification of inaccurate personal data concerning him or her. Taking into account the purposes of the processing, the data subject shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement. The request shall be made in writing or by e-mail.
- 3.4.** Where the Controller has made the personal data public and is obliged pursuant to paragraph 3.1. or 3.3. above to erase the personal data, the controller, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform controllers which are processing the personal data that the data subject has requested the erasure by such controllers of any links to, or copy or replication of, those personal data.
- 3.4.1.** Paragraph 3.3. shall not apply to the extent that processing is necessary:
- a)** for exercising the right of freedom of expression and information;
  - b)** for compliance with a legal obligation which requires processing by Union or Member State law to which the controller is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;
  - c)** for reasons of public interest in the area of public health in accordance with art. 9 ust. 2 lit. h) and i) as well as art. 9 sec. 3 GDPR;
  - d)** for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) GDPR in so far as the right referred to in point 3.3. above is likely to render impossible or seriously impair the achievement of the objectives of that processing; or
  - e)** for the establishment, exercise or defence of legal claims.
- 3.5.** The data subject shall have the right to obtain from the controller restriction of processing where one of the following applies:
- a)** the accuracy of the personal data is contested by the data subject, for a period enabling the controller to verify the accuracy of the personal data;
  - b)** the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead;
  - c)** the controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defence of legal claims;
  - d)** the data subject has objected to processing pursuant to Article 21(1) GDPR pending the verification whether the legitimate grounds of the controller override those of the data subject.
    - Where processing has been restricted under paragraph 3.5. herein, such personal data shall, with the exception of storage, only be processed with the data subject's consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member State.
- 3.6.** A data subject who has obtained restriction of processing pursuant to paragraph 3.5. above shall be informed by the controller before the restriction of processing is lifted.
- 3.7.** The controller shall communicate any rectification or erasure of personal data or restriction of processing carried out in accordance with points 3.4., 3.5., or 3.6. above to each recipient to whom the personal data have been disclosed, unless this proves impossible or involves disproportionate effort. The controller shall inform the data subject about those recipients if the data subject requests it.
- 3.8.** The data subject has the right to object at any time - for reasons related to his particular situation - to the processing of his personal data. where processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority entrusted to the controller or processing is necessary for purposes arising from legitimate interests pursued by the controller or by a third party, except where the overriding nature of those interests have the interests or fundamental rights and freedoms of the data subject, who require personal data protection, in particular when the data subject is a child), including profiling based on these provisions. The administrator is no longer allowed to process such personal data, unless he demonstrates the existence of valid legally valid grounds for processing, superior to the interests, rights and freedoms of the data subject, or grounds for establishing, investigating or defending claims.
- 3.9.** Where personal data are processed for direct marketing purposes, the data subject shall have the right to object at any time to processing of personal data concerning him or her for such marketing, which includes profiling to the extent that it is related to such direct marketing.
- 3.10.** Where the data subject objects to processing for direct marketing purposes, the personal data shall no longer be processed for such purposes.
- 3.11.** The data subject may exercise its right to object in electronic/e-mail form.

- 3.12.** Where personal data are processed for scientific or historical research purposes or statistical purposes the data subject, on grounds relating to his or her particular situation, shall have the right to object to processing of personal data concerning him or her, unless the processing is necessary for the performance of a task carried out for reasons of public interest..
- 3.13.** The data subject shall have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her or similarly significantly affects him or her.
- 3.14.** Point 3.13. shall not apply if the decision:
- a) is necessary for entering into, or performance of, a contract between the data subject and a data controller;
  - b) is authorised by Union or Member State law to which the controller is subject and which also lays down suitable measures to safeguard the data subject's rights and freedoms and legitimate interests; or
  - c) is based on the data subject's explicit consent.
- 3.15.** In cases referred to in points 3.13. i 3.14. letter a) and c), the data Controller shall implement suitable measures to safeguard the data subject's rights and freedoms and legitimate interests, at least the right to obtain human intervention on the part of the controller, to express his or her point of view and to contest the decision.
- 3.16.** Decisions referred to in point 3.13. can not be based on specific categories of personal data, i.e. personal data revealing racial or ethnic origin, political views, religious or philosophical beliefs, trade-union membership and processing of genetic data, biometric data to uniquely identify a physical person or health data, sexuality or sexual orientation of this person. unless an appropriate exemption from the law is applicable and appropriate measures exist to protect the rights, freedoms and legitimate interests of the data subject.
- 3.17.** The Client is required to provide real personal data and bears liability in the event of any incorrect or unreliable personal data provided.

#### **4. Use of cookies**

- 4.1.** Cookie files - constitute data saved by the servers of the Company or partner companies on the user's end device, which the servers can read every time they connect to this terminal device. Cookie files (so-called "cookies") are in-format data, in particular text files, which are stored in the user's end device. Cookies usually contain the domain name of the website they come from, the time they are stored on the end device and a unique number.
- 4.2.** By using the Company's website, the Client consents to the use of cookies.
- 4.3.** The Client can at any time delete cookies placed on his end device using the options available in his web browser. Available web browsers in the initial (default) settings accept the creation of cookies on the user's device. Each user can, however, oppose the placement of cookies on his end device or modify the rules for their placement. The removal or blocking of the possibility of creating cookies on the user's end device may lead to the loss of the possibility of using important functionalities of internet services and mobile applications.
- 4.4.** Cookies can be used for the purposes of:
- a) improving the functionality of the website;
  - b) improving the speed of the website;
  - c) matching the content to the expectations and interests of users;
  - d) collecting anonymous aggregated statistics of browsing articles and products on the website;
  - e) maintain the user session of the website (after logging in), thanks to which the user does not have to re-enter their login and password on each subpage of the website.
- Cookies are not used to identify the user and based on them, the user's identity is not determined.

#### **5. Final provisions**

- 5.1.** In the matters not regulated in this Regulations there shall be used the provisions of the Civil Code and other legal provisions, in particular the legal act of August 29th 1997 on the data protection (Journal of Laws z 2016 pos. 922 as amended) legal act of July 18th 2002 on the provision of services by electronic means (Journal of Laws 2016 pos.1030 as amended) and Regulation (Eu) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons 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) (Journal of EU Law .U.UE.L.2016.119.1 dated 2016.05.04) („GDPR”).
- 5.2.** The changes of the Regulations shall be effective upon informing the Client by e-mail, by the Company's website or in writing. Change of the address and e-mail of the Company shall not be deemed as the change of the Regulation.
- 5.3.** If the Regulations have been made available in both Polish and English versions, in the event of any discrepancies, the Polish version is binding.