

PRIVACY POLICY

www.rechtsberatungspolen.de

1. The **Data Controller** of www.rechtsberatungspolen.de service, hereinafter referred to as the **Service** is Kancelaria prawna N. Sikorska A. Surowiecka sp.p. adwokatów i radców prawnych with its seat ul. Grabiszyńska 83/17, 53-503 Wrocław, Polska, KRS: 0000711058, NIP (tax identification number): 8971850136.
2. The **Data Controller** undertakes to safeguard and to keep confidential any data obtained from you, with respect to your rights as the data subjects (i.e. the persons to whom the data relate) and with regard to the applicable laws, in particular 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), hereinafter referred to as **GDPR**, the Act of 10th of May 2018 on personal data protection (hereinafter referred to as the **Act**) and any other applicable laws on personal data protection.
3. All the **Data Controller's** employees with the access to the personal data have been properly trained on processing the personal data. Moreover, the **Data Controller** has implemented appropriate safeguards, technical and organisational protection measures in order to ensure the highest level of protection, as well as procedures and policies of personal data protection compliant with **GDPR**, by which the **Data Controller** ensures lawful and fair processing, as well as enforceability of all your rights as the persons to whom the data relate. In addition, if necessary – in cases provided for by the acts- the **Data Controller** cooperates with or consult the supervisory authority in the territory of the Republic of Poland, i.e. the Chairman of the Personal Data Protection Office (hereinafter referred to as the **PUODO**).
4. Any questions, motions, complaints related to the processing of personal data by the **Data Controller**, hereinafter referred to as the **Notifications**, shall be sent to: office@rechtsberatungspolen.de or submit in writing to the **Data Controller** address, i.e.: ul. Grabiszynska 83/17, 53-503 Wrocław, Poland.
5. The **Notification** shall include:
 - a) data of person or persons whom the **Notification** concerns,
 - b) description of the incident being the reason for **Notification**,
 - c) your requests and their legal basis,
 - d) expected way of resolving the issue.
6. Within the **Service** the **Data Controller** collects the following personal data:

- a) name, surname and the name of the company – in order to use the **Service** you will be asked to share your name, surname and the name of the company, so as to make contact with you possible, to present you with our offer and to provide you with the services,
- b) e-mail address – sharing your e-mail address will enable us to reply to your messages, submitted through our contact form, available on the **Service** and to confirm the services you have decided to be provided with; e-mail address also enables us to contact you in case of such need, related to the service rendered,
- c) phone number – sharing your phone number will allow us to contact you primarily in case of sudden and unforeseen situations, when it is possible to simultaneously offer and arrange the best solution,
- d) NIP – Tax Identification Number is necessary to issue an invoice in accordance with applicable laws,
- e) IP address of the device – information stemming from the general rules of connections being established in the Internet, such as IP address (and any other information included in the system logs), used by the **Data Controller** for technical purposes.

7. Sharing the data referred to in the precedent section is necessary in following cases:

- to make a contact using the contact form available on the **Service**,
- to prepare – at your request- the offer before concluding the agreement,
- to conclude the agreement and to use services available on the **Service**.

8. Our **Service** uses Cookie technology in order to adjust the way it functions to your individual needs. As a result, you may agree to have your data and information remembered, so it will be possible to use them when you next visit the **Service**, without the need to re-enter them. The owners of the other websites shall have no access to said data and information. Shall you not agree to customize the **Service**, you are welcome to turn the Cookies off using the options of your browser. The details on the Cookies are presented in Cookie Policy, available on the **Service**.

9. Any of the persons using the **Service** may choose whether and to what extent they wish to contact us, use our services and share the information about themselves with us, within the scope defined by this Privacy Policy.

10. Your personal data are processed by the **Data Controller** in order to reply to the messages submitted through the contact form available on the **Service** and in order to provide you – as the persons to whom the data relate – with the services offered by our **Service**. In accordance with minimization rule, only such data are processed that are indispensable to achieve the purposes described in the precedent sentence.

11. Personal data are processed only for the time necessary to achieve the purposes specified in the precedent section. Personal data might be processed for a longer time, in case such right or duty, being imposed on the **Data Controller**, results from the specific provisions of law or when the service rendered is of continuous nature (for example subscriptions).
12. The source of personal data processed by the **Data Controller** are the persons to whom such data relate and you as the **Data Controller's Clients** (recipient of the services), who transfer to him the databases of your clients in order to render the services by the **Data Controller**, whereas such transfer means entrusting the processing the data of persons in the database. In such case you need to enter into entrustment agreement, where the **Data Controller** shall be the processor.
13. Your personal data are not transferred to the third country in the meaning of **GDPR** provisions.
14. The **Data Controller** does not disclose your personal data to the third parties without your explicit consent (i.e. the consent of the person to whom the data relate). Disclosing such data without the consent of the abovementioned person is possible only to the public authorities, public administrative bodies (tax offices, law enforcement authorities and other authorities, having legitimacy given by the applicable laws).
15. Processing of personal data can be entrusted to the subjects processing such data on behalf of the **Data Controller**. In such case the **Data Controller** enters into entrustment agreement. The processor processes the entrusted personal data but only for the needs, to the extent and for the purposes defined in the entrustment agreement referred to in the precedent sentence.
16. The **Data Controller** will not be able to run his activities within the **Service** without entrusting the personal data to process. The **Data Controller** entrusts processing the personal data to the entity that:
 - a) provides hosting services for the website on which the **Service** is hosted,
 - b) provides other services for and on behalf of the **Data Controller**, necessary for the proper day- to-day functioning of the **Service**.
17. Your personal data are not the subject of profiling in the meaning of **GDPR**.
18. According to **GDPR**, as the persons whose personal data are processed within the **Service**, you have the right to:
 - a) **being informed on personal data processing**, pursuant to article 12 of **GDPR** – the **Data Controller** shall provide you – as the persons whose personal data are to be processed – with all the information specified in **GDPR** (i.e. his identity, the purposes of the processing for which the personal data are intended as well as the legal basis for the processing, the recipients or categories of recipients of the personal data, if any, the period for which the personal data will be processed, or if that is not possible, the criteria used to determine that period); said obligation shall be fulfilled no later than upon obtaining the personal data (for example while sending the message through the contact form available on the **Service**) and

if the data are not obtained from the person they relate to but from the other source (while sharing the personal data) within the reasonable time, depending on the circumstances; the **Data Controller** may refrain from providing such information if the person to whom they relate is already in their possession.

- b) **access to your personal data**, pursuant to article 15 of **GDPR** – upon providing the **Data Controller** with your personal data you are entitled to access them and to obtain the inspection; however, it does not mean that you have access to all the documents which contains such data, as they may contain confidential information; nonetheless, you have the right to receive the information on what kind of information and for what purposes are processed and to receive the copy of such data, where first copy is free of charge and every subsequent one, according to **GDPR**, may be subject to the proper administrative fee, covering the costs of preparing and delivering the copy,
- c) **to have your personal data corrected, completed, updated, rectified**, pursuant to article 16 of **GDPR** – you are obliged to notify the **Data Controller** if your personal data have been modified, to ensure that the data possessed conform to the reality and they are up to date; correcting or rectifying the personal data is also needed when they have not been the subject of modification but for any reason they are incorrect or they are recorded incorrectly (for example because of typographical error),
- d) **erasure the data (the right to be forgotten)** , pursuant to article 17 of **GDPR** – i.e. the right to obtain from the **Data Controller** the erasure of your personal data and demand that he informs controllers which process your personal data that they shall erase such data; you are entitled to request your personal data to be erased if – but not exclusively:
- the purposes for which the personal data were collected have been achieved, for example you have received the service,
 - your personal data were processed upon your consent only, such consent have been subsequently withdrawn and there are no any legal basis for further processing your data.
 - you have objected your personal data to be processed pursuant to article 21 of **GDPR** and you are convinced that there are no overriding legitimate grounds for further processing,
 - your personal data have been unlawfully processed, i.e. processed without any legal grounds for the processing or for the unlawful purpose or without its specifying – please, do remember that in such case you shall indicate legal basis for such request,
 - the need for erasing results from the provisions of applicable laws,
 - personal data relate to the minor and have been collected in connection with providing the services of information society,

subject to section 19 below;

e) **to restrict the processing** – pursuant to article 18 of **GDPR** – you have the right to request the **Data Controller** to restrict processing of your personal data (until such request is clarified such data should be stored or actively processed only to the necessary extent) if:

- you contest the accuracy of your personal data or
- you are convinced that the **Data Controller** processes your personal data without any legal basis but you do not demand that they are erased (you do not exercise the right subjected to the precedent letter) or
- the **Data Controller** does not need your personal data but they are required for the establishment, exercise or defence of legal claim or
- you have objected to the processing of your data subject to letter g) in this section,

f) **transfer the data**, pursuant to article 20 of **GDPR** – you have the right to receive your personal data in a structured, commonly used and machine-readable format and the right to transmit those data to another controller; you can exercise such right only if the data have been processed upon your consent or the processing has been carried out by automated means,

g) **object the personal data processing**, pursuant to article 21 of **GDPR** – you may object if you do not consent to processing the personal data by the **Data Controller**, that until now have been processed for the legitimate objective, unless there is other legal basis for the **Data Controller** to process your data,

h) **not to be profiled**, pursuant to article 22 and article 4 point 4 of **GDPR** – you shall not be a subject of automated decision making or profiling in the meaning of **GDPR**, unless you express consent, moreover you shall be informed on profiling if it is ever to take place,

i) **to lodge a complaint with a supervisory authority** (Chairman of Personal Data Protection Office), pursuant to article 77 of **GDPR** – if you are convinced that **the Data Controller** processes your data unlawfully or infringes in any other way your rights derived from the laws on personal data protection,

19. In relation to the right to erase your personal data (right to be forgotten), subject to letter d) of the precedent section, the **Data Controller** indicates that according to **GDPR** you cannot exercise this right if:

a) processing of your personal data is necessary to exercise the right to the freedom of speech and information (for example if you publish your data on the blog or in the comments),

- b) processing your personal data is necessary for the **Data Controller** to fulfill his legal obligations – the **Data Controller** cannot erase your data for the time necessary to fulfill his obligations (for example on taxes), imposed by applicable laws,
 - c) your data is processed for exercise or defence of legal claim
20. Would you like to exercise your rights, subject to section 18 above, please contact us via e-mail at office@rechtsberatungpolen.de.
21. Any case of infringing the safety is recorded and does any of the events described in **GDPR** or in Act occur, the persons to whom the data relate are informed, as well as PUODO – if applicable.
22. In all the matters not covered by this Privacy Policy, proper provisions of law apply. In case of any discrepancy between this Privacy Policy and said provisions, such provisions shall prevail.