

## **I. INTRODUCTION.**

This Privacy Policy provides general information about our processing of the personal data of visitors to [www.bdrp.pl](http://www.bdrp.pl) website (hereinafter individually "User" or jointly "Users").

This Privacy Policy has been published so that each User is aware of the extent to which his or her personal data is processed and that each User is able to independently, consciously, and freely decide whether or not to use [www.bdrp.pl](http://www.bdrp.pl) website (hereinafter the „Website”).

In this Privacy Policy we describe the following:

- a) what is personal data and its processing,
- b) who controls Users' personal data,
- c) on what principles we process Users' personal data,
- d) for what purposes and on what legal basis we use Users' personal data,
- e) to whom we make Users' personal data available,
- f) how we secure Users' personal data,
- g) how long we process Users' personal data,
- h) what rights Users have in connection with the processing of their personal data,
- i) what are cookies and other technologies related to the functioning of the Website.

The general principles formulated in this Policy are implemented through the regulations and data protection policies that we apply. All data subjects' rights and data processing rules are based on 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", which is applicable as of 25.05.2018, together with Polish data protection laws, including in particular the Personal Data Protection Act of 10<sup>th</sup> of May 2018.

## **II. PERSONAL DATA AND ITS PROCESSING.**

Personal data is any information relating to an identified or identifiable natural person ("data subject"). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an Internet id.

Processing of personal data means any operation performed upon personal data, such as collection, recording, storage, processing, alteration, disclosure and erasure of data.

## **III. CONTROLLING OF PERSONAL DATA.**

The Controller of Users' personal data is Borek Doliński Radcowie Prawni spółka jawna (the general partnership) with headquarters in Poznań, address: Plac Wolności 2/4, 61-738 Poznań, entered into the register of entrepreneurs of National Court Register by District Court in Poznan-Nowe Miasto i Wilda in Poznań, under KRS number: 852234, NIP (tax identification number): 7831821915, REGON: 386626683, (hereinafter the „Controller”).

#### IV. PRINCIPLES OF DATA PROCESSING.

When processing the Users' personal data, we make every effort to ensure that the data is processed in a legal, reliable, transparent, and safe manner.

The following are the most important principles that guide us:

- We acquire personal data for clearly defined purposes and do not process the data in a manner contrary to those purposes.
- We collect personal data only to the minimum extent necessary to fulfill the purposes for which they are collected.
- We process personal data basing only on the grounds specified in the law.
- We care about the validity and correctness of Users' personal data, and we immediately respond to requests to correct or update the data.
- We limit the processing of personal data only to the period necessary for the purposes for which they are collected, unless there are events that may extend the period of data processing (such as a change in legislation requiring an extension of the period of data processing or a legal dispute with the data subject).
- We execute Users' rights to access their personal data, to rectify them, as well as to erase personal data, to withdraw consent, to limit processing, to data portability, to object to data processing, to not be subject to a decision based solely on automated data processing, including profiling.
- We protect Users' personal data against unauthorized access, and against accidental or unlawful loss, damage or alteration.
- If personal data is shared with other entities, it is done in a secure manner, secured if needed by an appropriate data processing agreement and in accordance with applicable law.

#### V. PURPOSES AND LEGAL BASIS OF PERSONAL DATA PROCESSING.

We process Users' personal data for specific purposes and on a specific legal basis, informing the User accordingly. Because the purposes and legal grounds for the processing of Users' personal data may vary depending on the relationship between us and the data subject, we indicate these purposes and legal grounds by way of fulfilling the information obligation referred to in Article 13 or 14 of GDPR. Most commonly, however, the processing of personal data will take place for the following purposes:

- a) **in relation to visitors to the Website** - in order to inform about the services we provide through the content we publish, as well as to determine which content is more and which is less popular, by keeping simple statistics on Website traffic - in which case the legal basis for the processing is the legitimate interest of the controller [Article 6 sec. 1 point f) of GDPR];
- b) **in relation to our potential clients** who contact us (in particular by email) - in order to conclude a contract; in this case, the legal basis for the processing of personal data is taking the action at the request of the data subject prior to the conclusion of a contract [Article 6 sec. 1 point b) of GDPR];
- c) **in relation to our clients** - for the performance of a concluded contract; in this case, the legal basis for the processing of personal data is the performance of the contract [Article 6 sec. 1 point b) of GDPR];
- d) **in relation to employees, co-workers or representatives of our (potential) clients** - for the purpose of entering into or performing a contract; in this case, the legal basis for processing is the legitimate interest of the controller [Article 6 sec. 1 point f) of GDPR];
- e) **with regard to our contractors** - for the purpose of performing a concluded agreement; in such a case, the legal basis for the processing of personal data is the performance of the agreement [Article 6 sec. 1 point b) of GDPR];
- f) **with regard to employees, co-workers or representatives of our contractors** - for the purpose of concluding or performing a contract; in this case, the legal basis for processing is the legitimate interest of the controller [Article 6 sec. 1 point f) of GDPR];
- g) certain data - concerning in particular our clients and contractors - may also be processed in order to fulfil legal obligations imposed on us under tax law and under the provisions of the Act on the prevention of money laundering and terrorist financing - in such case, data processing is based on the legal basis indicated in Article 6 sec. 1 point c) of GDPR;

- h) in the event that our (potential) clients disclose to us special categories of personal data, as referred to in Article 9 sec. 1 of GDPR, these data will be processed on the legal basis indicated in Article 9 sec. 2 point f) of GDPR - in order to establish, assert or defend claims, or exceptionally - on the basis of the data subject's explicit consent - thus on the basis of Article 9 sec. 2 point a) of GDPR;
- i) with regard to potentially each of the above-mentioned categories of Users, we may also process personal data in order to assert and defend against claims; in this case, the legal basis of the processing is the legitimate interest pursued by the controller [Article 6 sec. 1 point f) of GDPR] or the establishment, assertion or defense of claims [Article 9 sec. 2 point f) of GDPR];
- j) sometimes we also obtain personal data of our clients, potential clients or their representatives from publicly available registers, such as the National Court Register, the Central Register and Information on Economic Activity, the Central Register of Real Beneficiaries and the list of VAT taxpayers - then we process these data in order to conclude a contract [Article 6 sec. 1 point b) of GDPR], comply with our legal obligation [Art. 6 sec. 1 point c) of GDPR] or in our legitimate interest to verify the data of a client, potential client or their representatives [Article 6 sec. 1 point f) of GDPR].

As a rule, in most cases, the provision of personal data by the User is voluntary, but necessary for the purpose of processing (e.g., to conclude and perform a contract), and failure to provide such data or a request to cease processing of such data will prevent us from fulfilling this purpose. An exception to this situation is, in particular, personal data necessary to issue or settle an invoice or to comply by us with public law obligations.

The personal data we process may include identification data (e.g. full name), contact data (e.g. phone number, email address), location data, data concerning orders or complaints submitted by the User. In practice, the scope of personal data processed by us depends largely on the User himself/herself and what information (s)he decides to disclose to us. Each time, we define and process only the necessary scope of data.

Users who use the Website are anonymous - we do not use tools designed to identify Users. We are not required to take steps to identify visitors to our Website when the purposes for which we process personal data of those visitors do not (or no longer) require their identification. We inform such persons through this Policy that we are unable to identify them because to do so would require unreasonable expense, time, or effort on our part. In such cases, the rights set forth in section X (points a-h) of this Policy do not apply, unless the data subject, in order to exercise those rights, provides us with additional information that identifies him or her. Otherwise, we will apply the Policy to such individuals as appropriate.

We make every effort to ensure the security of information provided to us by Users, however, each form of electronic communication is exposed to risks that cannot be fully eliminated.

If any sensitive information is sent to us, in particular personal data of special categories as defined in Article 9 sec. 1 of GDPR (e.g., relating to the User's health or the health of other persons), the User should exercise restraint and caution with regard to the data provided to us. The User should encrypt the data sent via email (e.g., using the free 7zip software and sending it to us in an encrypted form, providing the password for decryption via a separate communication channel, e.g. via SMS).

## **VI. WITHDRAWAL OF CONSENT.**

If the legal basis for the processing of the User's personal data is consent, the User has the right to withdraw his or her consent at any time by sending an email to [office@bdrp.pl](mailto:office@bdrp.pl) or in writing to our mailing address indicated in section III above.

The withdrawal of consent is not associated with any adverse consequences - however, the User should be aware that the withdrawal of consent may result in the lack of possibility to use the services which are provided using the personal data processed on the basis of the User's consent.

Withdrawal of consent does not affect the legality of the processing of User data which was performed on the basis of this consent before its withdrawal.

After receiving a declaration of withdrawal of consent to process the User's personal data, we will cease to process the User's data, however, please note that further processing of the User's personal data by us will be possible for other purposes (e.g. performance of the contract, asserting claims or defending against claims) - on another valid legal basis, indicated in particular in Article 6 or 9 of GDPR.

## **VII. DISCLOSURE OF PERSONAL DATA TO THIRD PARTIES.**

We may make Users' personal data available to the following service providers:

- a) hosting providers;

- b) email service providers;
- c) postal service providers;
- d) accounting service providers;
- e) IT service providers and service technicians taking care of equipment used by us to process personal data;
- f) providers of invoicing and time recording software;
- g) National Revenue Administration, common courts, and other authorized public authorities, including the General Inspector of Financial Information;
- h) legal service providers (in particular our subcontractors).

Users' personal data is not transferred by us outside the European Economic Area.

#### **VIII. SAFETY OF PERSONAL DATA.**

We use technical and organizational measures to protect personal data against unlawful or unauthorized access or use, as well as against accidental destruction, loss or compromise of its integrity.

As part of ensuring the security of personal data processed, we undertake to apply:

- a) the principle of confidentiality - we ensure that the User's personal data is not disclosed to unauthorized persons;
- b) the integrity principle - we protect data against unauthorized modification;
- c) the availability principle - we ensure that authorized persons have access to data when necessary.

Each of our personnel members having access to Users' personal data has an appropriate authorization and is obliged to keep the processed personal data confidential.

#### **IX. STORAGE OF PERSONAL DATA.**

We store User's personal data for the period necessary to fulfill the purposes of which the User has been informed.

The storage period for personal data is determined in strict compliance with the applicable laws. In order to determine the period of processing of personal data, we keep records of personal data processing activities pursuant to Article 30 sec. 1 of GDPR.

The User is entitled at any time to obtain information about the adopted storage period of his/her personal data.

#### **X. USER RIGHTS IN RELATION TO PERSONAL DATA PROCESSING.**

We implement the Users' rights related to the processing of their personal data which are listed in Articles 15-22 of GDPR.

The User has the following rights:

- a) The right to withdraw at any time consent to the processing of User's personal data;
- b) The right to access and obtain a copy of User's personal data;
- c) The right to rectify personal data that is outdated or inaccurate;
- d) The right to have incomplete personal data supplemented;
- e) The right to erasure of personal data;
- f) The right to restrict the processing of personal data;
- g) The right to be informed of the recipients of personal data subject to rectification, erasure or which processing has been restricted;

- h) The right to portability of personal data;
- i) The right to object to the processing of personal data;
- j) The right to not be subject to decisions based solely on automated processing of personal data, including profiling;
- k) The right to lodge a complaint with the supervisory authority, which is the President of the Personal Data Protection Office ([www.uodo.gov.pl](http://www.uodo.gov.pl), at Stawki 2 in Warsaw).

Any correspondence related to the processing of personal data may be addressed by the User to the following email address: [office@bdrp.pl](mailto:office@bdrp.pl) or our correspondence address indicated in section III above. Exercising the aforementioned rights by the User may not lead to a violation of personal data protection of other Users or violation of professional secrecy imposed on us.

User's requests will be processed without undue delay, but no later than within one month after receipt. This period may be extended due to the complexity of the request or the number of requests, by up to a further two months, of which the User will be informed within a month from receipt of his/her request.

Personal data are not profiled by us, nor are they subject to any other form of automated processing resulting in decisions that produce legal effects for the User or similarly significantly affect the User.

## **XI. PERSONAL DATA TRANSFER OUTSIDE THE EUROPEAN ECONOMIC AREA.**

As a rule, the User's personal data will not be transferred to third countries or international organizations within the meaning of the GDPR.

However, it may be the case - in particular when the User contacts us via Microsoft Teams or shares documentation with us using the OneDrive service, that his or her basic identification data (in particular the User's name and email address) and telemetric data (e.g. relating to the quality of the User's Internet connection) will be processed by entities belonging to the Microsoft capital group. These entities may be located outside the European Economic Area, in particular in the USA, and the legal basis for processing of personal data by them and the mechanism securing this process are the so-called standard contractual clauses adopted by the European Commission. Microsoft is a leading and one of the most reputable providers of IT services, guaranteeing the highest standards of security of the processed information. The User can find out more about the principles of personal data processing by Microsoft by clicking [here](#).

Similarly, when User contacts us via social media services such as Facebook or LinkedIn, or instant messaging services such as WhatsApp or Signal, a certain amount of his or her personal data may be processed by the providers of these services - namely Meta Platforms, Inc., LinkedIn Corp. and Signal Technology Foundation based in the USA - under the terms and conditions specified by the providers of these services.

## **XII. COOKIES, SERVER'S LOGS AND OTHER TECNOLOGIES.**

### **➤ Cookies.**

Cookie files (cookies), i.e. small text files stored on the User's device (e.g. computer, tablet, smartphone) are used by us to a very limited extent, only to ensure proper functioning of the Website and to conduct a basic and very general analysis of the Users' use of the Website, without the intention of establishing their identity. Cookies can be read by our ICT system.

We store cookies on User's terminal device, and then we gain access to the information contained in them for the above-mentioned purposes.

The User can configure his or her web browser in such a way that cookies cannot be stored on his/her device. In such a situation, however, using the Website by the User may be hampered. Information on how to disable cookies can easily be found by typing "[browser name] block cookies" into the search field of the Internet browser. The User can also easily check how to delete saved cookies from his/her device by, for example, entering "[browser name] delete cookies" in his/her Internet browser.

Cookies can be deleted by the User at any time after they have been saved by us, through the appropriate functions of the Internet browser, programs used for this purpose or by using the appropriate tools available within the operating system used by the User.

At the moment we use so-called session cookies, which are cleared from the memory of the User's device when (s)he closes his or her web browser and which have a minimal impact on the User's privacy, and a long-term cookies that inform us for one year that the User has confirmed that the (s)he has read our cookie policy.

➤ **The server logs.**

1. Using the Website involves sending requests to the server on which the Website is stored.
2. Each query sent to the server is recorded in the server logs. Logs include e.g. User's IP address, date and time of sending a request to the server, information about the Internet browser and operating system used by the User.
3. Logs are saved and stored on the server.
4. The data saved in the server logs are not associated with a particular User and are not used by us to identify the User.
5. Server logs are only auxiliary material used to administer the Website, and their content is not disclosed to anyone except persons authorized to administer the server.

**XIII. CHANGES IN THE POLICY.**

We reserve the right to make changes to this Policy from time to time as necessary to comply with changes in the law, applicable privacy standards, our offerings, or the manner in which we process personal information. Usage of the Website is subject to the version of this Policy posted on the Website.