

# PRIVACY POLICY

## I. GENERAL PROVISIONS

This Privacy Policy ('**Policy**') has been adopted by **Space2Design spółka z ograniczoną odpowiedzialnością spółka komandytowa** with its registered office in Warsaw (address: ul. Dzwonkowa 14, 02-290 Warszawa), entered into the register of entrepreneurs kept by the District Court for the Capital City of Warsaw in Warsaw, 13<sup>th</sup> Commercial Division of the National Court Register, under number KRS 0000733722, NIP (Tax ID No): 522-312-72-14, REGON (Statistical ID No): 380329317 ('**Partnership**' or '**Controller**') following the entry into force of 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) ('**GDPR**').

This Policy governs the processing of personal data by the Partnership in relation to the business carried on by the Partnership and other companies or partnerships from the SpaceFactory group.

This Policy also constitutes the Terms and Conditions for the use of internet sites maintained by the Partnership ('**Website**').

## II. WEBSITE TERMS AND CONDITIONS

### 1. CONDITIONS OF USING THE WEBSITE

- 1.1. To use the Website, the following technical requirements must be met:
  - a) Internet access,
  - b) Operating system: MacOS, Windows, Linux (desktop), iOS 11+, Android 9+ (mobile),
  - c) Web browser: Chrome 73+, Firefox 66+, Safari 12+, Edge 44+,
- 1.2. Your use of the Website constitutes acceptance of this Privacy Policy.
- 1.3. The user is obliged to use the Website lawfully and according to good practice, having regard to the respect of personal rights and intellectual property rights of third parties. The user is not allowed to deliver unlawful content. It is not allowed to use the Website in a manner that disrupts the operation of the Website, e.g., by using specific software or devices, or by distributing or posting on the Website unsolicited trade information.

### 2. TYPES AND SCOPE OF SERVICES PROVIDED ELECTRONICALLY

- 2.1. The Controller makes available to users, via the Website, information concerning the sales offer of the SpaceFactory group.

- 2.2. The Controller reserves the right to modify, add and remove Website resources, i.e., Website resources may be made available on a continuous basis or only temporarily.
- 2.3. The Controller shall make every effort to get the Website resources continuously updated.
- 2.4. An Electronic Services Agreement is concluded upon the user accessing the Website from the user's device. The services are provided when the user uses the Website. The Agreement is terminated upon the user leaving the Website.
- 2.5. The Controller provides electronic services in accordance with these Terms and Conditions. The content of the Terms and Conditions is available on the Website under the "Privacy Policy" tab.

### **3. COOKIES**

- 3.1. The Controller collects the information concerning Website users through the use of cookies. Cookies are not used to identify or establish the identity individual users.
- 3.2. Cookies are set up when the user 'enters' and 'leaves' the Website.
- 3.3. The entity that places cookies on the user's terminal equipment, within the meaning of Article 173(1) of the Telecommunications Law Act of 16 July 2004, is the Partnership.
- 3.4. Cookies are placed in accordance with the relevant provisions of law, in particular with the Telecommunications Law Act and the Act on Providing Services by Electronic Means.
- 3.5. Cookies may be used to:
  - a) adapt the content of the Website to the user's preferences and optimise the Website experience, in particular cookies enable the Website user's device to be recognised and the Website to be properly displayed, according to the user's individual needs,
  - b) improve the Website, thanks to maximally personalised content displayed to individual Website users,
  - c) create statistics to help understand how Website users use the sites, which enables an improvement of their structure and content,
  - d) maintain the Website user's session, whereby the user does not need to re-enter the previously entered data on every subpage of the Website.
- 3.6. The adaptation of the messages and content addressed to Website users shall not result in any legal or financial consequences, or any other significant implications for Website users.
- 3.7. The Partnership may disclose anonymous summaries and statistics concerning such topics as the number of Website visitors. This data, however, does not enable the identification of individual users and does not constitute personal data.
- 3.8. Cookies do not destroy the system on the user's terminal equipment or influence this equipment's operation. Cookies do not result in configuration changes in the user's

terminal equipment and do not have any impact on the software installed on such equipment.

- 3.9. By default, the available web browsers accept cookies. The user may however object to the placement of cookies on their terminal equipment by using the option of disabling cookies in a specific browser; this can be done on computers, smartphones and other devices. Detailed information on the possibility and ways of using cookies is available in the software (web browser) settings.

#### **4. COMPLAINTS**

- 4.1. Complaints concerning the operation of the Website can be submitted by users by contacting the Controller at the following address: Space2Design spółka z ograniczoną odpowiedzialnością spółka komandytowa, ul. Dzwonkowa 14, 02-290 Warszawa or electronically at the following e-mail address: office@spacefactory.eu.
- 4.2. The complaint should contain the description of the problem constituting the reason for the complaint, the relief sought by the user and the contact details (e-mail address) of the user.
- 4.3. The Controller shall resolve complaints within 14 days of receiving them, by sending a response to the e-mail address indicated by the user.

### **III. PROCESSING OF PERSONAL DATA**

#### **5. INFORMATION ON DATA ADMINISTRATION AND CONTACT DETAILS**

- 5.1. The Partnership processes personal data of the persons listed in Clause 6 in accordance with the applicable personal data protection provisions, including GDPR, and is the controller of such data within the meaning of these provisions.
- 5.2. Joint controllers of personal data of the persons listed in Clause 6 are the companies and partnerships from the SpaceFactory group:
  - a) Space2Design spółka z ograniczoną odpowiedzialnością with its registered office in Warsaw (address: ul. Dzwonkowa 14, 02-290 Warszawa), entered into the register of entrepreneurs kept by the District Court for the Capital City of Warsaw in Warsaw, 13<sup>th</sup> Commercial Division of the National Court Register, under number KRS 0000724402, NIP (Tax ID No): 522-311-82-38, REGON (Statistical ID No): 369758656,
  - b) SpaceFactory CE spółka z ograniczoną odpowiedzialnością spółka z ograniczoną odpowiedzialnością spółka komandytowa with its registered office in Warsaw (address: ul. Dzwonkowa 14, 02-290 Warszawa), entered into the register of entrepreneurs kept by the District Court for the Capital City of Warsaw in Warsaw, 13<sup>th</sup> Commercial Division of the National Court Register, under number KRS 0000425826, NIP (Tax ID No): 522-299-78-93, REGON (Statistical ID No): 146186490,

- c) SpaceFactory CE spółka z ograniczoną odpowiedzialnością with its registered office in Warsaw (address: ul. Dzwonkowa 14, 02-290 Warszawa), entered into the register of entrepreneurs kept by the District Court for the Capital City of Warsaw in Warsaw, 13<sup>th</sup> Commercial Division of the National Court Register, under number KRS 0000711149, NIP (Tax ID No): 521-380-33-00, REGON (Statistical ID No): 368782701,
- d) SpaceFactory Investments spółka z ograniczoną odpowiedzialnością with its registered office in Warsaw (address: ul. Dzwonkowa 14, 02-290 Warszawa), entered into the register of entrepreneurs kept by the District Court for the Capital City of Warsaw in Warsaw, 13<sup>th</sup> Commercial Division of the National Court Register, under number KRS 0000576507, NIP (Tax ID No): 521-370-68-15, REGON (Statistical ID No): 362524145,
- e) SpaceFactory Investments spółka z ograniczoną odpowiedzialnością spółka komandytowa with its registered office in Warsaw (address: ul. Dzwonkowa 14, 02-290 Warszawa), entered into the register of entrepreneurs kept by the District Court for the Capital City of Warsaw in Warsaw, 13<sup>th</sup> Commercial Division of the National Court Register, under number KRS 0000824606, NIP (Tax ID No): 522-317-67-67, REGON (Statistical ID No): 385379805

(hereinafter '**Joint Controllers**'; the Partnership and Joint Controllers shall be hereinafter collectively referred to as the '**SF Group**').

- 5.3. The Controller can be contacted with regard to personal data processing by traditional means at the following address: Space2Design spółka z ograniczoną odpowiedzialnością spółka komandytowa, ul. Dzwonkowa 14, 02-290 Warszawa or electronically at the following e-mail address: office@spacefactory.eu.

## **6. CATEGORIES OF PERSONS WHOSE DATA ARE PROCESSED**

- 6.1. In connection with its business activities, the Partnership processes personal data of the following categories of persons:
- a) SF Group counterparties who are natural persons,
  - b) employees, representatives and contact persons of SF Group counterparties.
- 6.2. Notwithstanding the foregoing, the Partnership also processes personal data of the following categories of persons:
- a) persons visiting the Partnership's registered office,
  - b) users of the LinkedIn service,
  - c) users of the site (Website),
  - d) persons filing claims against the Partnership or persons in respect of which the Partnership files claims.
- 6.3. Whereas Articles 13 and 14 of GDPR require the information concerning personal data processing to be provided to these persons:

- a) where personal data are collected from the data subject – at the time when personal data are obtained,
- b) where personal data have not been obtained from the data subject:
  - within a reasonable period after obtaining the personal data, but at the latest within one month, having regard to the specific circumstances in which the personal data are processed,
  - if the personal data are to be used for communication with the data subject, at the latest at the time of the first communication to that data subject,
  - if a disclosure to another recipient is envisaged, at the latest when the personal data are first disclosed,

the Partnership has implemented adequate mechanisms of compliance with the information obligation with regard to the above-mentioned data subjects.

- 6.4. Notwithstanding the foregoing, the Partnership publishes the information on the processing of personal data of the persons listed in Clauses 6.1 and 6.2 of this Policy.

## **7. PURPOSES AND LEGAL BASES FOR PROCESSING. SCOPE AND SOURCE OF DATA AND NECESSITY OF THEIR PROVISION**

### **Personal data of SF Group counterparties who are natural persons**

- 7.1. The Controller processes the personal data of SF Group counterparties who are natural persons for the following purposes:
- a) performing a contract to which the counterparty is party, including for the purpose of making contact or the need to act in order to enter into contract with the counterparty (conducting negotiations, tender procedures, bid procedures),
    - in such cases the legal basis of processing is point (b) of Article 6(1) of GDPR, i.e., processing is necessary for the performance of a contract to which the Partnership is party or in order to take steps to enter into a contract,
  - b) performing settlements,
  - c) storing accounting documents,
    - in such cases the legal basis of processing is point (c) of Article 6(1) of GDPR, i.e., processing is necessary for compliance with a legal obligation to which the Partnership is subject, relating to tax law and accounting;
  - d) ensuring the safety and order at the Partnership's registered office (in connection with, e.g., access to the premises),
  - e) conducting direct marketing
  - f) exercising legal claims and defending rights
    - in such cases the legal basis of processing is point (f) of Article 6(1) of GDPR, i.e., processing is necessary for the purposes of the legitimate interests pursued by the

Partnership, i.e., ensuring order at the Partnership's registered office, conducting direct marketing, exercising legal claims or defending rights.

- 7.2. Personal data of the above-mentioned persons are obtained by the Partnership directly from these persons or from publicly accessible sources.
- 7.3. The provision of personal data is necessary for the purpose of entering into a contract (indicating the parties to the contract). In the remaining cases, the provision of the data may be necessary for performance of a contract. Failure to provide data is likely to render impossible or impair entering into, or performance of, a contract.
- 7.4. The processed personal data include: first name, surname, address of residence, PESEL (Personal ID) number, REGON (Statistical ID No), NIP (Tax ID No), number of identity card, e-mail address, phone number, bank account number.

#### **Personal data of employees, representatives and contact persons of SF Group counterparties**

- 7.5. The Controller processes the personal data of employees, representatives and contact persons of SF Group counterparties for the following purposes:
  - a) performing settlements,
  - b) storing accounting documents,
    - in such cases the legal basis of processing is point (c) of Article 6(1) of GDPR, i.e., processing is necessary for compliance with a legal obligation to which the Partnership is subject, relating to tax law and accounting;
  - c) entering into a contract and performing a contract concluded with the counterparty, including for the purpose of making contact, archiving documentation, sending requests for quotation,
  - d) ensuring the safety and order at the Partnership's registered office (in connection with, e.g., access to the premises),
  - e) conducting direct marketing
  - f) exercising legal claims and defending rights;
    - in such cases the legal basis of processing is point (f) of Article 6(1) of GDPR, i.e., processing is necessary for the purposes of the legitimate interests pursued by the Partnership, i.e., establishing cooperation, performing contracts to which the Partnership is party, ensuring order at the Partnership's registered office, conducting direct marketing and exercising legal claims or defending rights.
- 7.6. Personal data of the above-mentioned persons are obtained by the Controller directly from these persons or from the counterparty that these persons represent / that employ these persons, or from publicly accessible sources.

- 7.7. The provision of the data may be necessary for performance of a contract (e.g., details of the counterparty's employees, necessary for contacting them). Failure to provide data is likely to render impossible or impair entering into, or performance of, a contract.
- 7.8. The processed personal data include: first name, surname, PESEL (Personal ID) number, number of identity card, e-mail address, phone number, address of residence.

#### **Personal data of persons visiting the Partnership's registered office**

- 7.9. The Controller processes the personal data of the persons visiting the Partnership's registered office for the following purposes:
- a) ensuring the safety of people and property at the Partnership's registered office in connection with the operation of CCTV,
  - b) exercising legal claims and defending rights;
    - in such cases the legal basis of processing is point (f) of Article 6(1) of GDPR, i.e., processing is necessary for the purposes of the legitimate interests pursued by the Partnership, i.e., ensuring safety of people and property at the Partnership's registered office and exercising legal claims or defending rights.
- 7.10. The personal data of persons visiting the Partnership's registered office are obtained directly from these persons. The personal data (images) of the above-mentioned persons are captured by the Partnership through CCTV.
- 7.11. The provision of the data is voluntary, but necessary to achieve the above-mentioned purposes.

#### **Personal data of users of the LinkedIn service**

- 7.12. The Controller processes the personal data of the users of LinkedIn for the following purposes:
- a) exchanging correspondence with the users via instant messengers / the profile,
  - b) enabling the users' activity on the profile, including liking the profile, as well as commenting and publishing posts,
  - c) informing about the SF Group's products and services,
  - d) for statistical and analytical purposes, concerning the functioning and popularity of the profile,
  - e) exercising legal claims and defending rights,
    - in such cases the legal basis of processing is point (f) of Article 6(1) of GDPR, i.e., processing is necessary for the purposes of the legitimate interests pursued by the Partnership, i.e., running the SF Group's profile and exercising legal claims or defending rights.
- 7.13. Personal data of the above-mentioned persons are obtained by the Partnership directly from these persons.
- 7.14. The provision of personal data is voluntary.

### **Personal data of site (Website) users**

- 7.15. The Controller processes the personal data of Website users for the following purposes:
- a) running the website,
  - b) responding to users' inquiries (complaints),
  - c) exercising legal claims and defending rights;
- in such cases the legal basis of processing is point (f) of Article 6(1) of GDPR, i.e., processing is necessary for the purposes of the legitimate interests pursued by the Partnership, i.e., running the website, responding to users' inquiries (complaints), exercising legal claims or defending rights.
- 7.16. Personal data of the above-mentioned persons are obtained by the Partnership directly from these persons.
- 7.17. The provision of the data is voluntary, but necessary to achieve the above-mentioned purposes. Failure to provide personal data may render impossible responding to users' inquiries.

### **Personal data of persons filing claims against the Partnership or persons in respect of which the Partnership files claims**

- 7.18. The Controller processes the personal data of persons filing claims against the Partnership or of persons in respect of which the Partnership files claims for the purpose of exercising legal claims and defending rights. The legal basis of processing is point (f) of Article 6(1) of GDPR, i.e., processing is necessary for the purposes of the legitimate interests pursued by the Partnership, i.e., exercising legal claims or defending rights. In respect of data concerning health that the Partnership may receive from persons injured at the Partnership's registered office, the legal basis of processing is point (f) of Article 9(2) of GDPR, i.e., processing is necessary for the establishment, exercise or defence of legal claims
- 7.19. Personal data of the above-mentioned persons are obtained by the Partnership directly from these persons or from the competent authorities.
- 7.20. The provision of the data is voluntary, but necessary to exercise legal claims or defend rights. Failure to provide the data is likely to render impossible or impair the achievement of this purpose.
- 7.21. The processed personal data may include: first name, surname, address of residence, PESEL (Personal ID) number, number of identity card, e-mail address, contact phone number, data concerning health, bank account number, images, and in the case of our counterparties – natural persons, they may also include: NIP (Tax ID No), REGON (Statistical ID No), business address.



## **8. INFORMATION CONCERNING THE RECIPIENTS OF PERSONAL DATA. TRANSFERS TO THIRD COUNTRIES AND AUTOMATED DECISION-MAKING**

- 8.1. The Controller may transfer personal data of the persons listed in Clause 6 hereof to technical or organisational service providers as well as legal and advisory service providers whose services the Partnership uses in connection with its business activities, i.e., in particular to law firms and tax firms, companies providing maintenance services to SF Group, or courier and postal service providers. Personal data may be also provided to public authorities, including the police and other inspectorates and guards.
- 8.2. Personal data of the persons listed in Clause 6 hereof will not be used for automated decision-making or profiling.

## **9. DURATION OF PROCESSING OF PERSONAL DATA**

- 9.1. Where personal data are processed on the basis of:
- a) consent – the data are processed until the consent is withdrawn,
  - b) legitimate interest of the Partnership – the data are processed for as long as this interest persists or until the data processing is effectively objected to,
  - c) necessity to enter into and perform a contract – the data are processed until the contract is terminated,
  - d) necessity to process personal data for compliance with legal obligations to which the Partnership is subject – the data are processed for as long as it is provided for by law.
- 9.2. In the remaining cases, where the retention periods of personal data are not explicitly provided for by law, they have been determined by the Controller, i.e., for CCTV recordings – the data are processed for 14 days of the date on which they are captured.
- 9.3. The basic period of data processing may be subject to extension where the processing is necessary for the establishment or exercise of legal claims, or defence of rights, and after this period – only where, and to the extent, required by law (extended period of data processing).

## **10. RIGHTS RELATING TO PROCESSING OF PERSONAL DATA**

### **General provisions**

- 10.1. In connection with its business activity, the Controller shall ensure that all the persons whose data are processed by the Controller are able to exercise their rights laid down by law. These persons have the right to:
- a) obtain access to their personal data,
  - b) obtain without undue delay the rectification of their personal data,
  - c) obtain without undue delay the erasure of their personal data,

- d) obtain restriction of processing of their personal data,
  - e) data portability,
  - f) object to processing of their personal data, including profiling.
- 10.2. In addition, where the personal data are processed based on consent, the data subject shall have the right to withdraw his or her consent at any time. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.
- 10.3. Furthermore, any person who thinks that his or her data are unlawfully processed by the Controller shall have the right to lodge a complaint with the following supervisory authority: President of the Personal Data Protection Office, ul. Stawki 2, 00-193 Warszawa.

#### **Right of access**

- 10.4. The person whose data are processed by the Controller may obtain from the Controller information whether his or her data are processed, and if that is the case – obtain access to such data.
- 10.5. At the request of the data subject concerning access to his or her data, The Controller shall inform the data subject on the scope, means and purposes of processing, and also provide the person with access to personal data concerning him or her. Access to data may be provided by giving a copy of the data, where the first copy of data is provided free of charge. If subsequent copies are requested, the Controller has the right to charge a fee that corresponds to administrative costs.

#### **Right to rectification**

- 10.6. Where the personal data are outdated or inaccurate, the data subject may obtain their rectification. Where the data has been made available to other entities, the Controller shall inform such entities about the rectification. In addition, the Controller shall complete and update the data at the data subject's request. The Controller may refuse to complete the data if they are not needed for the purposes of the processing.

#### **Right to erasure ('right to be forgotten')**

- 10.7. At the data subject's request, the Controller shall erase the collected data. This is possible in the following cases:
- a) the data are no longer necessary in relation to the purposes for which they were collected,
  - b) the data subject withdraws consent on which the processing is based and there is no other legal ground for the processing,

- c) the data subject objects to the processing and there are no overriding legitimate grounds for the processing,
  - d) the personal data have been unlawfully processed,
  - e) the personal data have to be erased for compliance with a legal obligation to which the Controller is subject,
  - f) the personal data have been collected in relation to the offer of information society services directly to a child.
- 10.8. If the data which are subject to erasure have been made available to other entities, the Controller shall take reasonable steps, including technical measures, to inform these entities about the need to erase the data and remove access to them. At the data subject's request, the Controller shall inform the data subject about the entities to which the data were made available.

### **Right to restriction of processing**

- 10.9. At the data subject's request, the Controller shall restrict the processing where:
- 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 pending the verification whether the legitimate grounds of the Controller override those of the data subject.
- 10.10. Where processing has been restricted, such personal data shall, with the exception of storage, only be processed by the Controller 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.

### **Right to data portability**

- 10.11. Where the processing is based on consent or is done for the purpose of entering into a contract, the Controller shall, at the request of the data subject, provide the data subject with all the data concerning him or her, processed in IT systems, in a structured, commonly used and machine-readable format or, where possible, shall transfer such data to another entity.

### **Right to object to processing of personal data, including profiling**

- 10.12. Where the data subject objects, on grounds relating to his or her particular situation, to processing of personal data concerning him or her, and the data are processed based on the legitimate interest of the Controller, the Controller shall take the objection into account, unless the Controller has compelling legitimate grounds for the processing which override the interests, rights and freedoms of the objecting data subject or grounds for the establishment, exercise or defence of legal claims.
- 10.13. Where objection is made in relation to processing of data for direct marketing purposes (including profiling), the Controller shall take such objection into account without undue delay and cease the processing of the data concerning the objecting person.

## **11. HANDLING OF DATA SUBJECTS' REQUESTS**

- 11.1. The persons whose data are processed by the Controller may exercise their rights specified above by contacting the Controller:
- a) in writing to the following address: Space2Design spółka z ograniczoną odpowiedzialnością spółka komandytowa, ul. Dzwonkowa 14, 02-290 Warszawa,
  - b) by e-mail at: [office@spacefactory.eu](mailto:office@spacefactory.eu).
- 11.2. A natural person's request to exercise his or her rights should contain:
- a) the data of the natural person: first name and surname of the person concerned and of the requesting person,
  - b) the description of the submitted request specifying any possible reservations,
  - c) the signature of the requesting person if the request is in writing,
  - d) the power of attorney if the requesting person acts through an attorney,
  - e) the indication of the preferred form of the response if different than the channel that was used for submitting the request.
- 11.3. Before acting upon the request, the Controller may request the data subject to verify his or her identity.
- 11.4. The Controller shall provide information on action taken in connection with the exercise of rights stipulated above to the data subject without undue delay and in any event within one month of receipt of the request. Where the request is complex or there is a significant number of requests, the Controller shall inform the data subject, within one month of receipt of the request, of an extension of this period by two further months at maximum, together with the reasons for the delay.
- 11.5. If the request of the data subject cannot be accepted, the Controller shall inform the data subject within the above-mentioned periods of the refusal to comply with the request and of the reasons for that.
- 11.6. If the Controller does not take action on the request of the data subject, the Controller shall inform the data subject without delay and at the latest within one month of receipt of the request of the reasons for not taking action and on the possibility of lodging a complaint with a supervisory authority and seeking a judicial remedy.

#### **IV. FINAL PROVISIONS**

The Controller shall make every effort to continuously update this Policy as facts and legal circumstances concerning the principles and means of processing of personal data change.

This Privacy Policy, in the current wording, shall be effective as of 01.01. 2021.