

## **Privacy Policy (effective from 26.06.2020)**

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### **PERSONAL DATA ADMINISTRATOR**

The administrator of Personal Data processed via the MELINK mobile application - hereinafter also "Application" is the company Vershold Poland Sp. z o.o. with its registered office in Warsaw, address: ul. Żwirki i Wigury 16A, 02-092 Warsaw, entered into the Register of Entrepreneurs kept by the District Court for the Capital City of Warsaw Warsaw in Warsaw, XIII Department of the National Court Register, under the number KRS: 0000629221, REGON: 142114475, NIP: 7010209892.

### **CONTACT WITH THE PERSONAL DATA ADMINISTRATOR**

The User may at any time directly contact Vershold via:

- a) electronic mail: [infolinia@vershold.com](mailto:infolinia@vershold.com);
- b) a written letter sent by post to the address: Vershold Poland Sp. z o.o., address: ul. Żwirki i Wigury 16A, 02-092 Warsaw;
- c) by telephone at +48 667 090 903 (connection fee as per the relevant operator's price list).

In the event that the User contacts Vershold via one of the above-mentioned ways, Vershold may request the User to provide additional, further information and Personal Data in order to answer. Providing information and Personal Data is voluntary, however, it may be necessary to perform actions or obtain information that interests the User.

Vershold stores correspondence with the User in order to answer Users' questions and for statistical purposes. Personal Data processed in this way will not be used to communicate with the User for purposes other than processing the application.

### **PERSONAL DATA**

Personal data in the sense used in this Privacy Policy is understood as information about an identified or identifiable natural person (hereinafter referred to as "Personal Data"). An identifiable natural person is a person who can be directly or indirectly identified, in particular on the basis of an identifier, such as: name and surname, identification number, location data, online identifier or one or more specific factors determining physical, physiological, genetic, the mental, economic, cultural or social identity of the natural person.

### **PROCESSING OF PERSONAL DATA**

This Privacy Policy applies to all User's Personal Data which is considered processed in accordance with applicable law. The term 'processing' means any operation or set of operations carried out on Personal Data by means of automated or other means, such as e.g. collection, registration, ordering, storage, adaptation or modification, retrieval, consultation, use, disclosure by transmission, dissemination or sharing otherwise, arranging or compiling, blocking, deleting or destroying.

### **SECURITY OF PERSONAL DATA**

Vershold processes the User's Personal Data in accordance with the Act of May 10, 2018 on the protection of personal data (Journal of Laws of 2018, item 1000) and the Regulation of

the European Parliament and of the Council (EU) 2016/679 of April 27, 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 (Official Journal of the EU. L No. 119, p. 1) (hereinafter also: "GDPR") and having regard to the provisions of the Act of 18 July 2002 on the provision of electronic services (Journal of Laws 2019.123, i.e. from 2019.01.21).

Vershold uses appropriate technical and organizational measures to ensure the protection of processed Personal Data, including programming safeguards (including data encryption system) adequate to the threats and categories of data protected. In particular, we secure Personal Data against disclosure to unauthorized persons, processing in violation of applicable laws and changes, loss, damage or destruction. Vershold has constant control over the processing of Personal Data and limits access to Personal Data as much as possible.

Vershold takes special care to protect the interests of persons to whom the Personal Data relates, and in particular ensures that the Users' Personal Data is:

- a) processed in accordance with the law, fairly and transparently for the data subject;
- b) collected for specific, explicit and legitimate purposes and not further processed in a way incompatible with those purposes;
- c) adequate, relevant and limited to what is necessary for the purposes for which they are processed;
- d) correct and updated as necessary;
- e) stored in a form that allows identification of the data subject for no longer than is necessary for the purposes for which the data are processed;
- f) processed in a way that ensures adequate security of Personal Data, including protection against unauthorized or unlawful processing and accidental loss, destruction or damage, by appropriate technical or organizational measures.

## **SCOPE OF PROCESSING PERSONAL DATA**

Bearing in mind the applicable regulations, and above all the security of Users' Personal Data in each case of Vershold's processing of Personal Data, the purpose and scope of data processing result from the consent of the User or legal provisions and are clarified as a result of the User's actions in the Application or other communication channels. with the User.

Vershold may process Personal Data of Application Users provided in the form when registering the account, provided in the course of using the Application function, transferred as part of submitting complaints, as well as other data obtained based on the User's activity in the Application, including obtained through the Application or other channels communication with the User.

Vershold may process the following Users' Personal Data: nickname, e-mail address. In order to ensure product compatibility with your smartphone, the Application may access the following phone functions: positioning data; photos and video - to personalize the Account; microphone - to record voice commands; camera - to scan the QR code in the initial configuration of the device; SD card or memory - for storing photos or videos from a camera; bluetooth - connection between the Application and Bluetooth products; telephone -

connections and notifications in the Application. Vershold has no access to images and sound and it is not possible to read the image and sound in the cloud.

In addition, the following Personal Data may be collected: data provided by Application Users: by submitting queries and complaints; processed in contact forms; entered addresses indicated by the User - if they are Personal Data), as well as data processed automatically in the course of using the Application to the extent that information obtained via the technology used can be considered Personal Data (data on the use of the Application, data on the mobile application) , operating system version data, screen resolution data, phone model, data collected using cookies or other technologies used to track Users' activity, device IP data, location data, web browser data).

### **OBJECTIVES AND LEGAL BASIS FOR PROCESSING PERSONAL DATA**

Personal Data is processed in the manner described in this Privacy Policy. Personal Data is not used for other purposes, unless the User has given his consent or it is required or permitted by law.

The administrator processes Personal Data based on the following grounds:

1. the implementation of the contract to which the User is a party or taking action at its request before its conclusion (pursuant to art.6 par.1 pt.b) RODO) - processing is carried out in order to adjust and perform the ordered service to the needs of the User, the provision and settlement of the service, communication related to the provision of the service, including communication via the contact form;
2. user's consent (pursuant to art.6 par.1 pt.a) GDPR). If during registration or while using the Application, the User provided data whose submission was optional (e.g. by completing the optional fields in the form), as well as the User's marketing consent (if expressed), on the basis of which Personal Data may be processed in order to informing Users about services and events, presenting advertisements, offers or promotions of Vershold services;
3. legitimate interest of Vershold (pursuant to art.6 par.1 pt.f) RODO) - securing the possible claims; complaints service; creating analyzes, summaries for internal needs, management, service, maintenance and improvement of the Application's operation, preparing proposals for offers and solutions in the Application, informing the User about updates or changes introduced in services;
4. 4.compliance with legal obligations (pursuant to art.6 par.1 pt.c) RODO) - obligations related to the provision of electronic services

### **FREEDOM TO PROVIDE PERSONAL DATA**

Providing Personal Data by the User is voluntary, but necessary to conclude a contract for the provision of electronic services, register an Account and use the functions of the Application.

Providing Personal Data - with the User's consent (also with the User's marketing consent, if expressed) - is voluntary. Withdrawal of consent may take place at any time, but it does not affect the lawfulness of processing before withdrawal of consent.

## **PERIOD OF STORING PERSONAL DATA**

Personal Data may be stored by Vershold for the period of:

- a) while using the Application; Personal Data may be stored for the period of use of the Application. Personal Data will be deleted 7 days after deleting the Account;
- b) to the extent that the basis for the processing of Personal Data is the consent of the User (also in the case of marketing activities undertaken with the consent of the User), the Personal Data will be processed until the consent is withdrawn.

In order to ensure the accountability of the obligations arising from the GDPR, Personal Data may be stored for an indefinite period, and this will occur in exceptional situations (for example, in the event of an objection, Vershold will store Personal Data in order to demonstrate compliance with the User's request).

## **PROFILE OF PERSONAL DATA**

With the User's consent, Personal Data may be processed in order to present, create, grant and implement to the User advertisements, offers or promotions regarding Vershold products or services in a manner tailored to the User's preferences as a result of automated decision making, which may have legal effects on the User or in similarly significantly affect the User. Such an operation is profiling of Personal Data.

## **USERS 'RIGHTS WITH REGARD TO THE PROCESSING OF PERSONAL DATA**

Each person has the right to control the processing of data concerning him, including the right to request their updating, correction and deletion, the right to transfer Personal Data and the right to object to the processing of Personal Data - the implementation and scope of these rights are set out in the provisions of the GDPR. Demands for the exercise of rights can be made through the "FAQ and FEEDBACK" panel or by contacting Vershold.

### ***Right of access and rectification***

Each User has the right to access the content of his Personal Data, including in particular the right to information: what Personal Data are processed by Vershold, what source they come from, for what purposes they are used and information about the identity of the persons / entities to whom the data was transferred. The User also has the right to change the content of his Personal Data - to correct false or incomplete Personal Data.

### ***The right to withdraw consent***

Each User has the right to withdraw any consent expressed Vershold at any time, however, withdrawal of consent does not affect the processing carried out by the Administrator in accordance with the law before its withdrawal.

### ***The right to limit data***

Each User has the right to limit processing when one of the circumstances provided for in art. 18 GDPR, including in particular when the User questions the correctness of Personal Data, the processing is unlawful, and the User opposes the deletion of Personal Data, demanding instead the restriction of their use, the User raised an objection to the processing - until it is determined whether legally justified grounds override the grounds for objection of the User. If processing is restricted, such Personal Data may be processed, with the exception of storage, only with the consent of the User, or to establish, assert or defend claims, or to

protect the rights of another natural or legal person, or for important reasons of public interest of the Union or Member State.

### ***Right to object***

Each User has the right to object to the processing of Personal Data User carried out in order to implement the legitimate interests of the Administrator or a third party (if there are no other valid legitimate grounds for processing overriding the interests of the User), including profiling based on these provisions. If Personal Data is processed for the purposes of direct marketing, the User has the right to object at any time to the processing of his Personal Data for the purposes of such marketing, including profiling, to the extent that the processing is related to such direct marketing.

### ***The right to delete data***

The User may request the deletion of his Personal Data when one of the circumstances provided for in art. 17 GDPR, including in particular when Personal Data are no longer needed to achieve the purposes for which they were collected and there is no legitimate reason for further processing, or the processing has become unlawful, or Personal Data had to be deleted in order to fulfill the legal obligation applicable on the territory of the EU or the Republic of Poland.

### ***Right to data portability***

Each User has the right to transfer Personal Data provided by Vershold and which are processed automatically and the processing is carried out on the basis of consent or on the basis of a contract. The user may also request Vershold to transfer data directly to another data controller, if it is technically feasible.

### ***Right to lodge a complaint***

Each User has the right to lodge a complaint to the President of the Office for Personal Data Protection if he considers that the processing of Personal Data violates the provisions of the GDPR. Contact details to the Office: <https://uodo.gov.pl/pl/p/kontakt>

## **TRANSMISSION OF PERSONAL DATA TO THIRD COUNTRIES (OUTSIDE THE EUROPEAN ECONOMIC AREA)**

Data storage after logging into the account takes place via a local server in Germany, and the cloud computing service is provided by Amazon Web Services. Personal Data shall be made available to entities located outside the European Union or the European Economic Area. Such entities may be located in countries where applicable law on the protection of personal data provides a lower level of protection than in your country of residence. In the above case, Vershold ensures an adequate level of protection by obliging the entity to sign the so-called model clauses ("EC Model Clauses") approved by the European Commission.

## **TRANSFER OF PERSONAL DATA TO THIRD PARTIES**

Vershold does not sell, exchange, rent, disclose, transfer or otherwise provide Users' Personal Data, except where the User gives his prior consent and except in the circumstances described below.

Personal Data is processed only by Vershold's employees or permanent associates of Vershold for the purposes of administering the Application. Persons authorized to process such data are obliged to keep them secret.

Personal Data is or may be transferred to the following categories of entities:

- a) service providers providing Vershold with technical and organizational solutions enabling application management, including hosting service providers, software service companies;
- b) providers of legal and advisory services and supporting Vershold in the defense and enforcement of claims;
- c) other entities entrusted with the processing of personal data by Vershold while maintaining a full guarantee of personal data protection,

with the proviso that all indicated entities will have access only to personal data that will be necessary to perform their specific functions and only to perform these functions - to the extent and for the time necessary to perform these activities.

Each time the catalog of recipients of Personal Data processed by Vershold results primarily from the scope of services used by the User, the User's consent or legal provisions, and is specified as a result of the User's actions in the Application.

Personal Data may be made available by Vershold if it is necessary to protect the rights or security of Vershold, other Users or third parties - as part of the implementation of legal provisions.

## **REFERENCES TO OTHER WEBSITES**

The application may contain links to other websites / services. For these websites / services, another privacy policy may apply whose provisions differ from this one. Vershold assumes no liability for acts or omissions of third parties. Vershold recommends that you read the privacy policies and regulations used on websites / services.

## **FINAL PROVISIONS**

This Privacy Policy is effective from 29/06/2020.

The Privacy Policy may be updated in the light of functional changes to the Application or changes in legal regulations. In this case, Vershold will publish the new privacy policy. With each change, a new version of the privacy policy will appear with a new date.

The Privacy Policy is for information purposes only, it is not a source of obligations for Users (it is not a contract or regulations).