

Information Clause for Data Processing when Concluding a Contract with Business Partners

Pursuant to Article 13(1) and Article 13(2) 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) (OJ EU L 2016 no. 119, p. 1) (hereinafter “GDPR”), please be advised that:

1. Scope and Definitions

This information clause applies to the processing of data of potential and existing Business Partners and persons acting on their behalf. The following terms used in this clause are defined as follows:

- 1) Business Partner – a sole trader, legal person or any other unincorporated entity with which the Controller establishes business relations,
- 2) Persons acting on behalf of Business Partners – an individual who contacts the Controller or persons acting on their behalf to establish or pursue business cooperation, including contract conclusion. These may be Business Partner’s employees or associates or other individuals designated by a Business Partner.

2. Data Controller and Data Protection Officer

The Controller of your personal data is Dom Development S.A. with its registered office in Warsaw, Pl. Piłsudskiego 3, 00-078 Warszawa. The Controller has appointed a Data Protection officer, whom you may contact in respect of any matters relating to personal data protection by email at iodo@domd.pl or by post at the above-mentioned address of the Controller’s registered office, with the note “Data Protection Officer”.

3. Purpose and Legal Basis of Data Processing

Categories of Persons	Purpose of Processing	Processing Legal Basis and Duration	Rights under the GDPR
Prospective Business Partners and Business Partners (sole traders)	<ul style="list-style-type: none"> * To establish business cooperation; * To conclude and deliver a contract; * To defend and exercise claims (if any); * To offer goods and services; * To respond to inquiries * To discharge a legal obligation (settlement under 	<ul style="list-style-type: none"> * Communication conducted in connection with taking actions before the conclusion of a Contract, including presenting offers at the request of a prospective Business Partner and the delivery of the contract (Article 6(1)(b) of the GDPR); * Legitimate interest of the Controller, which is to enable 	<ul style="list-style-type: none"> * the right to access your personal data * the right to request rectification of personal data * the right to request the deletion of personal data * the right to request the restriction of personal data processing * the right to request transfer of

	the contract)	<p>defence and exercise of claims (Article 6 (1)(f) of the GDPR);</p> <ul style="list-style-type: none"> * Legitimate interest of the Controller, which is the opportunity to establish business relationship and respond to inquiries from prospective Business Partners, provided that they do not concern potential or ongoing cooperation (Article 6 (1)(f) of the GDPR); * Legal obligation under tax law, the Accounting Act, tax laws (Article 6(1)(c) of the GDPR); <p>Duration of Data Processing:</p> <ul style="list-style-type: none"> * For prospective Business Partners: until the cooperation is established and a Contract is concluded (from that moment onwards the data is processed as the data of the Business Partner), in the case of failure to establish cooperation, personal data shall be immediately deleted, unless its processing will be justified by defence of claims, in which case – until the limitation period for these claims expires, * For Business Partners: until the legal obligation under the Contract is discharged or until the expiry of the limitation period for/satisfaction of claims (if any) under the Contract (whichever is longer). 	<p>personal data, and</p> <ul style="list-style-type: none"> * the right to object to the processing of personal data for reasons related to your special situation when personal data are processed on the basis of the legitimate interest of the Controller, and the right to file a complaint with the supervisory authority (President of the Personal Data Protection Office)
<p>Persons acting on behalf of Business Partners (staff and representatives, board members, attorneys)</p>	<ul style="list-style-type: none"> * To establish business cooperation with a Business Partner represented by that person; * To present proposal of business cooperation; * To enable the conclusion and delivery of a Contract with the entity represented by that person; * To defend and exercise claims (if any); * To respond to inquiries; * To discharge a legal obligation (settlement under the contract) 	<ul style="list-style-type: none"> * Legitimate interest of the Controller, which is the proper performance of business duties and contact with persons acting on behalf of Business Partners in relevant matters (Article 6(1)(f) of the GDPR) * Legitimate interest of the Controller, which is the opportunity to establish business relationship and respond to inquiries from prospective or existing Business Partners (Article 6(1)(f) of the GDPR); * Legitimate interest of the Controller, which is to enable 	<ul style="list-style-type: none"> * the right to access your personal data * the right to request rectification of personal data * the right to request the deletion of personal data * the right to request the restriction of personal data processing * the right to object to the processing of personal data for reasons related to your particular situation when personal data are processed on the basis of the legitimate interest of the Controller, and

		defence and exercise of claims (Article 6 (1)(f) of the GDPR); * Legal obligation under tax law, the Accounting Act, tax laws (Article 6(1)(c) of the GDPR) Duration of Data Processing * until the legal obligation under the Contract is discharged or until the expiry of the limitation period for/satisfaction of claims (if any) under the Contract (whichever is longer).	* the right to file a complaint with the supervisory authority (President of the Personal Data Protection Office).
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4. Data Source and Categories of Personal Data Processed

The Controller collects data of individuals acting on behalf of a Business Partner (including identification and business details, and other data specified in the body of the Contract or in connection with its performance) either through the Business Partner, or directly from those individuals. The Controller collects personal data of prospective or existing Business Partners directly from them. Additionally, the Controller may also collect data of Business Partners and their representatives from publicly available sources, such as the National Court Register (KRS), the Central Registry and Information on Sole Traders (CEIDG), or the White List of Taxpayers, for the purpose of establishing cooperation or verifying the Business Partner's registration details. The scope of the data collected is limited to the scope of information publicly available in these registers.

5. Voluntary Data Provision

Personal data provided by you is necessary for the Contract to be concluded and delivered, and to discharge legal obligations under the Contract. Failure to provide this data, will deem it impossible for the Contract to be concluded, or delivered.

6. Retention Period

Your personal data will be retained:

- a) until the cooperation is established and the Contract is concluded; in the case of failure to establish cooperation, personal data shall be immediately erased, unless its processing will be justified by defence of claims, in which case – until the limitation period for these claims expires,
- b) in the case of the delivery of the Contract – until the fulfilment of the legal obligation under the Contract,
- c) in the case of the establishment, exercise or defence of claims – until the limitation period for claims expires.

7. Data Recipients

Your personal data may be shared with entities that the Controller engages to perform tasks requiring data processing, such as email management, hosting, IT, administrative, legal, or advisory services. It may also be shared with providers of telecommunication, courier, insurance, billing, accounting, or security services, as well as any other parties to whom the Controller assigns tasks. Your personal data may also be shared with entities or authorities authorised to receive it - but only in justified cases and in accordance with applicable law. Your personal data may be shared with entities necessary to be involved in the conclusion and performance of the contract, such as banks, notaries, homeowner communities.

8. Your Rights

With regard to the processing of personal data, you have the right to: access, rectify or erase your personal data, restrict its processing, and transfer your data. If your personal data is processed on the basis of legitimate interests, you have the right to object to the processing for reasons associated with your particular situation. You also have the right to object to the processing of your personal data for direct marketing purposes. You have the right to file a complaint with the supervisory authority competent for personal data protection (President of the Personal Data Protection Office).

9. Transfer of Data Outside the European Economic Area

As the Controller sources IT tools and services externally, some of your personal data may be transferred to countries outside the European Economic Area, but only on an appropriate legal basis.

Detailed information concerning the legal basis for such transfer is available from the Data Protection Officer.