

Information Clause
for Data Processing when Processing Personal Data of the Reporting Person,
including a whistleblower

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. 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”.

2. Purpose and Legal Basis of Data Processing

Your personal data will be processed for the following purposes:

- a) the compliance with legal obligations when whistleblowing in the context of: the Anti-Money Laundering and Counteracting of Terrorism Financing Act of 1 March 2018 on, the Act of 29 July 2005 on Public Offerings and the Conditions for the Introduction of Financial Instruments to an Organised Trading, and on Public Companies, as well as the Financial Instruments Trading Act of 29 July 2005 (Article 6(1)(c) of the GDPR), in the case of reports within this scope, or
- b) the compliance with legal obligations under the Whistleblower Protection Act of 14 June 2024, including, but not limited to, for the purpose of accepting and handling reports, as well as for taking follow-up actions (if any) based on the legal obligation incumbent on the Controller (Article 6(1)(c) of the GDPR) in the case of reports within the scope of the said Act or other laws relevant as regards the reported violation.

In the event that special categories of data are processed in the procedure, such data will be processed under Article 9(2)(g) of the GDPR

3. Identity Protection

- a) A whistleblower making a report under point 2(a):

You can make an anonymous report. If you provide personally identifiable information, your personal data will not be disclosed to unauthorised persons (i.e. persons outside the team handling the reported case).

- b) A whistleblower making a report under point 2(b):

Your personal data will not be disclosed to unauthorised persons (i.e. individuals who are not members of the team handling the reported case), unless with your express consent (in accordance with Article 6(1)(a) of the GDPR).

4. Special Cases in which Data May be Disclosed

If the Controller discloses your data to public authorities in relation to the received report, and as a result, in connection with investigations conducted by those public authorities or with preparatory or judicial proceedings conducted by courts, your data may be disclosed where required by law, also for the purpose of guaranteeing your right to defend, provided that such disclosure is necessary and proportionate. Prior to making such disclosure, the competent public authority or competent court will notify you by sending you, in paper or electronic form, an explanation of the reasons for the disclosure of your personal data. The notification shall not be given if it could compromise an investigation, preparatory or judicial proceedings.

5. Data Recipients

The Controller guarantees the confidentiality of your data in connection with the received report. Such data may be disclosed only to parties authorised under the law, including, but not limited to, public authorities competent to take follow-up actions and entities to whom the Controller has entrusted the processing of your data.

6. Retention Period

Personal data processed as a consequence of accepting a report or taking follow-up actions, and documents related to such report, will be retained for a period of 3 years following the end of the calendar year in which the report was made or the follow-up actions were completed, or following the conclusion of the procedure initiated by these actions

7. Data Subject Rights

Personal data that is not relevant to the processing of the report is not collected. In the event of accidental collection, it is erased immediately. Such data will be erased within 14 days from the determination that it is not relevant to the case.

In relation to the processing of your personal data, you, as the data subject, have the following rights: the right to access or rectify your data, restrict its processing, and the right to file a complaint with the President of the Personal Data Protection Office. These rights can be exercised in the cases and to the extent provided for by applicable law.

8. Mandatory/Voluntary Data Provision

- a) For reports received under point 3(a):

providing data is voluntary and is not a condition for us to accept the report. However, if you do not provide your contact details, we will not be able to confirm the acceptance of the report and inform you about our actions related to the report.

b) For reports received under point 3(b): providing data is mandatory and is a condition for us to accept the report. If you do not provide your contact details, the report will not be processed.

9. Contact to the Commissioner for Human Rights (the “Commissioner”)

Anyone who feels their rights have been violated in the context of the Whistleblower Protection Act of 14 June 2024 can contact the Commissioner. Citizen Helpline: 800 676 676, email biurorzecznika@brpo.gov.pl, postal address: Biuro RPO (*Office of the Commissioner for Human Rights*), al. Solidarności 77, 00-090 Warszawa. It is also possible to submit the application in the sign language, anonymously via the contact form on the Commissioner’s website or in person at one of the Commissioner’s Office branches.

10. 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.