

INFORMATION CLAUSE ON PERSONAL DATA PROCESSING IN CONNECTION WITH THE PROVIDED SERVICES

Please be informed that acting pursuant to 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 (“**GDPR**”), Grabalski, Kempirński i Wspólnicy sp.k. processes, in connection with the legal services it provides:

- personal data of its Clients who are natural persons;
- personal data of natural persons authorized to represent the Client, and of the Client’s employees and collaborators, whenever the Client is a legal person or an unincorporated organizational unit;
- personal data of persons seeking legal assistance of the Law Firm; and
- personal data of natural persons, received by the Law Firm from its Clients or other entities in the course and for the purposes of the provided services.

I. PERSONAL DATA CONTROLLER

The personal data controller is Grabalski, Kempirński i Wspólnicy spółka komandytowa with registered office in Warsaw at ul. Jasna 14/16A, 00-041 Warszawa, entered in the register of entrepreneurs of the Polish Court Register maintained by the District Court for the City of Warsaw in Warsaw, 12th Economic Division of the Polish Court Register, under number KRS 0000738811 (the “**Law Firm**”).

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email: kancelaria@gkwlegal.pl

The Law Firm’s contact details are available at <https://gkwlegal.pl/kontakt>.

II. PURPOSES OF PERSONAL DATA PROCESSING

Personal data are processed for the following purposes, based on the following legal grounds:

1. to promote the services provided by the Law Firm and for the purposes of direct marketing of the Law Firm’s services with the Client’s prior consent (Article 6(1)(a) GDPR);
2. to execute and perform an agreement on provision of legal services (Article 6(1)(b) GDPR);
3. to comply with the legal obligations imposed on a personal data controller under EU law or Polish law (Article 6(1)(c) GDPR), and in particular the obligation to disclose personal data of a data subject, whenever the Law Firm takes specific procedural steps pursuant to the following acts: the Code of Civil Procedure, the Law on Procedure Before Administrative Courts, the Code of Criminal Procedure, the Code of Administrative Procedure, the Tax Code or other provisions of law, as well as the obligations resulting from the provisions of the Act on Counteracting Money Laundering and Terrorist Financing, the provisions of the Accounting Act and the tax law regulations;
4. to protect the vital interests of the data subject or of another natural person (Article 6(1)(d) GDPR), whenever the Law Firm undertakes legal and factual acts aimed at protecting such interests as part of the legal assistance it provides; and

5. to protect the legitimate interests of the Law Firm (Article 6(1)(f) GDPR), and in particular to pursue, establish and defend claims; monitor the Law Firm's premises and maintain entry/exit records; identify conflicts of interests and ethics violations to an extent necessary to prevent abuse, and for archival and statistical purposes.

III. SCOPE OF THE DATA PROCESSED

The processed data include contact details, as well as data relating to the established and existing economic and professional relations, such as data of Clients, persons representing Clients, Clients' employees, collaborators, advisors and other natural persons, including, *inter alia*, identifying information and contact details (first name and surname, telephone number, address of residence, email addresses, position, PESEL [Personal Identification Number], among others), as well as data provided by Clients, necessary to be known in order to provide legal assistance in a specific case.

IV. PERIOD OF DATA RETENTION

Personal data will be processed for a period not longer than necessary to achieve the goals in connection with which they are processed, subject to the obligations to preserve documentation and store files, as well as correspondence retention periods and limitation periods for claims.

As a rule, pursuant to Article 5c.2(c) of the Act of July 6, 1982 on Attorneys-at-Law, and Article 16c.1.2(c) of the Act of May 26, 1982 – Law on the Bar Association, the personal data retention period is ten years from the end of the year in which the proceedings as part of which the personal data were gathered ended, if the personal data were processed as part of pursuing one's profession.

V. ENTITIES TO WHICH THE LAW FIRM MAY TRANSFER PERSONAL DATA

The Law Firm takes care to keep personal data safe and does not transfer them to any persons or entities not authorized to receive the same. Therefore, in addition to attorneys-at-law, advocates and employees and collaborators of the Law Firm, who are authorized to process personal data as part of the services provided by the Law Firm, personal data may only be made available to:

1. entities providing accounting, IT, tax and audit services to the Law Firm;
2. government agencies, state authorities or authorities entrusted with public services (courts, court enforcement officers, mediators, probation officers, tax inspection authorities and other legal protection agencies);
3. notarial offices, to an extent necessary to draft agreements or notarial statements to be made in connection with agreements; and
4. other entities, with data subjects' consent.

VI. TRANSFER OF DATA OUTSIDE THE EUROPEAN ECONOMIC AREA

As a general rule, the Law Firm does not transfer any personal data outside the European Economic Area. However, please be informed that it can prove necessary to transfer personal data to a third country in a manner and on the terms and conditions set out in the applicable provisions of law. This can be the case, for example, whenever specific IT services or tasks are entrusted to contractors with registered offices outside the European Economic Area.

Data will only be transferred if the recipient state offers adequate legal protection of data in its territory.

VII. DATA SUBJECT'S RIGHTS

Any data subject whose personal data are processed has the right to access their personal data, have them rectified or erased or have their processing restricted any time, subject to the limitations stipulated by the provisions of law and to the extent to which this does not constitute a breach of the duty to maintain professional secrecy.

Furthermore, every data subject whose data are processed has the right to lodge a complaint with the supervisory authority competent for personal data protection, i.e. the President of the Personal Data Protection Office, and also, pursuant to Article 21 GDPR, the right to object to the processing of their personal data, whenever the data are processed for the purposes of the legitimate interests pursued by the controller or by a third party, i.e. on the basis of Article 6(1)(f) GDPR. The provision of Article 21.1 GDPR shall not apply to personal data obtained by an attorney-at-law or an advocate in connection with providing legal assistance.

To exercise the rights referred to above please contact the Law Firm at the address specified in Section I.

VIII. RIGHT TO WITHDRAW CONSENT

Whenever data are processed on the basis of a data subject's consent, the data subject has the right to withdraw their consent at any time, where the withdrawal of consent does not affect the lawfulness of the data processing based on the consent before its withdrawal.

IX. INFORMATION AS TO WHEN THE PROVISION OF DATA IS REQUIRED AND WHEN IT IS VOLUNTARY, AND ABOUT THE CONSEQUENCES OF A REFUSAL TO PROVIDE DATA

To the extent personal data are processed in order to enter into and perform an agreement with the Law Firm, the provision of data is a contractual requirement, whereas in the majority of other cases, it is a statutory requirement. Personal data are provided on a voluntary basis, but in the event of a refusal to provide the same, the execution and performance of an agreement will not be possible.

X. OTHER INFORMATION

The Law Firm does not use automated decision-making and profiling or automated personal data profiling.

An attorney-at-law and an advocate enjoy the exclusions stipulated in GDPR and the Act of February 21, 2019 on Amendment to Certain Acts to Ensure Applicability 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), *inter alia* in view of their duty to maintain professional secrecy and due to the need to establish, pursue or defend the Client's claims.