

# NETHANSA PLATFORM PRIVACY POLICY

Version 2.2022 Status as of: 27.01.2022.

## I. Purpose of the privacy policy

This privacy policy ("**Privacy Policy**") sets out the principles governing the processing of personal data processed in connection with the conclusion by the contracting party of the agreement with Nethansa, the subject matter of which is the use by the contracting party of the Nethansa Platform and, eventually, the accompanying services offered by Nethansa.

General terms and conditions for the use of the Nethansa Platform and associated services offered by Nethansa are set out in separate General Terms and Conditions of Licence.

Nethansa Platform may contain links to websites operated by third parties, in particular marketplace-type internet trading platforms, which provide the opportunity to offer goods by the contracting party and to market them via these platforms. We are not responsible for the privacy practices applicable to them.

## II. Personal data controller

The controller of the personal data is Nethansa spółka z ograniczoną odpowiedzialnością with its registered office in Gdansk, Aleja Grunwaldzka 472 F, 80-309 Gdansk, entered in the Register of Entrepreneurs of the National Court Register under KRS number: 0000192382 (hereinafter "**we**" or "**Nethansa**").

## III. Contact us

All queries and decisions within the scope described above can be addressed to Nethansa :

- (a) in electronic form via email address: [office@nethansa.com](mailto:office@nethansa.com);  
or
- (b) in writing to the address: Nethansa Sp. z o.o., Olivia Prime B, ul. Grunwaldzka 472 F, 80-309 Gdańsk.

## IV. Categories and sources of data to be collected

As part of concluding the contract and using the Nethansa Platform and accompanying services, we may collect the following categories of data, including personal data of:

- (a) a natural person who concludes the Agreement with us: identification data (in particular name and surname, business name or company name, identification numbers such as NIP or REGON), contact details (in particular e-mail address, telephone number, business address, correspondence address) payment data (bank account number, bank holding the account);
- (b) a natural person who is representative of an entity who enters the agreement with us: name, e-mail address, telephone number, position.

The scope of data collected may vary depending on the version of the Nethansa Platform licence and payment methods selected.

The contracting party may be able to pay by the payment cards indicated in the card payment panel. Payment card payments made by the contracting party to Nethansa are settled by Adyen B.V. based in Amsterdam, the Netherlands. Nethansa does not gather, collect or store payment card details of contracting party.

We may collect personal information from the following sources:

- (a) directly from you (where as an individual you are a party to an agreement with Nethansa or where you are contacting Nethansa on behalf of our contracting party);
- (b) from our contracting party that you represent;
- (c) from other publicly available sources, such as databases like Bisnode, Info Veriti, CEIDG or National Court Register to verify the information we have.

Upon your request, we will always inform you of the source from which we collected your data.

When entering into an agreement with Nethansa, the provision of data is voluntary but necessary for the conclusion of the agreement and for the use of the Nethansa Platform and associated services offered by Nethansa.

In the event that you do not enter into a contract with Nethansa, the provision of personal data may be your professional obligation and necessary for the proper performance of the agreement concluded between Nethansa and the contracting party you represent. The legitimate interest of Nethansa in this case lies in the need to contact you as the person appointed to perform the agreement concluded with Nethansa. If you have any doubts about the necessity of processing your personal data, please contact your employer or other entity with whom you cooperate.

#### **V. Purpose and basis of processing of personal data**

If you are our contracting party your personal data will be processed by us for the following purposes:

- (a) to take steps to enter into an agreement and perform the agreement to which you are a party (the basis for the processing of personal data in the cases described above is the necessity of the data processing for these purposes);
- (b) to comply with our legal obligations, in particular those arising from tax and accounting provisions (the basis for processing personal data in the cases described above is the necessity of the data processing for the fulfilment of legal obligations that we are subject);
- (c) for the purposes of the legitimate interests pursued by us (the basis for processing personal data in the cases described above are the legitimate interests pursued by us), i.e.:
  - (i) maintaining the relationship with you as our contracting party;
  - (ii) handling your enquiry, request or complaint and communicating with you in this regard;
  - (iii) fraud prevention, including verification of contracting parties in public registers;
  - (iv) the establishment, exercise or defence of legal claims;
- (d) for other purposes for which you have given your consent (the basis for processing your personal data in the cases described above is your freely given consent).

In the event that you are a representative of a contracting party of Nethansa, your personal data will be processed by us for the purposes of the legitimate interests pursued by us (the basis for processing personal data in the cases described above are the legitimate interests pursued by us), i.e.:

- (a) to enable the conclusion and performance of the agreement concluded with the contracting party, including contacting the contracting party in connection with the cooperation between the parties;
  - (b) maintaining relations with the contracting party;
  - (c) handling your enquiry, request or complaint and communicating with you in this regard;
  - (d) fraud prevention, including verification of contractors in public registers;
  - (e) the establishment, exercise or defence of claims,
- and for other purposes for which you have given your consent (the basis for processing your personal data in the cases described above is the consent you have freely given).

## VI. Personal data retention period

The period for which personal data are processed and stored depends on the legal basis on which the processing is based. In any case, the data will be stored by us for the period necessary to fulfil the purposes of the processing.

Your data will be processed for the term of the agreement.

In cases where the data retention period derives from legal provisions, the data will be kept for the period indicated in such provisions.

Data processed for the purpose of handling an enquiry, request or complaint submitted by you, including contacting you in relation to the above, will be stored for the period necessary for their handling and communication with you in this regard.

The storage period may be extended in each case by the period of limitation of claims, if the personal processing is necessary for the establishment, investigation or defence of possible claims by us.

Data processed on the basis of your consent will be stored until you withdraw your consent.

## VII. Recipients of personal data

Depending on the specific case, your personal data may be transferred to other contractors of Nethansa, including subcontractors of Nethansa, entities providing services to Nethansa, in particular providers of accounting and bookkeeping services, legal and tax advisory services, technical services (email, hosting).

The transfer of personal data takes place in accordance with legal requirements, in particular Nethansa entrusts data processing on its behalf on the basis of appropriate contracts.

We process your data in the European Economic Area.

Your personal data may only be transferred to a third country (e.g. in the context of IT services provided to Nethansa) if the conditions laid down by law are met, including:

- (a) the country to which we transfer personal data ensures an adequate level of protection in accordance with the European Commission decision;
- (b) data are transferred on the basis of standard contractual clauses adopted by the European Commission;
- (c) the transfer is necessary for the performance of a contract between us and you or the implementation of pre-contractual measures taken at your request;
- (d) the transmission is necessary for the establishment, exercise or defence of claims;
- (e) you have expressly agreed to the transfer.

For more information on data transfers to third countries, including appropriate safeguards, please contact us.

## VIII. Profiling. Automatic decision-making

Personal data will be processed by automated means (including using software to manage our customer databases), but no decisions will be made against your person as a result of such processing that produce legal, financial or other similar effects. Such processing may involve, for example, creating appropriate categories of our customers and presenting them with offers based on their individual needs.

## IX. Your rights

In relation to our processing of your personal data, you have the right to:

<b>access to your data</b>	you can at any time find out what data we are processing and obtain a copy of your data; in the event of subsequent requests for copies, we may charge you a fee corresponding to the administrative costs of handling such subsequent requests
<b>rectification of your data</b>	when you notice that they are incorrect or out of date.
<b>delete your data</b>	<ul style="list-style-type: none"><li>• When the data you have provided is no longer necessary for the purposes for which it was collected by us;</li><li>• when you object to the processing of your data;</li><li>• when your data will be unlawfully processed;</li><li>• when deletion of your data is necessary to comply with a legal obligation.</li></ul>
<b>to restrict the processing of your data</b>	<ul style="list-style-type: none"><li>• where you have noticed that your data is incorrect, you can request that it is not further processed for the period during which we check its accuracy;</li></ul>

	<ul style="list-style-type: none"> <li>• when your data is unlawfully processed but you do not want it deleted;</li> <li>• we will no longer need your data, but may need them in order to assert or defend against claims;</li> <li>• when you object to processing - until such time as we determine whether the grounds for processing outweigh the grounds for your objection.</li> </ul>
<b>to portability of your data</b>	where the data are processed in performance of a contract to which you are party, you have the right to receive your data in a readable format and to transmit it to another entity designated by you, unless this adversely affects the rights and freedoms of others.
<b>withdraw consent at any time</b>	<p>where data are processed on the basis of consent you have given; withdrawal of consent does not affect the lawfulness of processing carried out on the basis of consent before its withdrawal.</p> <p>Please note that withdrawal of consent only has effect for the future, i.e. it does not affect the lawfulness of the processing that took place on the basis of consent before its withdrawal.</p> <p>If you withdraw your consent we will cease to process your data for marketing purposes. If you would like to receive further information about our product and service offerings and our activities, current and planned, it will be necessary for you to give the relevant consent again. To do this, re-subscribe via the consent form or contact us.</p>
<b>object to the processing of data</b>	for reasons relating to your particular situation - where the processing is for purposes arising from legitimate interests pursued by us. In this case, we will stop processing your data for these purposes unless we can demonstrate that there are compelling legitimate grounds for us to do so which override your interests, rights and freedoms, or the data are necessary for the possible establishment, assertion or defence of claims.
<b>lodge a complaint with a supervisory authority</b>	if you believe that your personal data is processed unlawfully, you have the right to lodge a complaint to the supervisory authority, i.e. the President of the Office for Personal Data Protection (Office of the Office for Personal Data Protection - ul. Stawki 2, 00-193 Warsaw).

#### **X. Entrustment of data processing**

In the event that you, as a contracting party, entrust us with the processing of personal data in connection with the use of the Nethansa Platform and the accompanying services offered by Nethansa, the terms of entrustment of data processing related to Nethansa are set out in a separate document: [Entrustment of Data Processing](#), which forms an integral part of the concluded agreement.