

## **Privacy Policy of PAK-PCE Polski Autobus Wodorowy Sp. z o.o.**

### **1. DEFINITIONS**

- 1.1. **Data Controller or PAK-PCE Polski Autobus Wodorowy Sp. z o.o.** with its registered office in Konin, address: ul. Kazimierska 45, 62-510 Konin, entered in the Register of Entrepreneurs maintained by the District Court for Poznań – Nowe Miasto and Wilda in Poznań, 9<sup>th</sup> Commercial Division of the National Court Register, under No. KRS KRS 0000704441, NIP 6653011006.
- 1.2. Personal data - any information relating to an identified or identifiable natural person who can be identified by reference to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person, including – if they enable User’s identification - IP of a device, location data, an online identifier and information collected through cookies and other similar technologies.
- 1.3. Privacy Policy – this Privacy Policy.
- 1.4. GDPR - Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 of 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”).
- 1.5. Service – an online service maintained by the Data Controller.
- 1.6. User – any natural person visiting the Service or using one or more services or functions of the Service.

### **2. DATA PROCESSING IN CONNECTION WITH THE USE OF THE SERVICE**

- 2.1. The Privacy Policy describes the rules of using cookies or similar technologies as well as the rules of processing personal data collected during the use of the Service by the User.
- 2.2. In connection with the use of the Service by the User, the Data Controller collects his or her data in connection with the provision of individually offered services, as well as information about User’s activity in the Service, including IP of a device, location data, an online identifier and information collected through cookies and other similar technologies. Cookies and similar technologies are not used for identifying the User and an identity of the User is not determined on their basis. Cookies and similar technologies, in the situation when they do not allow natural persons to be identified, may constitute personal data only in conjunction with other unique identifiers or other information allowing such a natural person to be identified
- 2.3. Under the Service additional functionalities are available, such as a possibility of using of the contact form, relevant information concerning personal data processing and the scope of processed data will be available during their collection for the needs of such functionalities

### **3. COOKIES AND SIMILAR TECHNOLOGIES**

- 3.1. Cookies and similar technologies are used in connection with the use of the Service in order to provide the User with access to the Service, enhance its operation, profile and display contents adjusted to the User’s needs.

- 3.2. Cookies are small text files stored in the User's telecommunication devices (computer, phone, tablet etc.) when using the Service, which allow for storing and reading information used by the Data Controller and other entities providing services on his behalf (e.g. analytic or statistical services) for various purposes.
- 3.3. Technologies similar to cookies include, among others, local storage, session storage, and service workers, which operate in the following way: a technology utilizing a designated part of the browser's memory used for storing data recorded by the service .
- 3.4. For the sake of simplicity, cookies and similar technologies will be hereinafter collectively referred to as "cookies".
- 3.5. We use two types of cookies or similar technologies, depending on their life cycle:
  - 3.5.1. session cookies – files stored in the User's device until the User logs out or leaves the Service;
  - 3.5.2. persistent cookies – files stored in the User's device until their removal by the User or until the expiry of such a cookie within the time limit defined in its specifications.
- 3.6. The Data Collector and other entities providing services on his behalf (e.g. analytic or statistical services) or Trusted Partners use cookies for various purposes which can be divided into following categories.
  - 3.6.1. Required cookies, necessary for the use of the Service:
    - a) user input cookies (session identifier) for the duration of a session;
    - b) authentication cookies used for services requiring authentication stored for the duration of a session;
    - c) user centric security cookies used for ensuring security e.g. used for detecting frauds in the area of authentication;
    - d) multimedia player session cookies (e.g. flash player cookies) for the duration of a session,
  - 3.6.2. Functional cookies, facilitating the use of the Service:
    - a) persistent user interface customization cookies for the duration of session or slightly longer,
    - b) cookies used for monitoring the website traffic, i.e. data analytics – these files are used in order to analyze the way in which the Service is used by the User, to develop statistical data and reports about functioning of the Service.
- 3.7. The User may change the settings of cookies or similar technologies at any time by changing the privacy settings in the browser or application or by changing settings of his/her account in the Service, provided that such a change may result in the lack of access to certain functionalities of the Service.
- 3.8. Change of privacy settings is possible by selecting a relevant option in the browser or application settings. In case of the most popular web browsers, the User may individually manage privacy settings, including cookies, in particular by accepting cookies, changing cookie settings and blocking or deleting cookies. Method and scope of changes of the privacy settings depend on the type and version of the web browser. Detailed information about the change of privacy settings are available on websites of these service providers

#### 4. PURPOSES AND LEGAL BASIS OF PERSONAL DATA PROCESSING IN THE SERVICE The

Data Controller processes the personal data of Users for the following purposes:

- 4.1. ensuring access to the Service - pursuant to Article 6 item 1 letter b of GDPR;
- 4.2. ensuring compliance with legal obligations – pursuant to Article 6 item 1 letter c of GDPR;
- 4.3. the legitimate interests pursued the Data Controller or by a third party - pursuant to Article 6 item 1 letter f of GDPR:
  - 4.3.1. Data Controller's own marketing, including profiling, in particular displaying of behavioral advertising, displaying marketing content for the User in the Service or sending notifications to selected Users about interesting offers or contents by electronic communication means, in particular by e-mail, provided that the User expressed his/her consent, as well as conducting other activities related to the marketing, e.g. satisfaction surveys
  - 4.3.2. fraud detection and elimination,
  - 4.3.3. internal purposes related to the provision of services and conducting of business activities, including for evidence, analysis and statistics,

#### 5. PERIOD OF PERSONAL DATA PROCESSING

- 5.1. Personal data are processed until expiry of the session, and in the case of a contact form for the period required to provide a reply, and then for the period: a) envisaged for the fulfillment of obligations resulting from the provisions of the law concerning defense, state security and public law and order, as well as tax and accounting regulations, b) for the period of limitation of claims and until the end of civil, enforcement, administrative and criminal proceedings requiring personal data processing.
- 5.2. The User may individually remove cookies from his/her device. In order to erase cookies from the User's terminal (computer, phone, tablet etc.), clear the browser's cache and cookies. The process of clearing the browser's cache and cookies shall be performed in the browser's settings. Settings may vary between browsers and its versions. Removing of cookies will result in removing of the Service's settings

#### 6. USER RIGHTS

- 6.1. In connection with the processing of personal data, the User shall have the following rights:
  - 6.1.1. the right to rectification of data – if the collected data are incorrect or updated, the User has the right to provide correct and up-to-date data and the Data Controller shall correct or update them;
  - 6.1.2. the right to access the data – the User may exercise this right to learn what data are processed;
  - 6.1.3. the right to erasure of data, also known as “the right to being forgotten” – if the User decides that the data are no longer necessary for the purposes for which they were collected, the User has the right to ask the Data Controller to erase

them;

6.1.4. the right to restriction of processing – if the User has doubts whether the Data Controller processes the data in a correct manner, he/she has the right to apply for restriction of processing;

6.1.5. the right to transfer the data – the User may receive and transfer the data delivered to the Data Controller from the Data Controller to another entity, if it is technically feasible and is justified pursuant to Article 20 of GDPR;

6.1.6. the right to object to processing of personal data, based on the legitimate interest pursued by the Data Controller or by a third party, including profiling, on grounds relating to his or her particular situation and the right to object to processing of personal data for direct marketing purposes.

6.2. In order to examine the request for exercising the above mentioned rights, the Data Controller is entitled to verify the identity of the User, which shall prevent disclosure of information about the User to unauthorized persons.

6.3. The User may file a complaint regarding the processing of personal data to the supervising authority dealing with the personal data processing. The President of the Office of Personal Data Protection is the supervising authority in the Republic of Poland.

## 7. RECIPIENTS OF DATA

7.1. Personal data of Users may be transferred to the following categories of recipients: entities providing services to the Data Controller required for fulfilling of the above mentioned purposes, including IT suppliers, entities providing technical, organizational and consulting support, to other sub-contractors with respect to customer service, charging and handling of payments, marketing, integrators and entities providing additional services under premium rate services, entities entitled by law, companies from Polsat Plus Group.

## 8. TRANSFER OF DATA OUTSIDE OF EEA

Personal data of Users may be transferred to countries / international organizations located outside of the European Economic Area, where such a country / organization, based on the decision of the European Union, was deemed as ensuring an adequate level of personal data protection, equivalent to the degree of protection valid on the territory of the European Economic Area or provided that the appropriate safeguards are applied, which may consist in using valid corporate rules, standard contractual clause adopted by the European Commission, standard personal data protection clauses adopted by the President of the Office of Personal Data Protection or contractual clauses authorized by the President of the Office of Personal Data Protection.

### 8a. INFORMATION IN CONNECTION WITH THE RULING OF THE COURT OF JUSTICE OF EUROPEAN UNION (CJEU) TSUE FORMACJA W ZWIĄZKU Z WYROKIEM TSUE W SPRAWIE SCHREMS II

In specific situations, certain technical solutions, among others used by the Service, may be delivered by entities from outside the European Economic Area (EEA), including from the United States of America. This means that the personal data of Users may be transferred to the countries in which registered offices of service providers are located – including on the territory of the United States of America. Such partners include, among others Google and Facebook, who declare ensuring adequate level of protection of the processed personal data by adopting and using standard contractual clauses of the EU instead of the so-called Privacy Shield which has been invalidated by the ruling of the Court

of Justice of the European Union (CJEU) of 16 July 2020 in Schrems II case ([FB information](#), [Google information](#)). Types of applied safeguards are analyzed from the point of view of risks and may be changed in case of adopting by the relevant bodies of the European Union of new legal instruments to ensure adequate level of protection of personal data transferred outside of the EEA.

## 9. SECURITY OF PERSONAL DATA

9.1. The Data Controller analyzes the risks, on an on-going basis, to ensure that the personal data are processed by him in a secure manner – ensuring most of all that only authorized persons may access them and only to the extent which is necessary for the tasks they perform. The Data Controller makes sure that the operations on personal data are recorded and performed only by authorized employees and co-workers.

9.2. The Data Controller shall take all necessary measures to ensure that also his sub-contractors and other cooperating entities provide guarantee of applying appropriate security measures in any case of processing of personal data at the request of the Data Controller.

## 10. CONTACT DATA

10.1. Requests, declarations and any correspondence regarding personal data shall be addressed in writing to the address: PAK-PCE Polski Autobus Wodorowy Sp. z o.o., ul. Kazimierska 45, 62-510 Konin or by e-mail to: [biuro@polskiautobuswodorowy.pl](mailto:biuro@polskiautobuswodorowy.pl).

## 11. AMENDMENT OF THE PRIVACY POLICY

11.1. Privacy Policy is regularly verified and updated if necessary. The current version of the Privacy Policy was adopted and is effective from 29 May 2022.