

**PRIVACY POLICY**

**LEGAL OFFICE KANCELARIA PRAWNA NOWICKI I WSPÓLNICY**

**ADWOKACI I RADCOWIE PRAWNI SP. P.**

(“Privacy Policy”)

dated 28 November 2022

**I. Data Controller**

The controller of your personal data (the “**Data**” or the “**Personal Data**”), is the Legal Office Kancelaria Prawna Nowicki i Wspólnicy Adwokaci i Radcowie Prawni Sp. P. with its registered office in Warsaw, at ul. Prymasa Augusta Hlonda 10 / 72, 02-972 Warsaw, entered into the register of businesses of the National Court Register, kept by the District Court for the capital city of Warsaw in Warsaw, XIII (13th) Commercial Division of the National Court Register, under KRS number: 0000365207, NIP (*Tax ID*): 5213579601, REGON (*Statistical ID*): 142593122 (hereinafter the “**Controller**” or “**KNW**”).

The Controller processes your Data in accordance with national and European legislation, ensuring the security of Personal Data, in particular the confidentiality, accessibility, integrity and accountability of the operations carried out. In order to make our processing processes transparent to you, we would like to provide you with this Privacy Policy, which contains detailed information on the processing of Personal Data. This Privacy Policy contains all the information you should receive under 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 (the “**GDPR**”).

In order to make it easier to contact the Controller, the Personal Data Protection Attorney was appointed, who may be contacted in writing by traditional mail at the following address: ul. Prymasa Augusta Hlonda 10 / 72, 02-972 Warsaw, by e-mail at: rodo@lawsolutions.eu or by telephone at: +48 22 620 43 44.

We would like to point out that the website operated by the KNW at <https://lawsolutions.eu> may contain redirections (in the form of prominently displayed links) to third-party websites to which this Privacy Policy does not apply.

**II. Purposes and legal basis for Personal Data processing**

Depending on the nature of your relationship with the Controller, we process Data to various extents and for various purposes, detailed below:

**1. Prospective clients and business partners of the Controller**

The Controller processes the Data of prospective clients and business partners in order to take action at your request, prior to the conclusion of a contract, to the extent necessary to conclude the contract. In particular, the Data provided as part of the procedure for entering into a contract or an enquiry addressed to the Controller, i.e. identification data (first name, last name, PESEL/ NIP, REGON) and contact details, are processed for this purpose.

Data are processed pursuant to:

1. **Article 6(1)(b) of GDPR** - in order to take action - even before the conclusion of the contract - at the request of the prospective client/business partner;
2. **Article 6(1)(f) of GDPR** - for the purposes of the legitimate interests pursued by the Controller, consisting of (1) asserting any claims by the Controller or defending any rights of the Controller (2) developing cooperation with the prospective client/business partner;
3. in the event that you provide the Controller - on your own initiative - with Data that were not expected by the Controller, such action is deemed to be equivalent to you giving consent to the processing of the Data for the purposes for which they were provided - the processing then takes place pursuant to **Article 6(1)(a) of GDPR** or **Article 9(2)(a) of GDPR** (special categories of Data). Special categories of Personal Data may only be processed if they are provided to the Controller by the data subject of their own free will. The Controller does not expect prospective clients or business partners to provide special categories of Data.

The provision of identification and contact details is necessary for the conclusion of the contract. The provision of other data is voluntary.

## **2. Clients and business partners of the Controller who are natural persons (including sole traders)**

The extent and purpose of the processing of the Data of clients and business partners by the Controller may vary, depending on the legal relationship between you and the Controller. The details concerning the extent and purpose are therefore provided by the Controller as part of the process of concluding the contract governing the legal relationship in question.

As a rule, the Controller processes the Data of clients and business partners to the extent necessary to perform the contract, in particular identification details (first and last name, PESEL/ID card number/NIP, REGON), contact details (telephone number, e-mail address, correspondence address/business address), data related to the issue referred to the Controller and billing data.

Such Data are processed pursuant to:

1. **Article 6(1)(b) of GDPR** - in order to perform the contract concluded with you;
2. **Article 6(1)(c) of GDPR** - in order to comply with the legal obligations imposed on the Controller, related in particular to tax and settlement issues;
3. **Article 6(1)(f) of GDPR** - for the purposes of the legitimate interests pursued by the Controller, consisting of (1) asserting any claims or defending any rights arising from the contract, (2) providing information about the Controller's brand, and (3) continuing to develop cooperation with the client/business partner;
4. in the event that you provide the Controller - on your own initiative - with Data that were not expected by the Controller, such action is deemed to be equivalent to you giving consent to the processing of the Data for the purposes for which they were provided - the processing then takes place pursuant to **Article 6(1)(a) of GDPR** or **Article 9(2)(a) of GDPR** (special categories of Data).
5. if special categories of Data are provided, due to the need to assert your claims or defend against any claims in the course of legal proceedings, the Data will be processed pursuant to **Article 9(2)(f) of GDPR**.

The Data are obtained either directly from you or from publicly available registers (CEIDG).

The provision of identification details, contact details, and the information that we need to know in order to provide a response to the issue referred to us by you is necessary in order to perform the contract. The provision of other Data is voluntary.

3. **Persons appointed by clients/business partners as contact persons and persons representing clients/business partners (including prospective clients/business partners)**

The Controller processes Data of persons:

- appointed by clients and business partners (including prospective clients/business partners) as contact persons; and
- persons representing clients/business partners (including prospective clients/business partners);

to the extent necessary for the performance and settlement of the contract concluded with the client/business partner. The extent of such Data does not normally extend beyond the following categories of Data: identification details, position held with the client/business partner, business contact details and hours of availability. In the case of persons representing clients/business partners, the Controller will also process data contained in publicly available registers, if necessary.

Such Data are obtained either directly from you, from the Controller's clients/business partners, or from publicly available registers (KRS).

Such Data are processed pursuant to:

1. **Article 6(1)(f) of GDPR** - for purposes arising from the legitimate interests pursued by the Controller, consisting in: (1) performing and settling of a contract concluded with the client/business partner, (2) continuing to develop cooperation between the Controller and the client/business partner; (3) undertaking activities aimed at concluding a contract with a prospective client/business partner, (4) providing information on the Controller's brand, (5) sending out a legal newsletter, and (6) asserting any claims by the Controller or defending any rights of the Controller;
2. in the event that you provide the Controller – on your own initiative – with Data that were not expected by the Controller, such action is deemed to be equivalent to you giving consent to the processing of the Data for the purposes for which they were provided - the processing then takes place pursuant to **Article 6(1)(a) of GDPR** or **Article 9(2)(a) of GDPR** (special categories of Data). Special categories of Personal Data may only be processed if they are provided to the Controller by the data subject of their own free will.

4. **Personal Data processed as part of the recruitment process**

Information on the extent and purposes of the processing of Data in the context of the ongoing recruitment processes can be found in each recruitment announcement.

5. **Web site**

In connection with your use of the website at <https://lawsolutions.eu>, KNW processes information about your activity – cookie files. You will find detailed information on the rules governing the processing of information contained in cookies in the *Cookie Policy* available at this [link](#).

6. **Social media run by the Controller**

Due to the fact that KNW runs a profile on LinkedIn, in order to enable users to use such social media profile, to leave comments, as well as to read the content posted by KNW on the said website, KNW processes user Data, in particular with regard to first and last name/username, activity information, content of comments, posts and messages posted by the user, including correspondence with KNW using the tools available on LinkedIn.

**The processing of such Data takes place pursuant to:**

1. **Article 6(1)(f) of GDPR** - for purposes arising from the legitimate interests pursued by the Controller, consisting in: (1) providing information on the Controller's brand, (2) running the Controller's social media profile, i.e. in particular providing information about the Controller and sharing knowledge via social media, (3) keeping statistics and conducting analysis of visitors the provision of statistics and analysis of visitors viewing the Controller's profile, and (4) any asserting of claims by the Controller or defending any rights of the Controller;
2. in the event that you provide the Controller – on your own initiative – with Data that was not expected by the Controller, such action is deemed to be equivalent to your consent to the processing of the Data for the purposes for which they were provided - the processing then takes place pursuant to **Article 6(1)(a) of GDPR** or **Article 9(2)(a) of GDPR** (special categories of Data). Special categories of Personal Data may only be processed if they are provided to the Controller by the data subject of their own free will; the Controller does not expect the data subject to provide special categories of Data.

The provision of any data on the KNW profile on LinkedIn is entirely voluntary.

The above does not apply to the principles or purposes of the processing of Data by LinkedIn. KNW encourages you to read the information on how the LinkedIn's controller processes user Data.

**7. E-mail/traditional correspondence and telephone contacts**

In the event that you address messages to KNW that are not related to the scope of the cooperation/service contracts (either via electronic correspondence, traditional correspondence, or by telephone), KNW will process the Data contained in such messages pursuant to **Article 6(1)(f) of GDPR** for the purposes arising from the legitimate interests of the Controller, consisting of (1) continuing the communication and responding to your questions/requests, and (2) where necessary and justified by the purpose of the communication, acting to assert or protect against claims.

The provision of identification details and data related to the question/request is voluntary; however, if you do not provide such data, it will prevent us from responding to your question/request.

**8. Legal newsletter**

In the event that you decide to join the rank of persons interested in receiving information about current legal developments, the Controller will process your Data regarding your: first and last name, and e-mail address.

The Data will be processed pursuant to **Article 6(1)(f) of GDPR** – the Controller's legitimate interest consisting in maintaining a list of subscribers and sending to such subscribers a newsletter concerning current legal developments.

The provision of such Data is entirely voluntary; however, if you do not provide such data, we will not be able to add you to the list of the newsletter's subscribers.

**III. Automated decision-making and profiling**

The Controller will not make decisions based only on automated processing nor carry out profiling based on your Data.

**IV. Personal Data transfers**

Subject to the principle of Data minimisation, the Recipients of the Data may include in particular: the processors processing Data on the Controller's instruction, with whom the Controller concluded a Data processing agreement, e.g. entities providing IT or accounting services to the Controller.

As a general rule, Personal Data will not be transferred outside the European Economic Area ("EEA"). However, having regard to the services provided by the Controller's subcontractors while providing IT services and IT infrastructure, the Data (only to the extent necessary) may be transferred to recipients that might also include entities from third countries, i.e. non-EEA countries.

In the event of any transfer of the Data to non-EEA countries, such a transfer will only take place to countries which, in accordance with a decision of the European Commission, ensure an adequate level of protection of Personal Data in accordance with EEA standards. For recipients within the territories of countries not covered by the European Commission's decision - in order to ensure an adequate level of protection - the Controller will enter into agreements with the recipients of your Data based on the standard contractual clauses published by the European Commission in accordance with Article 46(2)(c) of GDPR. Should you require any further information regarding the transfer of data or the applicable standard contractual clauses, please contact us at [rodo@lawsolutions.eu](mailto:rodo@lawsolutions.eu).

#### **V. Rights in relation to the processing of Personal Data**

In connection with the processing of Data, you have the following the rights:

1. to access Data (under Article 15 of GDPR);
2. to request rectification of Data (under Article 16 of GDPR);
3. to request erasure of Data (under Article 17 of GDPR);
4. to request restriction of processing of Data (under Article 18 of GDPR);
5. to Data portability - with regard to Data processed on the basis of your consent or in connection with a concluded contract (under Article 20 of GDPR);
6. to lodge an objection to processing of Data processed on the grounds of legitimate interests of KNW (under Article 21 of GDPR). In the case of Data processed for direct marketing purposes, an objection may be lodged at any time and has the absolute effect,
7. to withdraw your consent at any time with regard to the Data processed solely on the basis of your consent. Withdrawal of consent does not affect the compliance with the law of the processing that had been carried out pursuant to the consent before it was withdrawn.

The rights relating to access to Data and the restriction of the processing of Data will apply to the extent that they do not breach the obligation of professional secrecy. The provisions concerning lodging an objection do not apply to Data obtained in connection with providing legal assistance.

The above rights may be exercised by submitting a relevant statement to this effect to the Controller (1) by traditional mail at the following address: ul. Prymasa Augusta Hlonda 10 / 72, 02-972 Warsaw or by e-mail at the following address: [rodo@lawsolutions.eu](mailto:rodo@lawsolutions.eu).

If the Controller is unable to identify you on the basis of the request made, the Controller may request additional Data necessary to identify you.

In connection with the processing of the Data, each User has the right to lodge a complaint with the supervisory authority, i.e. the President of the Office for Personal Data Protection (ul. Stawki 2, 00-193 Warsaw).

#### **VI. Duration of Personal Data processing**

Your Data will be processed for the period necessary to fulfil the purpose for which the Data were collected or until you withdraw your consent or the Controller takes into account any objection raised against the processing of your Personal Data. In particular, Data will be processed (depending on the purpose) for the duration of the performance and settlement of the contract, the holding of the recruitment process, the responding to enquiries addressed to KNW, or for as long as you are interested in receiving the legal newsletter from the Controller. Thereafter, the Data may be processed - to the extent necessary - for the period resulting from generally applicable legal regulations and necessary for the establishment, assertion or defence of claims.

At the end of the processing period, the Data is irreversibly erased or anonymised.

Personal Data processed by attorneys-at-law and advocates in practising their professions are retained for a period of 10 years from the end of the year in which the proceedings in which the Personal Data were collected ended. After this period, the Personal Data is erased.

#### **VII. Changes to this Policy**

This Privacy Policy is reviewed regularly and updated as necessary. Changes to this Privacy Policy will not result in amending the rights of persons whose Data were collected before such changes. Changes to this Privacy Policy will be effected in order to adapt it to any future changes in the legislation or in the ways and forms in which the Controller collects Personal Data (e.g. by adding new functionalities, contact forms, store, etc.).