

PRIVACY NOTICE – CLIENTS AND EMPLOYEES OF A CLIENT OF THE PRODUCTION HOUSE

Who is the controller of your personal data?

The Controller, i.e., the party deciding how your personal data will be used, is Studio Filmowe OTO Sp. z o.o. Spółka Komandytowa (the “Company”) with its registered office in Warszawa 02-711, ul. Inspektowa 22, KRS (National Court Register Number): 0000457304, NIP (Tax Identification Number): 5213646875, REGON (National Official Business Register Number): 146623386, e-mail: rodo@otofilm.pl. You may contact the Company, using the contact details provided above.

What is the purpose of the processing of your personal data by the Company?

The Company may process your personal data for the following purposes:

- direct marketing in respect of you;
- preparing to execute a contract with your employer or the party you represent, including the need to perform specific activities before the execution of such a contract, including, in particular, the submission of a quote and the potential submission of an order / request for quote and negotiation of the terms of the contract;
- performing the contract;
- settling financial matters related to taxes;
- archiving documentation to the extent required by the law, including, in particular, the provisions of the Tax Ordinance Act and the Accounting Act;
- conducting audits;
- exercising or defending against claims;
- debt enforcement;
- preparing documents for archiving purposes;
- creating analyses and statistics;
- ensuring accountability (proving that the Company has fulfilled its statutory obligations).

Why the Company may process your personal data?

The Company may process your personal data based on a legitimate interest of the Company (Article 6(1)(f) of the GDPR), i.e.:

- performing activities connected with the execution or performance of a contract signed with your employer or the party you represent;
- establishing or maintaining business relations;
- conducting direct marketing, whereas we will request your additional consent for the communication channel, e.g., phone, SMS or e-mail;
- exercising or defending against claims;
- debt enforcement;
- preparing documents for archiving purposes;
- creating analyses and statistics;
- ensuring accountability.

The legal basis for the processing of your data to settle financial matters with the competent authorities and archive such documents (if any) are provisions of the law, including the provisions of the Tax Ordinance Act and the Accounting Act.

Do you have to provide your personal data to the Company?

Providing your personal data is required for the execution and performance of the contract (Article 6(1)(b) and (f) of the GDPR). The obligation to provide your data also arises to a certain extent from the provisions of the law (e.g., regarding the data required to settle the financial matters related to taxes) – (Article 6(1)(c) of the GDPR). If you do not provide the required personal data, it will be impossible or very difficult for us to cooperate with you (e.g., the Company will not have the contact information required to arrange a meeting to submit our offer).

Providing your remaining personal data is voluntary.

What are your rights regarding the Company with respect to the data we process?

In connection with the processing of your personal data by the Company, you may request the exercise of the following rights from the Company:

- right to access the data;
- right to rectify the data if they are inaccurate or incomplete;
- right to data erasure: if the data are no longer necessary for the purposes for which they were collected by the Company; if you withdraw your consent to data processing; if you object to data processing; if the data are processed unlawfully; if the data should be erased to fulfil a statutory obligation;
- right to restriction of processing: if the data are incorrect – for the period required by the Company to verify your data; if the data are processed unlawfully but you do not want for them to be erased; if the Company no longer needs your data but they may be required to exercise or defend against claims; or if you object to data processing – until we determine if the legitimate basis overrides the grounds for the objection;
- right to data portability: if the data are processed under a contract signed with you or based on your consent, and the processing is automated.

You may lodge a **complaint** in connection with the processing of your personal data by the Company with the President of the Personal Data Protection Office (address: Biuro Prezesa Urzędu Ochrony Danych Osobowych, ul. Stawki 2, 00-193 Warszawa).

When can you object to the processing of your data?

You may **object** to personal data processing when:

- the personal data are processed based on a legitimate interest and/or for statistical purposes and the objection is justified by your particular situation;
- your personal data are processed for direct marketing purposes.

Who does the Company provide your personal data to?

Your personal data may be provided to the advertising agencies supporting the Company – where your personal data are processed for direct marketing purposes.

The Company may provide your personal data to competent authorities if we have to settle related financial matters, if we have to exercise or defend against claims and also in other situations where the Company is obliged to do so according to the provisions of the law, to the extent expressly arising from such provisions.

If we process your data for auditing purposes, they may be provided to a third-party auditor engaged by the Company.

The data may also be provided to other recipients, such as companies from the group, postal operator, courier and shipping companies, and parties supporting the operations of the Company, such as accounting companies, parties providing technical infrastructure support, e.g., hosting, IT services, providers of ICT systems and the CRM system.

How long does the Company keep your personal data?

Your personal data connected with the performance of the contract will be kept for the duration of the term of the contract, and after the end of the contract:

- the data processed to settle financial matters connected with taxes and accounting will be kept for a period of 5 years after the lapse of the year in which the financial event took place;
- if the Company has reasons to suspect that it may be necessary to exercise or defend against claims, the data will be kept until the end of the period of limitation for claims (which is 3 years for activities connected with the operation of a business) or for the duration of the court proceedings, including the period required for the enforcement of the judgement.

Also, your personal data processed for the following purposes:

- submitting quotations and conducting marketing activities – will be kept for the duration of the contract or until you object to their processing, whichever is sooner;
- audits – will be kept for up to 5 years from the first day of the year following the year in which the transactions were recorded and the period required to pursue a legitimate interest of the Controller, e.g., the period required to defend against or exercise rights and claims;
- accountability for the fulfilment of statutory obligations – generally indefinitely.

Will your personal data be provided to third countries?

We generally do not transfer any personal data outside the European Economic Area (“EEA”). Considering the services provided by our subcontractors in connection with the support for ICT services and IT infrastructure, we may contract specific activities or IT tasks to approved subcontractors operating outside the EEA, which may cause your data to be transferred outside the EEA. In line with the decision of the European Commission, some recipient countries outside the EEA ensure an adequate level of personal data protection consistent with EEA standards.

In the case of recipients outside the EEA and recipients not covered by the decision of the European Commission, to ensure an adequate level of protection, we sign agreements with the recipients of your personal data according to the standard contractual clauses issued by the European Commission, and we analyse transfer risks.

Copies of standard contractual clauses can be obtained from the Company, as the Controller. We protect your data according to the principles specified in chapter V of the GDPR.

Will your data be used for automated decision-making?

Your personal data will not be used for automated decision-making, including the use of your personal data for profiling, understood as the automated processing of your data, consisting of their use to evaluate certain personal aspects relating to you, in particular to analyse or predict aspects concerning your performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements.