



PRIVACY POLICY of the website in the www.energylandia.pl domain

Privacy Protection Rules

The Privacy Policy defines the principles of processing and ensuring security of your personal data (obtained through the website at www.energynia.pl, hereinafter referred to as “website”) in connection with the user’s use of the functionality or services available through the website. Pursuant to the Regulation of the European Parliament and of the Council of the European Union 2016/679 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 hereinafter referred to as “GDPR”) personal data is any information about an identified or identifiable physical person (i.e. a specific adult or child), such as, for example, name and surname or identification number.

Data Controller explains that the user’s data is processed in accordance with the provisions of law, including:

- the provisions of GDPR;
 - the provisions of the Act of 16 July 2004 on the Telecommunications Law;
 - the provisions of the Personal Data Protection Act of 10 May 2018;
 - the provisions of the Act of 18 July 2002 on the Provision of Services by Electronic Means;
- taking into account the provisions of the Act of 23 April 1964 – Civil Code and the Act of 4 February 1994 on Copyright and Related Rights.

The Controller takes care of the protection of personal data by applying appropriate organizational and technical solutions to prevent interference with the users’ privacy by third parties.

Data Controller, taking into account the assumptions of Art. 5 GDPR, while processing data applies the principles of: compliance with the law, reliability and transparency, purpose limitation, data minimization, correctness, limitation of storage, as also integrity, confidentiality and adequacy to the purpose of processing.

The use of the website is carried out with the application of a secure SSL protocol which significantly increases the protection of data on the Internet (a special standard for data transmission on the Internet whereby the transmission is encrypted unlike normal transmission where the transmission takes place in an open text).

Data Controller

The Controller of your personal data is Energy 2000 spółka z ograniczoną odpowiedzialnością Energylandia sp. k. with its registered office in Przytkowice 532A, 34-141 Przytkowice, KRS: 0000605098, NIP: 5511735768, REGON: 070883960, e-mail: info@energylandia.pl, tel.: +48 (33) 486 15 00.

Data Controller shall exercise utmost diligence to prevent a breach of personal data protection, which in the light of GDPR is understood as a breach of security leading to accidental or unlawful destruction, loss, modification, unauthorized disclosure or unauthorized access to personal data sent, stored or otherwise processed.

Processing of Personal Data

Personal data is processed by the Controller in accordance with the provisions of law for the following respective purposes – depending on the type of the website functionality used currently or in the past by the data subject (since such data comes only from the user’s activity on the Controller’s website and its scope depends on which services or functionalities the user decided to use and what services and functionalities were/are/will be available on the website at the moment of this user activity, therefore only relevant and adequate data is processed in accordance with the principles set out in the introduction and associated solely with the user’s activity and not going beyond this activity):



A. pursuant to Art. 6, sec. 1, letter a GDPR, respectively:

- for the free subscription to the Data Controller's newsletter;

B. pursuant to art. 6, sec. 1, letter b GDPR, respectively:

- to make use of the Website functionality;
- to conclude a distance contract with the Controller or to undertake action at the request of the data subject prior to the conclusion of the distance contract with the Controller; placing an order;
- to perform the contract; solve technical problems and contact the user in connection with the implementation of the contract;

C. pursuant to art. 6, sec. 1, letter c GDPR:

- to fulfill legal obligations resulting from the generally applicable regulations and binding the Controller: including for accounting and tax purposes to fulfill obligations related to complaints (handling complaints) regarding contracts concluded via the website; to provide information at the request of the state authority based on special provisions, e.g. the police, the prosecutor's office, the court;

D. pursuant to art. 6, sec. 1, letter f GDPR, due to the legitimate interest of the Controller, respectively in the form of the following objectives:

- to determine, investigate or defend against claims of data subjects (including for the purpose of debt collection, conducting court proceedings followed by enforcement proceedings);
- for filing purposes, to secure information, i.e. contracts and settlement documents, if any (due to the fulfillment of the accountability obligation resulting from the GDPR);
- for analytical purposes, i.e. selection of services to the needs of the user; optimization of our products based on the user comments, user interests, technical application logs; optimization of service processes based on the course of sales and post-sales service processes, including complaints (availing of information about the statistics concerning the activities performed by the Controller allows it to improve its activity);
- to offer the Controller's products and services directly to users (marketing or to offer directly products and services (marketing) of companies cooperating with the Controller (Controller's partners) without using electronic means of communication (legitimate purpose is to conduct marketing activities promoting the run activity or other entities)
- to offer the Controller's products and services directly to the users (marketing or to offer directly products and services (marketing) of companies cooperating with the Controller (Controller's partners) without the use of electronic means of communication – whereas these activities due to other applicable regulations, in particular telecommunications law and the law on electronic services are conducted only based on relevant consents, if such consents have been collected,
- to perform users satisfaction survey and determine the quality of our services;
- to ensure security and counteract abuse and fraud;
- in order to organize promotional campaigns, loyalty programs and campaigns in which users can participate;
- in order to handle notifications sent using the contact form, other requests, including ensuring accountability, if respective forms are available on the website at a given moment (for the legitimate purpose of responding to notifications and queries sent using the contact form or other form, including storage of such requests and responses to preserve the principle of accountability).

As noted above, data from users is related to their activities on the website and therefore any data coming from the website users is collected in two ways:

- information provided voluntarily by the user – provision of such data is done by filling out appropriate registration forms, contact forms, if available on the website; in case the provision of specified data is the condition for the conclusion of an agreement, the category of such data (e.g. e-mail) is appropriately described;
- information obtained while using the website may include:



- information in the server logs – the Controller’s server automatically saves data such as the request sent by the user for a webpage, date and time of request and the sent response, device data (e.g. hardware model), browser type, browser language, type of the operating system,
- information collected by the Google Analytics tool in the process of monitoring the website visit statistics,
- IP address – every computer connected to the Internet has a unique number assigned, i.e. IP address; on its basis it is possible, for example, to identify the country from which a given user connects to the network,
- “cookies” sent to the user’s computer when visiting the website;
- server logs – by collecting the web server logs by the hosting operator operating under the website’s address.

Data Recipients

Depending on the scope and purpose of the data being processed, it may be transferred in line with the principles provided for by law to other entities that will process it within the scope of a given processing purpose, respectively:

- A. in the event the Controller performs a service or delivery (sale) of goods other than by electronic means but under the concluded distance contract – entities providing postal or courier services, if the subject of the contract is to be sent/delivered by traditional means; to entities, contracted by the Controller to support it in its conducted activity, in order to implement the contract;
- B. to execute the process of payment for the order – to banks or entities operating the electronic payment system which are available at the time of placing the order (to the extent necessary to handle the payment for the order). Transactional data, including personal data, may be transferred to PayLane Sp. z o.o. with its registered office in Gdańsk at ul. Norwida 4, postal code: 80-280, KRS: 0000227278, to the extent necessary to handle the payment for the order – if the option to make use of this online payment system is selected. The customer has the right to access their data and correct it. Making data available is voluntary and at the same time necessary to use the website.
- C. to entities providing legal assistance – to exercise the rights stipulated for by the law, secure rights and claim damages under the contract and handle complaints;
- D. to entities providing accounting assistance – to meet accounting and tax obligations;
- E. in each case, to state authorities or other entities authorized under the law to perform obligations imposed by law, such as the police, prosecutor’s office, tax office;
- F. to entities providing marketing services – to support the Controller in the promotion of goods, the organization of promotional campaigns, loyalty programs and campaigns;
- G. to entities handling ICT systems and IT services – to maintain correctness of the system operation, its updates, repairs and introduction or improvement of the functionality;
- H. to entities supporting the Controller’s activity at its request – including suppliers of external systems – to support, improve or develop the Controller’s activity,

if personal data is processed for a specific purpose taking into account the fact what functionalities are (have been) available on the website, respecting the data processing rules specified in GDPR, as also the period in which the data may be stored.

Data shall be made available to third parties only under the terms and within limits permitted by law.

Period of data storage

Personal data is stored for the period not longer than it is necessary to achieve the objectives described above, including proper functioning of the Controller’s activities, taking into account deadlines for the limitation period of claims and the period justified by the need to store accounting documentation in accordance with the provisions of law obliging the Controller to store documents (taking into account the period of limitation of tax liability) and in compliance with the accountability principle.

- a) data contained in contracts, powers of attorney and attachments to these contracts is kept for up to three months after the expiry of the period of limitation for claims under the contract;
- b) data transmitted using forms available on the website is kept for the period of three years to preserve the accountability principle;
- c) documents related to guarantee and complaint will be stored for the period of one year after the expiry of the guarantee period or handling the complaint, whichever occurs later, unless the deadline described in letter "a" expires earlier due to limitation of claims;
- d) data for marketing purposes in the scope of data processing based on the consent provided by the provisions of law will be stored until the consent is withdrawn; in turn, in case of processing this data based on the legitimate purpose of the Controller – until an objection or an equivalent statement in this respect is raised, unless the provisions of law entitle the Controller to further processing of such personal data despite raising such an objection.

At the same time, the Controller informs that pursuant to Art. 118 of the Civil Code: „If a special rule does not provide otherwise, the limitation period is six years and for claims for periodic benefits and claims related to running a business – three years. However, the end of the limitation period falls on the last day of the calendar year, unless the limitation period is shorter than two years.” Pursuant to Art. 74, sec. 2, letter. 4 of the Accounting Act, accounting evidence regarding fixed assets under construction, loans, credits and commercial contracts, claims asserted in civil proceedings or subject to criminal or tax proceedings is stored for the period of 5 years from the beginning of the year following the financial year in which operations, transactions and the proceedings were finally closed, paid off, settled or barred.

Entitlements within the scope of data processing

The Controller also informs the data subject:

- a) of the right to demand from the Controller access to personal data relating to the data subject, rectify, delete or limit processing of such data or about the right to object to the processing, as also the right to data transfer,
- b) that where the processing is effected based on a declaration of consent (legal basis Art. 6, sec. 1, letter a or Art. 9, sec. 2, letter a)), a person expressing such a consent has the right to withdraw the consent at any time without affecting compliance with the law of the processing which had been performed based on the consent before its withdrawal;
- c) that the provision of data is voluntary. Failure to provide data necessary to conclude a distance contract, which is also necessary to settle the Controller's business activity, i.e. failure to provide data marked as essential necessary to conclude a distance contract via the website may prevent conclusion of such a contract (provision of such data is the condition for the conclusion of the contract). In the remaining scope, failure to provide data (or part of the data) may hinder or prevent proper performance of other functionalities or services available on the Website.
- d) of the right to lodge a complaint to the supervisory body – the President of the Office for Personal Data Protection;
- e) that at the end of the storage period – in accordance with the provisions of law – personal data will be deleted;
- f) that it has appointed a Data Protection Officer who can be contacted in writing at the email address: iod@energylandia.pl or the correspondence address of the Data Protection Officer: IOD ENERGYLANDIA - al. Płk. Beliny Prażmowskiego 69/4, 31-514 Kraków. Data subjects may contact the Data Protection Officer in all matters related to the processing of their personal data and exercise their rights under GDPR.
- g) that personal data will not be processed in an automated manner (including in the form of profiling) so that as a result of such automated processing no decisions regarding the user could be made, no other legal effects would be caused or otherwise materially affect the website users. As part of its activities the



Controller uses cookie files in such a manner that it watches and analyzes the traffic on the website. The website does not automatically collect any information except for the information contained in cookies. The information collected this way is used, among other things to: manage the website, identify possible security threats, study aggregated users' traffic within servers and for statistical purposes, including the use of Google Analytics tools.

- h) that the Website may contain external links enabling its users direct access to other websites or when using this website additional cookie files originating from other entities may be placed in the your device, in particular from suppliers such as: Facebook, Twitter, Instagram, Google+ in order to enable the use of the functionality of the website integrated with these websites. Each of these suppliers specifies the rules for the use of the cookie files in their privacy policy, therefore the Controller informs that it has no influence on the privacy policy and the use of cookie files operated by these suppliers. For security reasons it is recommended that prior to using the functionality/resources offered by other websites or services, each user became familiarized with the regulations regarding the privacy policy and the use of cookie files of these entities if they had been made available and in case of absence thereof, contacted the administrators of these websites or services to obtain information in this regard.

Cookies

The Controller explains that the website, pursuant to Art. 173 of the Act on Telecommunications Law, uses cookies constituting IT data, in particular text files which are stored in the user's terminal device. These files usually contain the name of the website they come from, the duration of time they are stored for on the terminal device and the unique number. They are used to:

- make it easier for the user to use the website while browsing;
- subsequently associate the user in the event of reconnecting the website to the device on which they had been saved;
- creating statistics that help understand how the website users use the sites, which allows for improvement of their structure and content;
- adjusting the content of the website's pages to the specific user preferences and optimizing the use of the pages tailored to the individual needs of the user.

The website uses the following types of cookies: „session” files are stored in the user's terminal device until logging out, leaving the website or turning the web browser off, „permanent” – stored in the User's terminal device for the time specified in the cookies parameters or until they are deleted by the User, „performance” – they enable gathering information about the manner of using the Website's pages; „necessary” – enabling the use of the services available on the Website, „functional” – enabling memorization of the settings selected by the user and personalization of the user interface, „own” – posted by the website, „external” – coming from another site outside the Website.

The scope of information collected automatically depends on the user's web browser settings. It is therefore recommended that the user checks their browser settings to find out which information is provided by their browser automatically or to change these settings. To do so, the user can read the „Help” section of the used web browser.

The Controller also explains that it is possible to change the conditions of storing or receiving cookies by changing the configuration of the settings in web browsers, e.g.:

- [in the Internet Explorer browser](#)
- [in the Microsoft Edge browser](#)
- [in the Mozilla Firefox browser](#)
- [in the Chrome browser](#)
- [in the Opera browser](#)
- [in the Safari browser](#)



Web browser, usually by default, allows for storing cookies on the User's end device. Website users can therefore change the settings in this respect. The web browser also allows for deletion of cookies, as well as to use the option of automatic blocking cookie files. Detailed information about cookie files is included in the settings or documentation of the web browser used by the user. It should be noted that disabling cookies necessary for authentication processes, security or maintaining user preferences, if available on the website, may make it difficult and in extreme cases also prevent the use of the website (or the website functionality).

In addition, the Controller explains that the information about some behaviors of the user is subject to logging in the server layer. Such data is used only to administer the website and to ensure the most efficient service of the provided hosting services. Browsed resources are identified by URL addresses. In addition, the following may be subject to recording: the public IP address of the computer from which the query came (it can be directly the user's computer); the name of the client's station - identification carried out by the http protocol, if it is possible; username provided in the authorization process, the time of arrival of the query, the first line of the http request, the http response code, the number of bytes sent by the server, the URL of the page previously visited by the user (referer link) - in the event the transition to the Controller's site was effected by a link, information on the user's browser, information on errors that occurred during the execution of the HTTP transaction. The above data is not associated with specific users browsing the website. The above data is used only for the purposes of administering the server.

Data Processing Control

In accordance with all the applicable provisions of laws the Controller shall make every effort to provide all means of physical, technical and organizational protection of personal data against its accidental or deliberate destruction, accidental loss, change, unauthorized disclosure, use or access.

This Privacy Policy applies as of 27 March 2019.