

PRIVACY POLICY OF THE AMUSEMENT PARK - RODZINNY PARK ROZRYWKI ENERGYLANDIA IN ZATOR

Family Amusement Park Energylandia in Zator is taking care of security of personal data of the Visitors who are using the infrastructure of the Amusement Park, including its attractions and facilities. Here, we present the rules applicable to the protection of personal data. The purpose of this Privacy Policy is to provide clear rules specifying/indicating when, why and how the Amusement Park is processing the Visitors' personal data.

Please be advised that operations performed using personal data of the Park Visitors are carried out in accordance with the provisions of law, including the 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 (General Data Protection Regulation; hereinafter referred to as "Regulation") and the Personal Data Protection Act of 10 May 2018.

Personal data, pursuant to the Regulation, is any and all information about an identified or identifiable natural person (i.e. a specific adult or child) such as e.g. name and surname or identification number.

Protection of the Visitors' data is vital for us therefore the Amusement Park processes the Visitors' personal data solely in the manner provided for by the provisions of law. Bearing in mind the assumptions of Art. 5 of the Regulation, we apply the principles of: compliance with the law, reliability and transparency, purpose limitation, data minimization, accuracy, limitation of storage, integrity and confidentiality, as also adequacy to the purpose of processing.

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

We hereby inform which personal data is processed, when it is processed and what purpose it is used for:

- as regards the purchase of discount tickets:

The Amusement Park, despite the lack of such legal obligation, is reaching towards the expectations of the Visitors and provides for the possibility of purchasing discount tickets. Below are presented the types of discount tickets and the scope of the processed data that is necessary in individual cases. In order to grant a discount we process the name and surname and, as the case may be, respectively:

- a) date of birth – birthday ticket, child up to the age of 3, ticket for seniors;
- b) information confirming disability – ticket for a person with disability;



- c) information confirming pregnancy – ticket for a pregnant woman;
- d) image; e-mail address and telephone number in order to inform about the possibility of collecting the issued annual pass; optionally the correspondence address to deliver the pass to the Visitor – yearly ticket.

Data processing in the cases described in letters “a” – “c” occurs solely by way of a one-time glance operation (presentation of the relevant document/s by a person applying for the discount to the person selling tickets at the ticket office). This is a one-time operation as having done so, the data in question is not processed by the Amusement Park (which means the Amusement Park after the above described one-time presentation activity shall not have the data in question at its disposal).

During the presentation, it is possible to use the masking overlay available from the Data Controller, unless the presented document is in a different format than the available overlay. Data described in cases of letters “a” – “c” is processed in order to grant a discount at the request of the person (or acting on their behalf applying for the discount), including in the event of the necessity to confirm their identity – respectively:

1. in the case of the ticket described in point “a” above – having demonstrated the relevant entitlement by a person to be granted a discount prior to the conclusion of the contract (legal basis for processing is Art. 6, sec. 1, letter b of the Regulation), whereby the act of voluntary, express, specific, conscious and unambiguous presentation of a relevant document confirming entitlement to grant a given person a discount constitutes, within the scope of such ordinary data, also the consent referred to in Art. 6, sec. 1, letter a of the Regulation. Here, for the sake of clarification, it needs to be understood that such a qualification does not disturb the voluntary basis condition of the consent, as the activity undertaken by the Visitor while applying for a discount should be applied to the above-mentioned grounds (parallel occurrence of legal grounds for data processing).
2. in the case of the tickets described in point “b” and “c” above – by way of a voluntary, express, specific, conscious and unambiguous act of presentation of a relevant document confirming the entitlement to grant a given person a discount (legal basis for processing within the scope of data pertaining to health is Art. 9, sec. 2, letter a of the Regulation and within the scope of ordinary data, the basis is the same as in letter “a” above, i.e. Art. 6, sec. 1, letter a or letter b).

The complementary purpose of data processing is to conduct financial reporting of the Amusement Park since as a rule the purpose is the sale of regular tickets (in terms of the number of the sold discount tickets).

Thus, the Amusement Park exercises the utmost care not to allow for a breach of protection of personal data which in the light of the Regulation is understood as a security breach leading to accidental or unlawful destruction, loss, modification, unauthorized disclosure or unauthorized access to personal data transmitted, stored or otherwise processed.

In turn, data processing in the case of the ticket described in point “d” is carried out in order to perform the agreement by the Amusement Park consisting in the issuance



of the annual pass and notification about it being ready for collection by the Visitor or its delivery to the address indicated by the Visitor, as also the exercise of the rights attached to the annual pass. The Visitor's image is processed once, solely for the purpose of the issuance of the annual pass, and it is provided to the Controller by the Visitor in the form of a file or a photo is taken in the Amusement Park solely for the purpose of affixing it on the annual pass (please be advised that the Park does not use special technical methods (image processing technologies/biometric techniques) allowing for identification of a natural person or confirmation of their identity). Legal basis for processing is Art. 6, sec. 1, letter b of the Regulations. The data is stored for the period not longer than the period of limitation for claims, whereas the image after the issuance of the annual pass is permanently deleted. In the event verification of the entitlement of a person using the annual pass is necessary, it is done by way of one-time presentation of the relevant, current and valid document confirming identity of the person availing of the annual pass.

- as regards video surveillance:

The area of the Amusement Park is subjected to video surveillance conducted by the owner of the Amusement Park. Data processing takes effect in terms of the image and the performed activities that will be recorded by the system cameras. Processing is carried out due to:

1. safety of the protection of the Visitors' life and health and protection of property due to the nature of the services provided by the Amusement Park and the zones excluded from use due to the threat to life and health (legal basis for processing is Art. 6, sec. 1, letter d of the Regulation);
2. legitimate interest of the Data Controller through conducting marketing activities and preventing fraud (legal basis for processing is Art. 6, sec. 1, letter f of the Regulation; recital 57 of the Regulation).

The data is stored for a period not longer than the period of limitation for claims. It additionally needs to be clarified that the Amusement Park does not make use of special technical methods (image processing technologies/biometric techniques) allowing for identification of a natural person or confirmation of their identity.

In addition, for the sake of clarification, a separate legal basis for the use of an image for marketing purposes is an appropriately given consent as per Art. 81 of the Act on Copyright and Related Rights or no need to obtain such consent as per Art. 81, sec. 2 of the Act described above.

The Controller informs that in case the monitoring is significantly remote from the area in the Park it records – identification of a data subject/subjects may be impossible, as a consequence of which, pursuant to Art. 11 of the Regulation, Art. 15-20 of the Regulation will not apply unless the data subject provides additional information allowing for their identification to exercise the rights they are entitled to under these articles.

- as regards the image of the Visitor shown in the photo from a specifically marked attraction/device:

As per the content of the agreement on the rules of admission to the Amusement Park – an admission ticket or a personal invitation to the Amusement Park entitles to



use all the available devices and attractions throughout the entire period of stay on the premises of the Amusement Park, whereas the use of specifically marked available attractions/devices is associated with recording of the Visitor's image, surrounded by other Visitors using these attractions/devices to render additional service by the Amusement Park or a third party, for a separate fee paid by the Visitor consisting in the purchase of a photo/gadget with the image described above from the Park's particular attraction/device.

Thus, processing data within the scope of the Visitor's image shown in a photo taken solely by a camera located on the route of a specifically marked device/attraction (e.g. Roller Coaster) containing the image of Visitors using this attraction, is carried out for the purpose of rendering an additional service by the Amusement Park or a designated third party operating on the premises of the Amusement Park for a separate fee paid by the Visitor consisting in the purchase of a photo/gadget with the image described above from the Park's particular attraction/device (legal basis for processing is Art. 6, sec. 1, letter b of the Regulation).

It additionally needs to be clarified that the Amusement Park (or possibly a third party, referred to above) does not make use of special technical methods (image processing technologies/biometric techniques) allowing for identification of a natural person or confirmation of their identity. The data is stored for a period not longer than the period of limitation for claims.

- as regards medical assistance

There is a medical assistance point in the Amusement Park. Personal data will be processed in order to provide first aid or medical assistance in accordance with the principles of the Regulation (including in line with the principle of proportionality). Legal basis for data processing – within the scope of data regarding health – is, respectively:

1. 9, sec. 2, letter a of the Regulation, i.e. an express consent of the data subject (such consent may also be given orally) or of their statutory representative.
2. 9, sec. 2, letter c of the Regulation, i.e. processing is necessary to protect the vital interests of the data subject or other natural person and the data subject is physically or legally unable to express the consent.

The data is stored for the period not longer than the period of limitation for claims.

- as regards the lost and found office:

There is a lost and found point in the Amusement Park. Personal data in this regard will be processed in accordance with the rules of Art. 5 of the Regulation in order to meet the legal obligation incumbent on the Data Controller regulated in the Act of 20 February 2015 on found property within the scope of obligations and rights of the finder and the keeper. The data is stored for the period not longer than until the end of the Park's opening season during which the item found has been handed over to an authorized, competent staroste or police.

The Controller also notifies the data subject:



1. of the right to request from the Controller access to personal data regarding the Visitor being the data subject, to rectify, delete or limit its processing or of the right to object to the processing, as also of the right to transfer data;
2. that in the event processing is taking place based on a declaration of consent (legal basis, respectively: Art. 6, sec. 1, letter a) or Art. 9, sec. 2, letter a)) – the Visitor expressing such a consent has the right to withdraw the consent at any time without affecting lawfulness of the processing that had been performed based on the consent prior to its withdrawal;
3. provision of the data indicated in the Privacy Policy is voluntary, however necessary to meet the obligations or rights described by the Controller. The consequence of not providing the data specified in the Privacy Policy and constituting at the same time a contractual requirement is respectively lack of possibility to purchase a discount ticket (annual pass), lack of possibility to purchase a photo/gadget with the image of the Visitor from a particular attraction/device, non-provision of medical assistance in a situation where a person could have given consent, unless the provisions of law require provision of such assistance against the will of that person, and in the absence of the consent to monitoring – lack of possibility to enter the Amusement Park.
4. of the right to lodge a complaint with the supervisory body – the President of the Office for Personal Data Protection;
5. that it will not make automated decisions in respect of them;
6. that the anticipated recipients of the Visitors' personal data may be: entities processing personal data on behalf of the Amusement Park, entities rendering the service of photographing the Visitor's image and entities operating ICT systems and providing IT services, entities providing advisory, consulting, audit, marketing, legal assistance, tax and accounting services to the Park to the extent it is necessary to achieve the purposes of processing your personal data described above;
7. that at the end of the storage period personal data will be deleted;
8. that it has appointed a Data Protection Inspector who can be contacted by writing to the email address: iod@energylandia.pl or to the correspondence address of the Data Protection Inspector: IOD ENERGYLANDIA – Płk. Beliny Prażmowskiego 69/4, 31-514 Kraków. Data subjects may contact the Data Protection Inspector in all matters related to the processing of their personal data and the exercise of their rights under the Regulation;
9. that pursuant to Art. 118 of the Civil Code the limitation period for claims is six years and for the claims for periodic services and the claims related to running business activity – three years. Pursuant to Art. 442 (1) of the Civil Code, however, a claim to redress a damage caused by a tort shall be barred after three years from the date on which the aggrieved party has found out or, with due diligence, could have found out about the damage and about the person obliged to redress that damage. However, such a period may not be longer than ten years from the date on which the event causing the damage occurred. If the damage resulted from an offence or misdemeanor, the claim to redress the damage shall be barred after twenty years from the date of the offence regardless of when the aggrieved party learned about the damage and about the person obliged to redress that damage. In the event of damage to a person, the limitation period may not end earlier than three years after the date on which the aggrieved party learned about the damage and about the person obliged to



redress that damage. The limitation period for claims of a minor to redress the damage to a person may not end earlier than two years after they reach full age.

This Privacy Policy enters into force as of 19 February 2020.

