

## **INFORMATION FOR CONTRACTORS AND REPRESENTATIVES AND EMPLOYEES OF CONTRACTORS REGARDING THE PROCESSING OF PERSONAL DATA**

### **1. Data controller**

The controller of your personal data is DataWalk S.A. with its registered office at ul. Rzeźnicza 32-33, 50-130 Wrocław (hereinafter also referred to as "**DATAWALK**" or "**Controller**"). Regarding the protection of your personal data, you can contact us at the following email address: [GDPR@datawalk.com](mailto:GDPR@datawalk.com) or in writing to the address of our registered office.

### **2. Scope of the information clause**

Whenever this information clause refers to a counterparty, it means business clients, potential clients, suppliers, potential suppliers, contractors, potential contractors, or other business partners and potential business partners of DATAWALK.

We process the personal data of counterparties in cases where the counterparty is a sole proprietor. In cases where counterparties operate under a different legal form, we process the personal data of their representatives and employees.

### **3. Categories of personal data**

DATAWALK may process the following categories of personal data in connection with the relationship between you or the organization on behalf of which you act, work, or provide services, and DATAWALK. The processed personal data may be different depending on the above relationship:

1. in the case of a counterparty and/or representatives of a counterparty - DATAWALK processes identification data, contact details, and data contained in the contract and/or necessary for the performance of the contract;
2. in the case of an employee of a counterparty - DATAWALK processes identification and contact details.

### **4. Data source**

If personal data has not been collected directly from you, it has been obtained from a counterparty of which you are an employee or representative. Personal data may also have been obtained from the counterparty's websites or from publicly available registers.

### **5. Legal basis and purpose of data processing**

DATAWALK processes your personal data for the purposes and on the legal bases described below:

In the case of **counterparties**:

- processing is necessary for the entry into and performance of a contract (Article 6(1)(b) of the GDPR);

- processing is necessary for compliance with a legal obligation (Article 6(1)(c) of the GDPR) – documenting business operations, i.e. keeping records for tax purposes, issuing or storing invoices,
- processing is necessary for the purposes of legitimate interests (Article 6(1)(f) of the GDPR) – (i) for contact purposes, (ii) where applicable - to establish, pursue, and defend claims;
- consent (Article 6(1)(a) of the GDPR) – in situations where there is no legal basis for processing, DATAWALK may ask you to consent to the processing of your personal data. In this case, your personal data will be processed to the extent and for the purpose specified in this consent. If your personal data is or will be processed on the basis of consent, this consent may be withdrawn at any time, and the withdrawal of consent does not affect the lawfulness of processing based on consent before its withdrawal.

In the case of **employees and/or representatives of counterparties**:

- processing is necessary for compliance with a legal obligation (Article 6(1)(c) of the GDPR) – in connection with keeping records for tax purposes, issuing or storing invoices;
- processing is necessary for the purposes of the legitimate interests pursued by the Controller (Article 6(1)(f) of the GDPR) – (i) for the purpose of entering into and performing a contract with a counterparty of which you are an employee/representative; (ii) for contact purposes, in particular to handle requests or other messages regarding contractual relations with counterparties.

## **6. Obligation to provide personal data**

- if you are a counterparty or representative of a counterparty, providing personal data is voluntary, but it is a condition for concluding or performing a contract. Providing personal data may also be necessary to fulfill a legal obligation imposed on DATAWALK. Failure to provide the required personal data, depending on the circumstances, may prevent the conclusion or performance of a contract;
- if you are an employee of a counterparty and have provided your personal data to DATAWALK, its processing may be necessary in connection with the legitimate interest of DATAWALK, for the purpose of concluding and performing a contract between DATAWALK and the counterparty. Failure to provide the required personal data, depending on the circumstances, may prevent the conclusion or performance of the contract;
- the provision of other personal data is voluntary, but failure to provide it may affect the provision of services to DATAWALK.

## **7. Conditions for transferring data to third parties**

As a rule, we do not disclose personal data to anyone. We entrust personal data for processing by way of a contract (in accordance with Article 28 of the GDPR) to entities whose services we use in connection with data processing, in particular IT service providers and accounting service providers, to the extent necessary for the proper performance of these services.

## **8. Data transfers to third countries**

As indicated in this information clause, we may use the services of third parties (processors) in connection with data processing, in particular the services of entities providing IT infrastructure. If we use the services of third parties outside the EEA (in the case of entities providing IT infrastructure – most often from the US) or allow third parties to use the services of further processors (sub-processors) to process personal data outside the EEA (most often this applies to entities providing IT infrastructure), except where processing takes place in a country providing an adequate level of protection (in accordance with current European Commission guidelines), we ensure in advance that a legal mechanism providing adequate safeguards is in place, such as standard contractual clauses approved by the European Commission, in accordance with applicable regulations.

Detailed information on the transfer of personal data to third countries, the safeguards applied, and a copy of such safeguards can be obtained by contacting us using the contact details provided in this clause.

## **9. Data storage period**

Personal data is stored in accordance with the provisions on storage periods. Personal data will be stored for the duration of the contract and, after its termination, for the period necessary to establish, pursue or defend claims and to fulfill DATAWALK's legal obligations (e.g., storage of accounting documents) in accordance with applicable regulations.

## **10. Profiling**

Personal data is not subject to automated decision-making and profiling processes.

## **11. Your rights**

You have the following rights to the extent and under the conditions set out in applicable law:

- access data and obtain copies thereof;
- rectify your data;
- erase your data (“right to be forgotten”);
- restrict processing;
- transfer your data;
- lodge a complaint with a supervisory authority (the President of the Personal Data Protection Office);
- object to the processing of your data, including profiling, if: (i) there are grounds related to your particular situation, and (ii) the processing is based on the legitimate interest of DATAWALK (pursuant to Article 6(1)(f) of the GDPR).

If you want to ask a question or exercise any of your rights, you can contact DATAWALK using the contact details provided in this information clause.