

## Privacy and Cookie Policy on the Executive Club Sp. z o.o. Website

This document concerns the processing and protection of personal data relating to Users in connection with their use of the website: <https://www.executiveclub.pl>. (hereinafter: the Executive Club Service), owned by Executive Club Sp. z o.o., with its registered office in Warsaw, ul. Krucza 16/22, 00-526 Warsaw, entered in the register of entrepreneurs of the National Court Register maintained by the District Court for the Capital City of Warsaw in Warsaw, 12th Commercial Division of the National Court Register, under KRS number 0000280689, NIP 5213456399, REGON 141040680, with a share capital of PLN 50,000.

Executive Club Sp. z o. o. respects the right to privacy of the Users of the Executive Club Service.

In particular, it ensures the protection of their personal data and applies appropriate organisational and technical measures preventing interference with the privacy of Users by third parties. Our activities are aimed at guaranteeing the User a sense of full security at a level appropriate to the applicable law, including:

1. 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: GDPR);
2. The Act of 10 May 2018 on the Protection of Personal Data;
3. The Act of 18 July 2002 on the Act of 18 July 2002 on Providing Services by Electronic Means;
4. The Act of 12 July 2024 – Electronic Communications Law.

The use of the Executive Club Service is carried out by means of a secure SSL protocol, which significantly increases the protection of data transmission on the Internet.

We inform you that external links enabling the Users of the Executive Club Service to directly access other websites may be placed within the Executive Club Service, or that, while using the Executive Club Service, Cookies originating from other entities may additionally be placed on your device, in particular from providers such as: Facebook, Instagram, YouTube, in order to enable you to use the functionalities of the Executive Club Service integrated with these services. Each provider defines the rules for the use of Cookies in its own privacy policy; therefore, we have no influence over the privacy policy conducted by the providers or the use of Cookies by these services. For security reasons, we recommend that before using the resources offered by other websites or services, each User familiarise themselves with the

document concerning the privacy policy and the use of Cookies, if such documents have been made available, and, in their absence, contact the administrator of the given website or service in order to obtain information in this regard.

#### **Glossary of terms:**

- **cookie** – a small piece of information saved by a server on the User's computer, which the server may read upon a subsequent connection from that computer,
- **system log** – information transmitted to the server by the User's computer with each connection; it may contain various data (e.g. an IP address) on the basis of which it is possible to determine, with greater or lesser accuracy, the location from which the connection was made,
- **IP address** – an individual number that, as a rule, is assigned to every computer connected to the Internet; an IP address may be permanently associated with a given computer (static) or assigned to it for a given connection (dynamic),
- **SSL protocol** – a special standard for data transmission on the Internet in which the transmission is encrypted, as opposed to ordinary transmission where the transmission takes place in plain text.

#### **I. Controller**

- The controller of your personal data is Executive Club Sp. z o.o. (hereinafter: the Controller).
- In matters related to the processing of your personal data, you may contact the Controller by correspondence, by sending written information by post to the address: Executive Club Sp. z o.o., ul. Krucza 16/22, 00-526 Warsaw, or by sending a message to the e-mail address: [biuro@executiveclub.pl](mailto:biuro@executiveclub.pl).
- The information clause regarding the processing of personal data by Executive Club Sp. z o.o. is also available on the website of the Executive Club Service in the form of a file available for download.

#### **II. Data collection**

In connection with the User's use of the Executive Club Service, we store http requests directed to the server. The viewed resources are identified by means of URL addresses and concern:

- the public IP address of the end device from which the request was sent;
- the name of the User's station – identification carried out via the http protocol, where possible;
- the User name provided in the authorisation process;
- the time of receipt of the request;

- the first line of the http request;
- the http response code;
- the amount of data sent by the server;
- the URL address of the page previously visited by the User – if access to the Service occurred via an external link;
- information about the User's browser;
- information about errors that occurred during the execution of the http transaction.

The data indicated above are not associated with specific persons browsing the pages of the Executive Club Service.

The Executive Club Service does not automatically collect any information, except for the information contained in Cookies.

Information collected in this manner is used, *inter alia*, for the following purposes:

- managing the Service;
- personalising our website for you;
- enabling the use of services available on our website;
- identifying potential security threats;
- handling enquiries and complaints submitted by you or concerning you in connection with our website;
- commercial communication;
- sending e-mail notifications that you have requested;
- sending our e-mail newsletter, if you have requested it (you may inform us at any time if you no longer wish to receive the newsletter);
- ensuring the security of our website and preventing fraud;
- verifying compliance with the terms of use of our website (including monitoring private messages sent via our private messaging service).

In connection with the use of the functionalities of the Executive Club Service, the User may, however, be requested to provide the following personal data:

- first and last name;
- electronic mail address (e-mail address);
- content of the contact message.

### **III. Third-party websites**

Our Executive Club Service contains hyperlinks to third-party websites as well as detailed information about them. We have no control over and bear no responsibility for the privacy policies and practices of third parties.

#### **IV. Processing of personal data**

Data relating to the User collected via the Executive Club Service may be used for the purpose of responding to enquiries submitted by the User using the contact form, making a service reservation, sending commercial information, or sending a newsletter.

Personal data collected via forms to which the User has given consent are processed for the purpose and for the period necessary to properly perform the task. The details are specified in the relevant clauses located under specific forms.

#### **V. Collection of personal data**

The following types of personal data may be collected, stored, and used:

- information about the computer, including the IP address, geographical location, browser type and version, and operating system;
- information about your visits to and use of this website, including referral source, length of visit, page views, and website navigation paths;
- information such as an e-mail address that you provide when registering on our website;
- information entered when creating a profile on our website – for example: first and last name, profile photographs, gender, date of birth, relationship status, interests and hobbies, educational data, and employment-related data;
- information such as first and last name and e-mail address that you provide in order to set up subscriptions to our e-mails or newsletters;
- information entered while using the services available on our website;
- information that is generated while using our website, including when, how often, and under what circumstances you use it;
- information relating to anything you purchase, services you use, or transactions carried out via our website, including first and last name, address, telephone number, e-mail address, and credit card details;
- information published on our website with the intention of publishing it on the Internet, including user name, profile photographs, and the content of posted materials;

- information contained in any correspondence sent to us by e-mail or via our website, including communication content and metadata;
- any other personal data that you provide to us.

## **VI. Obligation to provide data**

The provision of personal data is voluntary. The User is not obliged to provide the data, however, depending on the circumstances, refusal to provide them may prevent or hinder the use of the Service or contact with the User.

When collecting data, the Controller designates data the failure to provide which will prevent or hinder the use of specific functionalities.

## **VII. Purpose and legal basis for data processing**

Personal data collected in connection with the use of the Service or provided via the Service shall be processed for the following purposes:

- provision of the service of maintaining an online Customer account – in this case, the legal basis for processing is Article 6(1)(b) GDPR, i.e. the performance of a contract for the provision of services by electronic means;
- responding to enquiries concerning Products via electronic mail and the Customer's instant messaging tools – in this case, the legal basis for processing is Article 6(1)(b) GDPR, i.e. taking steps at the request of the data subject prior to entering into a contract;
- handling the sale of Products, including the collection of Orders, making reservations, settlements, and delivery of Products – in this case, the legal basis for processing is Article 6(1)(b) GDPR, i.e. processing necessary for the performance of a contract or for taking steps at the request of the data subject prior to entering into a contract, as well as Article 6(1)(f) GDPR, i.e. the legitimate interest of the Controller, which is the protection of property and the documentation and analysis of potential incidents of legal violations;
- fulfilment of tax obligations, such as sales documentation (e.g. invoicing, issuing receipts) – in this case, the legal basis for processing is Article 6(1)(c) GDPR, i.e. compliance with a legal obligation incumbent on the Controller;
- handling complaints – in this case, the legal basis for processing is Article 6(1)(c) GDPR, i.e. compliance with a legal obligation incumbent on the Controller;
- debt collection and defence against claims – in this case, the legal basis for processing is Article 6(1)(f) GDPR, i.e. the legitimate interest of the Controller, which is the pursuit

of claims arising from concluded contracts and the purposeful defence against unfounded claims;

- marketing activities relating to offered products or services without the use of electronic means of communication – in this case, the legal basis for processing is Article 6(1)(f) GDPR, i.e. the legitimate interest of the Controller, which is the promotion of offered goods and services;
- marketing activities relating to the Controller's own products or services using electronic means of communication - in this case, the legal basis for processing is Article 6(1)(f) GDPR, i.e. the legitimate interest of the Controller, which is the promotion of offered goods and services, provided that, due to separate regulations, such activities are carried out exclusively on the basis of consents obtained. In the case of marketing activities conducted by means of e-mail, SMS, or other forms of electronic communication, the processing of data is carried out exclusively on the basis of prior consent (Article 6(1)(a) GDPR, Article 10 of the Act on Providing Services by Electronic Means, Article 361(1) of the Electronic Communications Law).

## **VIII. Data retention period**

The data retention period depends on the purpose of processing and is limited to the time necessary to achieve the intended purpose.

Data processed in order to ensure the proper functioning of the Service, for analytical and statistical purposes, and to ensure the ICT security of the Service shall be stored until the legitimate interest of the Controller has been fulfilled.

Data processed for the purpose of conducting informational and marketing activities relating to the Controller's products or services shall be stored until the consent to processing is withdrawn.

Data processed for the purpose of fulfilling obligations incumbent on the Controller, such as tax, accounting, or statistical obligations, shall be stored for the period resulting from the applicable provisions imposing such obligations on the Controller.

Data processed for the purpose of handling complaints, defence against claims, and establishing and pursuing claims shall be stored until the expiry of the limitation period or the completion of the pursuit of claims.

## **IX. User rights**

The data subject has the right to obtain confirmation from the Controller as to whether or not personal data concerning them are being processed. Where personal data relating to such a person are being processed, they are entitled to obtain access to the data and the following

information: the purposes of the processing; the categories of personal data concerned; the recipients or categories of recipients to whom the personal data have been or will be disclosed; the period for which the personal data will be stored or, where that is not possible, the criteria used to determine that period; information on the right to request rectification, erasure, or restriction of processing of personal data concerning the data subject, and to object to such processing; information on the right to lodge a complaint with a supervisory authority; where the personal data are not collected from the data subject, any available information as to their source; information about automated decision-making, including profiling; information on appropriate safeguards relating to the transfer of personal data to a third country or an international organisation (Article 15(1) and (2) GDPR).

The data subject has the right to obtain a copy of the personal data undergoing processing, whereby the first copy shall be provided free of charge, and for any further copies the Controller may charge a reasonable fee resulting from administrative costs (Article 15(3) GDPR).

The data subject has the right to request the rectification of personal data concerning them that are inaccurate, or the completion of incomplete personal data (Article 16 GDPR).

The data subject has the right to request the erasure of their personal data in the cases indicated in Article 17(1) GDPR, in particular where the Controller no longer has a legal basis for the processing or the data are no longer necessary for the purposes of processing.

The data subject has the right to request restriction of the processing of personal data by the Controller (Article 18 GDPR) where: they contest the accuracy of the personal data – for a period enabling the Controller to verify the accuracy of the data; or the processing is unlawful and the data subject opposes the erasure of the personal data, requesting instead the restriction of their use; or the Controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise, or defence of legal claims; or the data subject has objected to processing – pending the verification whether the legitimate grounds of the Controller override those of the data subject.

The data subject has the right to receive the personal data concerning them, which they have provided to the Controller, in a structured, commonly used, and machine-readable format, and has the right to request that those data be transmitted to another controller, where the processing is based on the data subject's consent or on a contract concluded with them and where the processing is carried out by automated means (Article 20 GDPR).

The data subject has the right to object, on grounds relating to their particular situation, to the processing of their personal data carried out for the purposes of the legitimate interests of the

Controller, including profiling. In such a case, the Controller shall no longer process the personal data unless it demonstrates compelling legitimate grounds for the processing which override the interests, rights, and freedoms of the data subject, or grounds for the establishment, exercise, or defence of legal claims (Article 21(1) GDPR).

Where personal data are processed for the purposes of direct marketing, the data subject shall have the right to object at any time to the processing of personal data concerning them for such marketing, including profiling, to the extent that the processing is related to such direct marketing. Where the data subject objects to processing for direct marketing purposes, the personal data shall no longer be processed for such purposes (Article 21(2) and (3) GDPR).

Where data are processed on the basis of consent given, such consent may be withdrawn at any time. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.

The data subject has the right to lodge a complaint with a supervisory authority in the Member State of their habitual residence, place of work, or place of the alleged infringement, if they consider that the processing of personal data concerning them infringes the GDPR.

## **X. Automated processing of data**

The Controller does not carry out automated decision-making or profiling in a manner that produces legal effects concerning the User or similarly significantly affects the User. Data may be analysed for statistical purposes only in an aggregated and anonymous manner.

The Controller shall not process data in an automated manner in the form of profiling in such a way that, as a result of such automated processing, any decisions may be taken, other legal effects may occur, or the situation of the data subject may otherwise be affected.

During the use of the Service, information related to browsing the content of the Service is automatically collected and used exclusively for purposes related to market research and Internet traffic within the Service and for statistical purposes.

## **XI. Transfer of personal data to third parties**

We will not, without the explicit consent of the Users of the Executive Club Service, transfer personal data to third parties, or to any other third parties related thereto, for direct marketing purposes. The collected personal data of Users are not transferred to international organisations or to third countries. Personal data may be processed by other entities in accordance with EU law or national law.

However, the Controller may use services related to the use of analytical tools, e-mail services, IT tools, IT solution providers, including hosting services, of entities from third countries (e.g.

Google, Microsoft, Facebook, Twitter, etc.). Where such use involves the transfer of data to third countries, this shall be possible exclusively where appropriate safeguards are ensured and provided that enforceable rights of data subjects and effective legal remedies are available. Appropriate safeguards are ensured by means of standard data protection clauses referred to in Article 46(2)(c) GDPR. In addition, the Controller applies additional technical safeguards, such as data encryption both during transfer and at rest.

## **XII. Disclosure of personal data**

We may disclose your personal data:

- to the extent required by provisions of law;
- in connection with potential legal proceedings;
- for the purpose of establishing, enforcing, or defending our rights (including the disclosure of information to other entities for the purpose of preventing fraud);
- to the extent necessary for conducting business operations and providing services, including, in particular, to entities providing accounting, legal, marketing, postal, courier, technical, IT, and similar services to the Controller.

## **XIII. Security of personal data**

- We will take appropriate technical and organisational precautionary measures in order to prevent the loss, misuse, or alteration of the User's personal data.
- We will store all personal data that you provide on our secure servers (protected by password and firewall).
- All information transmitted via our website is protected by encryption technology.
- The User acknowledges that the transmission of information over the Internet, despite being secured by encryption technology, may be potentially unsafe.

## **XIV. Use of Cookies**

The Executive Club Service, in accordance with Article 399 of the Electronic Communications Law, uses Cookies constituting IT data, in particular text files, which are stored on the User's device. Cookies usually contain the name of the website from which they originate, the time of their storage on the end device, and a unique number.

Within the Service, a mechanism for obtaining consent for the use of Cookies is applied, in accordance with Article 361(1) of the Electronic Communications Law and Article 6(1)(a) GDPR. Before any Cookies other than those that are necessary are stored on the User's device, the User is requested to give consent via a cookie banner. Consent management is possible at any time through a tool available on the website.

**Cookies are used for the purpose of:**

- facilitating the User's use of the Executive Club Service while browsing it;
- to recognise the User upon a subsequent connection to the Executive Club Service with the device on which they were stored;
- creating statistics that help to understand how Users of the Executive Club Service use websites, which enables the improvement of their structure and content;
- adjusting the content of the Executive Club Service to the User's specific preferences and optimising the use of websites, adapted to the User's individual needs.

**Within the Executive Club Service, the following types of Cookies are used:**

- "session" Cookies – stored on the User's device until logout, leaving the website, or closing the web browser;
- "persistent" Cookies – stored on the User's device for the period specified in the Cookies parameters or until they are deleted by the User;
- "performance" Cookies – enabling the collection of information on how the Executive Club Service websites are used;
- "necessary" Cookies – enabling the use of services available within the Executive Club Service;
- "functional" Cookies – enabling the storage of settings selected by the User and the personalisation of the User interface;
- "first-party" Cookies – placed by the Executive Club Service;
- "third-party" Cookies – originating from a website other than the Executive Club Service.

The information is in no way combined with the personal data of the Users of the Executive Club Service and is not used to determine the identity of the User. The scope of information collected automatically depends on the settings of the User's web browser. The User should check their browser settings in order to find out what information is made available by the browser automatically or to change those settings. For this purpose, we recommend familiarising yourself with the content of the "Help" section of the web browser used.

**XV. Changing the conditions for storing or receiving Cookies is possible by configuring the settings in web browsers, for example:**

- 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.

Software used for browsing websites, i.e. a web browser, usually by default allows the storage of Cookies on the User's device. Users of the Executive Club Service may change the settings in this regard.

A web browser enables the deletion of Cookies. It is also possible to automatically block Cookies. Detailed information on this subject is provided in the help section or documentation of the web browser used by the User. If the User does not wish to receive Cookies, they may change their browser settings. However, disabling the handling of Cookies necessary for authentication processes, security, or the maintenance of User preferences may hinder, and in extreme cases also prevent, the use of the Executive Club Service.

#### **XVI. Amendments to the Privacy Policy**

These rules may be updated from time to time by posting a new version on our website. Please check this page of the Executive Club Service from time to time to ensure that you understand any changes to these rules.