



## PRIVACY POLICY

applicable at Gdańska Infrastruktura Wodociągowo-Kanalizacyjna Sp. z o.o. (*the Gdańsk Water Utilities*)

### I. GENERAL

- 1) Gdańska Infrastruktura Wodociągowo — Kanalizacyjna Sp. z o.o., with its registered office in Gdańsk, protects the privacy of its Customers and Contractors, paying special attention to the processing of personal data. Since we have obtained your personal data in connection with our business, we would like to inform you that we shall process your data in accordance with the following principles.

Prior to entering websites: <https://www.giwk.pl/>, <https://www.blizejzrodel.pl>, <https://www.miastonadetoksie.pl/>, <https://szlak.gda.pl/>, <https://otwartaoczyszczalnia.pl/>, <https://rycerskaLO.pl/>, <https://gpws.pl/>, <https://biegdozrodel.pl/>, <https://modanawode.pl/>, <https://hydromisja.pl/>, <https://przetargi.giwk.pl/>, the user should read this Privacy Policy carefully.

- 2) The administrator of the personal data that you have provided is Gdańska Infrastruktura Wodociągowo-Kanalizacyjna Sp. z o.o. (GIWK) ul. Kartuska 201, Gdańsk 80-122, tel. 58 326 67 00, e-mail: [GDPR@giwk.pl](mailto:GDPR@giwk.pl).

### II. DATA COLLECTING AND PROCESSING BY GIWK

- 1) GIWK processes personal data in compliance with applicable laws, including:
  - 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 hereinafter referred to as the “GDPR”;
  - The Personal Data Protection Act of 10 May 2018. (consolidated text in Journal of Laws of 2019, item 1781 as amended);
  - The Act of 23 April 1964. - Civil Code (Journal of Laws 1964 no. 16 item 93);
  - The Act of 8 March 1990 on Municipal Self-Government (Journal of Laws 1990, No. 16, item 95);
  - The Act of 29 September 1994 on accounting (Journal of Laws 2019, item 351, as amended);
  - The Act of 7 June 2001 on Collective Water Supply and Collective Sewage Disposal (D)
  - The Act of 29 January 2004. Public Procurement Law (consolidated text in Journal of Laws of 2019, item 1843 as amended);
  - The Act of 18 July 2002 on the provision of services by electronic means (consolidated text in Journal of Laws 2020, item 344 as amended);
  - The Act of 16 July 2004. Telecommunication Law (consolidated text in Journal of Laws 2018, item 1954 as amended); and
  - Ordinance of the Minister of the Environment of 29 August 2019 on the system of visual control of the place of storage or deposit of waste (Journal of Laws 2019.1755).



### III. PURPOSES AND LEGAL BASES OF DATA PROCESSING

Your personal data will be processed for the following purposes and with the following legal bases for the processing.

Item	Purposes and legal bases of data processing	Data scopes and categories
1.	<p><b>To take action prior to the conclusion of a contract, or where processing the data is necessary for the conclusion and performance of a contract - on the basis of Article 6(1)(b) GDPR in the following instances:</b></p> <ul style="list-style-type: none"> <li>• Contracts with customers (commissioning parties and investors) including applications for the issuance of technical conditions, applications for a network takeover agreement, applications for reconciliation, applications for the preparation of reports of investment performance, notification of final acceptance)</li> <li>• Agreements with contractors (counterparties) and agreements concluded on the basis of the public procurement procedure</li> <li>• Mandate agreements pursuant to Article 734 of the Civil Code</li> <li>• Rules of ticket purchase for a tour of Kazimierz Water Reservoir in Lazurowa Street</li> </ul>	<ul style="list-style-type: none"> <li>• contractual data and the data necessary for pre-contractual activities (identification and contact details of the commissioning parties and investors)</li> <li>• contractors for works, supplies and services</li> <li>• property owners</li> <li>• data consisting of login and e-mail addresses of data subjects purchasing tickets via the application to visit the Kazimierz Water Reservoir</li> </ul>
2.	<p><b>The legitimate interest of the controller (Article 6(1)(f) GDPR) in particular in connection with:</b></p> <ul style="list-style-type: none"> <li>• Electronic forms of communication: e-mail, website contact form and other forms of electronic and telephone communication</li> </ul>	<ul style="list-style-type: none"> <li>• basic identification data (first name and surname)</li> <li>• contact and address details</li> <li>• visual data (including data related to video surveillance for security and records purposes)</li> <li>• data in the public domain or obtained from third parties</li> <li>• electronic identification data (IP number and type of the terminal from which the website was accessed)</li> </ul>

	<ul style="list-style-type: none"> <li>representatives and employees of the contractors for works, supplies and services</li> </ul>
<ul style="list-style-type: none"> <li>operation of the: <a href="https://www.giwk.pl">https://www.giwk.pl</a>, website or others mentioned in I. General provisions 1)- correct display, maintenance of viewing statistics, processing of the electronic address (IP address), the “cookies” files and types of terminals from which the website was accessed, redirecting plug-ins (IP address, user's browser ID):  <a href="https://www.facebook.com/giwkpl/">https://www.facebook.com/giwkpl/</a>, <a href="https://twitter.com/giwkpl">https://twitter.com/giwkpl</a>, <a href="https://www.instagram.com/accounts/login/?next=/giwkpl/">https://www.instagram.com/accounts/login/?next=/giwkpl/</a>,  <a href="https://www.linkedin.com/company/giwkpl/?originalSubdomain=pl">https://www.linkedin.com/company/giwkpl/?originalSubdomain=pl</a> <a href="https://www.instagram.com/accounts/login/?next=/gdanskizlakwodociagowy/">https://www.instagram.com/accounts/login/?next=/gdanskizlakwodociagowy/</a>  <a href="https://www.facebook.com/gdanskizlakwodociagowy/">https://www.facebook.com/gdanskizlakwodociagowy/</a> <a href="https://www.facebook.com/zbiornikstarysobieski">https://www.facebook.com/zbiornikstarysobieski</a> <a href="https://www.facebook.com/zbiornikkazimierz">https://www.facebook.com/zbiornikkazimierz</a>  <a href="https://www.facebook.com/zbiornikstaraorunia">https://www.facebook.com/zbiornikstaraorunia</a> <a href="https://www.facebook.com/miastonadetoksie/">https://www.facebook.com/miastonadetoksie/</a></li> </ul>	
<ul style="list-style-type: none"> <li>the use of video surveillance at the following locations in Gdańsk: ul. Dragana 16E (the archives of the plant), in the building of the Installations for Thermal Transformation of Sludge (ITPO) at ul. Benzynowa 26, in the building at ul. Rycerska 10 and in the Kazimierz, Stara Orunia and Stary Sobieski Water Reservoirs in order to ensure the security of persons and property on the basis of the processing of unidentified data as defined in Article 11 of the GDPR and on the basis of the Regulation of the Minister of the Environment of 29 August 2019 on the video control system of the place of storage or deposit of waste (Journal of Laws 2019 .1755);</li> <li>ensuring the safety of contractors, counterparties and visitors as part of the physical protection of persons and property;</li> <li>asserting or defending against claims, in particular the lodging of a complaint or claim in order to investigate, clarify all circumstances of the case, provide a response and take any other action necessary to settle the case, e.g. for the archival (records) purposes to secure information, video surveillance recordings in the event it is necessary for legal purposes to prove facts or to establish the identity of a person communicating with GIWK in the event of failure to provide data as a party to future possible internal or court proceedings;</li> <li>processing personal data of a counterparty's representative (contractor) to the extent necessary for the performance of a contract;</li> <li>use of the internal control systems;</li> <li>researching customer satisfaction and determining the quality of services provided;</li> <li>ensuring information security, in particular by ensuring the integrity of backup copies.</li> </ul>	



3.	<p><b>The processing is necessary for the fulfilment of the legal obligation incumbent on the controller (Article 6(1)(c) GDPR) in the following cases:</b></p> <ul style="list-style-type: none"><li>• processing of data in connection with the performance of GIWK's duties, tasks in order to fulfil its own municipality tasks, realisation of investments and regulation of field and legal matters referred to in, among others, Article 7(1)(3) of the Act of 8 March 1990 on municipal self-government, Article 31(1) of the Act of 7 June 2001 on collective water supply and collective sewage disposal, Article 49(2) of the Act of 23 April 1964 - the Civil Code;</li><li>• storing information for tax and accounting purposes on the basis of Article 74 paragraph 2 of the Accounting Act of 29 September 1994 (i.e. Journal of Laws of 2019, item 351 as amended);</li><li>• proceedings for the award of a public contract pursuant to art. 39 of the Act of 29 January 2004. Public Procurement Law (i.e. Journal of Laws of 2019, item 1843 as amended);</li><li>• ensuring the safety of guests, employees, co-workers and contractors visiting GIWK Sp. Z o.o, in particular, to conduct interviews and request statements concerning, in particular, information on the obligation to undergo quarantine as well as to obtain information concerning the need for the Administrator to take preventive measures with regard to the spread of COVID-19 in connection with the guidelines and recommendations of the Chief Sanitary Inspector issued in connection with Art. Article 8a(5)-(9) of the Act on State Sanitary Inspectorate introduced by Article 17 of the Act of 2 March 2020 on specific solutions related to preventing, counteracting and combatting COVID-19, other infectious diseases and crisis situations caused by them and in connection with Article 207 of the Labour Code, which impose on the GIWK responsibility for health and safety at work, which concerns both employees and people visiting the building as guests, co-workers and contractors</li></ul>	<ul style="list-style-type: none"><li>• basic identification particulars (first name and surname)</li><li>• contact details</li><li>• visual data (including data related to video surveillance for security and records purposes)</li><li>• data in the public domain or obtained from third parties</li><li>• electronic identification data (IP number and type of terminal used to access the website)</li><li>• representatives and employees of the contractors for works, supplies and services</li></ul>
4.	<p><b>A person's consent to the processing of personal data under Article 6(1)(a) of the GDPR in the following cases:</b></p> <ul style="list-style-type: none"><li>• participation in the recruitment process (employment contract, provision of B2B services, managerial contract, contract for specified service) and the processing of personal data in a wider scope than is required under generally applicable laws (Labour Code, Civil Code, CEiDG, CCC)) and the data necessary to take action before concluding a contract.</li></ul>	<ul style="list-style-type: none"><li>• additional personal data beyond the catalogue of data processed during the recruitment process on the basis of legal regulations or prerequisites to conclude a contract, e.g. data provided in a CV, cover letter, image recorded in a photograph as well as data on disability.</li></ul>



#### **IV. To whom personal data will be transferred (recipients and processors)**

Personal data will not be transferred outside the European Economic Area. Personal data will be stored on servers located within the European Union and may be transferred - on the basis of standard data protection clauses - to a third country in connection with the use by the controller of cloud solutions provided by Microsoft.

#### **V. Sources from which GIWK collects data**

- customers, contractors, suppliers, works, supply and service contractors
- persons contacted by means of electronic communication
- publicly available records and registers, such as: KRS, CEiDG, GUS in particular, and open data published on websites as we are obliged to update personal data.

#### **VI. Period (retention) for processing personal data**

Your data will be processed until the end of the longest of the following periods:

- the time necessary for legal protection, in particular for the limitation period of any claim, or
- for the duration of processing for a legitimate interest; or
- the time for which you have given your consent to the processing of your data; or
- the time needed to fulfil the legal obligations incumbent on the controller resulting from general provisions of law, and in particular until the time of decommissioning the infrastructure covered by the investment;
- for the duration of the performance of a civil law agreement with GIWK or, if you are an employee or representative of a counterparty (contractor) of GIWK, for the duration of the performance of the aforementioned agreement;
- for the period necessary to contact you, conduct correspondence, respond to a complaint or claim;
- any personal data recorded in the form of electronic video surveillance images is stored for a period not longer than 60 days from the date of its

acquisition, and in the case where the image recordings constitute evidence in proceedings or if GIWK Sp. z o.o. has become aware that they may constitute



evidence in court proceedings, the aforementioned deadline is extended until the legal proceedings have become final, in any case, however, no longer than the applicable limitation periods for civil and criminal claims, pursuant to the provisions of, in particular, the Act of 23.04.1964 Civil Code (Dz. U. of 2018, item 1025 as amended), the Act of 06.06.1997r. Penal Code (Journal of Laws of 2018, item 2204 as amended), Act of 20.05.1971 Code of Offences (Journal of Laws of 2018, item 618 as amended). After the expiry of the above-mentioned periods, recordings containing personal data as a result of monitoring shall be immediately destroyed.

## **VII. Is the provision of personal data voluntary or mandatory?**

Even though the provision of personal data is voluntary, it is necessary in order to fulfil the purpose stipulated by law and/or on the basis of a concluded contract.

## **VIII. Rights of the persons whose personal data is processed (data subjects) by GIWK**

Being a data subject, you have the following rights:

- to access the content of your personal data (Art. 15. GDPR);
- to rectify your personal data (Art. 16 GDPR);
- to have the personal data that is processed on the basis of your consent erased (Article 17 GDPR subject to Article 17.3.e GDPR), to restrict the processing of personal data (Article 18 GDPR subject to cases referred to in Article 18.2 GDPR), to object to the processing of personal data (Article 21 GDPR) - only if the data is processed in order to pursue the legitimate interests of the Controller (Article 6.1.f GDPR);
- to transfer the data (Article 20 GDPR) when the processing is based on consent or a contract;
- to not to be subject to decisions made under the terms of automated data processing, including profiling (Article 22 GDPR);
- to withdraw consent to the processing of personal data, where such consent has been given (Article 7(3) GDPR). The withdrawal of consent shall not affect the lawfulness of data processing up to the time of withdrawal of consent (if such consent was granted to the processing of the data for recruitment purposes,

the withdrawal of consent will prevent participation in the recruitment process),

- to lodge a complaint to the supervisory authority, which is the President of the Office for Personal Data Protection (address: President of the Office for Personal Data Protection, ul. Stawki 2, 00-193 Warszawa), if you consider that the processing of your personal data violates the provisions of the GDPR.



**IX. Is personal data transferred to third countries?**

Personal data will not be transferred outside the European Economic Area. Personal data will be stored on the servers located within the European Union and may be transferred - on the basis of standard data protection clauses - to a third country in connection with the use by the controller of cloud solutions provided by Microsoft.

**X. Is personal data used for profiling or automated decision-making?**

Decisions regarding the processing of your personal data will not be made by automated means. The controller will not profile personal data.