

PRIVACY POLICY

This Privacy Policy describes principles of handling of personal data provided by individuals when booking apartments and residential premises via website www.smiala77.pl for the purpose of their short-term lease.

§ 1

Definitions

1. Terms used in this Policy shall have the following meaning:

- 1) Controller - BARC Warszawa S.A. seated in Warsaw, ul. Nowogrodzka 62C, entered into the register of entrepreneurs kept by the District Court for the City of Warsaw in Warsaw, 12th Economic Department of the National Court Register under number KRS: 0000066006, NIP (tax identification number): 527-10-25-954, Regon (Business registry statistical number): 011151242,
- 2) Website – website www.smiala77.pl, through which Apartments may be booked,
- 3) Lessee – an individual, who is booking an Apartment through the Website,
- 4) Booking – Lessee’s order concerning an Apartment through: completion go a booking form available at the Website, by phone at +48 500 384 493 or via booking portals cooperating with the Controller ,
- 5) Apartment – every apartment in the building located in Warsaw, ul. Śmiała 77, leased out by the Controller to Lessees on the basis of Booking for a short period of lease and through conclusion of an Agreement,
- 6) Agreement – an oral lease agreement, on the basis of which the Administrator leases out an Apartment to a Lessee,
- 7) Personal Data – persona data provided by a Lessee when booking an Apartment, such as name and surname, address of residence, phone number, e-mail address and number of identity document (IC card, passport, etc.),
- 8) Act – the Act on Personal Data Protection of 29 August 1997 (consolidated text in Journal of Laws of 2016, item 922).

§ 2

Personal Data processing

1. The Controller is the Controller of Lessee’s Personal Data.
2. The Controller guarantees confidentiality of all provided Personal Data.
3. During Booking, the Lessee agrees on processing of his/her Personal Data by the Controller for the purpose of:

- 1) confirmation of Booking by the Controller, if it is accepted by the Controller – for the purpose of further identification of the Lessee and entering into an Agreement with the Lessee,
- 2) execution of the Agreement and claiming any amounts due under the Agreement,
- 3) completion of accounting documents by the Controller, execution of payments related to Booking and conclusion of the Agreement, examination of Lessee's complaints, solving disputable issues,
- 4) achievement of other purposes allowed by the Act.

4. The Lessee shall have the right to:

- 1) review his/her Personal Data and correct them under terms and conditions defined in the Act,
- 2) withdraw his/her consent on Personal Data processing at any time in compliance with article 7 item 5 of the Act,
- 3) acquire exhaustive information whether a data set containing Personal Data referring to him/her exists and to determine the data controller, an address of its seat and full name, and if an individual is the data controller – his/her place of residence, surname and name;
- 4) obtain information on the purpose, scope and manner of processing of Personal Data included in a set referred to in clause 3 above,
- 5) obtain information how long the Personal Data referring to the Lessee have been processed and provide the contents of such Personal Data in understandable form,
- 6) obtain information about the source, where the Personal Data referring to the Lessee come from,
- 7) obtain information on the manner of Personal Data disclosure, in particular information on recipients or categories of recipients, to which Personal Data are disclosed,
- 8) obtain information on reasons of decision referred to in article 26a item 2 of the Act,
- 9) demand supplementing, updating, correcting of personal data, temporary or permanent stop of their processing or their deletion, if they are incomplete, invalid, false or have been collected in breach of the Act or are not necessary for achievement of a purpose, for which they have been collected,
- 10) submit – in cases specified in article 23 item 1 points 4 and 5 of the Act – a written demand (with reasons thereof) to stop processing of his/her Personal Data due to his/her special circumstances,
- 11) object against processing of his/her Personal Data in cases specified in article 23 item 1 points 4 and 5 of the Act if the Controller processes them for marketing purposes or if his/her Personal Data are disclosed to another data controller,

12) to demand from the Controller, as Personal Data controller, an individual re-examination of a case solved in breach of article 26a item 1 of the Act.

5. Personal Data are provided by the Lessee upon Booking on voluntary basis, but if the Lessee refuses to provide such Personal Data as name and surname, address of residence, phone number, e-mail address and ID document number, the Controller will be prevented from confirmation of Booking and entering into an Agreement with the Lessee.

6. While taking an Apartment from the Controller's representative, a Lessee is asked to present his/her ID document with a photo (to the Controller's employee or through scanning of a document in a device located in the premises) for the purpose of identification and confirmation of Personal Data included in Booking.

7. After the Lessee makes payments related to Booking and entering into the Agreement via a money transfer, by a credit or debit card, the Personal Data related to such payment may be disclosed by the Controller to entities executing a payment for the Controller, but only in the scope necessary for purposes related to such payment. Such data will be used for the purpose of payments only.

8. Personal Data are kept for a period necessary for accomplishment of purposes resulting from provisions of this Privacy Policy and the provisions of the Act.

§ 3

Disclosure and protection of Personal Data

1. The Controller will neither disclose or provide Personal Data in any way that is not defined in this Privacy Policy. Personal Data will be used for purposes defined in this document only.

2. The Controller will undertake all possible measures to protect Personal Data against their illegal or accidental change, destruction or loss and against access of unauthorised persons or unauthorised dissemination of Personal Data.

3. Access to Personal Data is provided only to persons authorised by the Controller in writing and persons who operate the Website under the Controller's separate written authorisation. The persons referred to in the previous sentence are obliged to keep strict confidentiality of Personal Data.

4. The Controller may provide (or otherwise disclose) Personal Data to third parties that render services on behalf of the Controller, in particular to entities rendering payment services referred to in §2 item 7 of this Privacy Policy. The scope of Personal data provided by the Controller to such third parties includes only such Personal Data that are necessary for third parties for performance of services ordered by the Controller. Third Parties are not entitled to use or disclose Personal Data in order to fulfil own purposes.

5. Subject to item 6 below, no Personal Data are to be disclosed to other third parties than listed in clause 2 and 3 above, unless the Lessee agrees in writing on their disclosure by the Controller to a given third party.

6. The Controller may disclose Personal Data, if such obligation of disclosure results from absolutely binding legal provisions, a court award or a decision of another authorised authority, if it is necessary

for execution of a court award or decision of another authorised authority or for the purpose of pending litigation or lawsuit correspondence delivered to the Controller or for the Controller to exercise rights to which it is entitled by law or defend the Lessee against legitimate claims.

§ 4

Cookie files

1. The Website uses cookie files (cookies).
2. Cookies are used for the following purposes:
 - a. preparation of statistics to help to understand the manner of use of websites by the users of the Website, which enables improvement of their structure and contents,
 - b. maintenance of a session of a user of the Website (after he/she logs in), thanks to which a user does not need to write his/her login and password on every subpage,
 - c. determination of user's profile in order to display customised materials in advertising contents, in particular the Google network.
3. Cookie files are IT data, in particular text files stored in a terminal device of the Website user and its aim is to facilitate use of pages of the Website. Cookies usually contain a name of a website, where they originate from, period of their storage on a terminal device and their unique number.
4. Website Operators are the entities that send cookie files to a terminal device of the Website user and obtain access to it.
5. Two general types of cookie files are used on the Website: session cookies and persistent cookies. Session cookies are temporary files that are stored on user's terminal device until he/she logs out, leaves the Website or switches off software (Internet browser). Persistent cookies are stored on user's terminal device for a period of time defined in parameters of cookie files or until they are removed by a user.
6. Internet searching software (Internet browser) usually allows for storage of cookie files on User's terminal device by default. The Website users may change settings in this respect. An Internet browser allows for removal of cookie files. Also automatic blocking of cookie files is possible. Detailed information about it is presented in assistance or documents of an Internet browser.
7. If a user does not want to receive cookie files, he/she may change browser settings. We would like to make reservation that deactivation of handling of cookie files necessary for authorisation processes, security, maintenance of user preferences may hinder, or in extreme cases prevent from, use of the Website.
8. In order to manage cookie settings, you should select an internet browser and operating system of user's device listed below and act in compliance with published instructions:
 - a. Internet Explorer,
 - b. Chrome,

- c. Safari,
- d. Firefox,
- e. Opera,
- f. Android,
- g. Safari (iOS),
- h. Windows Phone,
- i. Blackberry.

9. No change in the settings used for Website browsing shall mean approval for cookie files used here in compliance with article 173 item 2 of the Telecommunication Act of 16 July 2004 (Journal of Laws of 2014, item 243 as amended).

10. Cookie files are placed in a terminal device of the Website user and may be used by advertisers and partners cooperating with the Website Operator. The Website may contain links to other website that have other privacy policy than this Privacy Policy of the Website.

§ 5

Final provisions

1. This Privacy Policy may be updated by the Controller from time to time. The current provisions of this Privacy Policy are published on the Website.
2. The Controller's breach of the Privacy Policy may be reported at: barc@barc.com.pl. In result of such notification the Controller will endeavour to take all practicable means in order to determine promptly, if such breach has taken place and if it is confirmed – to delete its consequences.
3. Any correspondence related to Personal Data processing by the Controller should be sent to the Controller to: "BARC Warszawa S.A. seated in Warsaw, ul. Nowogrodzka 62C, 02-002 Warsaw, Personal Data Controller".