MOTORSAGENT PRIVACY POLICY

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I. DEFINITIONS

1. **Administrator** - MOTORSAGENT PROSTA SPÓŁKA AKCYJNA, ul. Kazimierza Pułaskiego 6/10, 26-600 Radom, Poland, KRS: 0001144930, NIP: 7963033652.
2. **Application** - a mobile application called MOTORSAGENT made available to the User by the Administrator, through which the User receives access to Services and information about Services provided by the Operator, Partner Services, and other Users.
3. **Personal Data** - any information concerning an identified or identifiable natural person through one or more specific factors determining physical, physiological, genetic, mental, economic, cultural, or social identity, including image, voice recording, contact details, location data, information contained in correspondence, information collected through recording equipment or other similar technology.
4. **Account** - an individually assigned place in the Application available to the User after logging in, using which the User can enter and manage their data and other elements posted in the Application.

5. **Partner** - a legal person, an organizational unit with legal capacity or a natural person (conducting business activity or providing services outside business activity) that, based on an agreement with the Administrator, promotes its Services or goods through the Application, which the User may use or purchase directly from the Partner, without the Operator's intermediation.
6. **Data Subject** - a natural person whose Personal Data is processed by the Administrator, in particular the User and a person who is not a User, but e.g., directs an inquiry to the Administrator via e-mail.
7. **Policy** - this Privacy Policy.
8. **Terms and Conditions** - the terms and conditions of the MOTORSAGENT Application.
9. **GDPR** - 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.
10. **Services** - depending on the context, services provided electronically by the Operator or Partner Services, consisting either in providing Users with access to the functionalities of the Application, or services to which the User has access via links or other references placed in the Application, redirecting to Partner websites, from which services the User may benefit under the terms specified by the respective Partner.
11. **User** - Any natural person with full legal capacity, a natural person conducting business activity, and representatives of legal persons or organizational units without legal personality, who uses the Application, even without prior registration of an Account in the Application.

II. PROCESSING OF PERSONAL DATA

1. In connection with its business activities, in particular through the Application, the Administrator collects and processes Personal Data in accordance with applicable regulations, in particular the GDPR, and the principles of data processing provided therein.
2. The Administrator ensures transparency of Personal Data processing.
3. The Administrator informs about the processing of Personal Data at the time of their collection, in particular about the purpose and legal basis for processing Personal Data, unless it is not obligated to do so under separate regulations.
4. The Administrator ensures that Personal Data is collected only to the extent necessary for the indicated purpose and processed only for the period in which it is necessary.
5. When processing Personal Data, the Administrator ensures their security and confidentiality, as well as Data Subjects' access to information about their processing. If, despite the security measures applied, there is a breach of Personal Data protection (e.g., "leakage" of data or their loss) and such breach could pose a high risk of violating the rights or freedoms of Data Subjects, the Administrator will inform Data Subjects about such event in a manner consistent with the regulations.

III. GENERAL PRINCIPLES REGARDING PERSONAL DATA SECURITY

1. The confidentiality and security of Personal Data is a priority for the Administrator.
2. The Administrator may use data and information, other than Personal Data needed to create an Account, collected within the Application only when such data are anonymized, i.e., when it is not possible to assign them to a given User, in particular for the purpose of creating anonymous reports and collective statistics by the Administrator.
3. To ensure the integrity and confidentiality of Personal Data, the Administrator has implemented procedures enabling access to Personal Data only to authorized persons and only to the extent necessary due to the tasks performed by them.

4. The Administrator applies organizational and technical solutions to ensure that all operations on Personal Data are registered and performed only by authorized persons.
5. The Administrator takes necessary actions to ensure that its subcontractors and other cooperating entities guarantee the application of appropriate security measures in each case where they process Personal Data on behalf of the Administrator.
6. The Administrator continuously analyzes risk and monitors the adequacy of applied Personal Data safeguards to identified threats. If necessary, the Administrator implements additional measures to increase data security.

IV. PURPOSES AND LEGAL BASES FOR PROCESSING

CREATION OF A USER ACCOUNT

1. To create a User Account, it is necessary for the User to provide data to create the Account, such as e-mail address, phone number. By accepting the Terms and Conditions by the User, an agreement for the provision of electronic services is concluded between the User and the Administrator.
2. The basis for processing Personal Data related to the concluded agreement is the necessity to perform the agreement or to take actions at the User's request before its conclusion (Article 6(1)(b) GDPR).

USING THE APPLICATION

3. For the purpose of using the Application and provision of Services by the Administrator, the Administrator also processes other Personal Data of Users necessary for the implementation of a given Service.
4. The basis for processing Personal Data is the necessity to perform the agreement or to take actions at the User's request before its conclusion (Article 6(1)(b) GDPR).

ANALYTICAL, STATISTICAL, AND RESEARCH PURPOSES

5. The Administrator may process Personal Data of Data Subjects for analytical, statistical, and research purposes, in particular by analyzing the activity of Users in the Application and the way they use the Account, as well as their preferences to improve the functionalities of the Application.
6. The Administrator may process Personal Data in the above-mentioned scope for the purpose of developing reports, analyses, studies, and scientific research at the request of third parties, provided that such documents will never contain Personal Data allowing to identify the User, but will have the character of collective summaries concerning a given category of previously defined features.
7. The legal basis for processing is the legitimate interest of the Administrator and the necessity for reasons related to the public interest in the field of public health and the necessity for scientific and statistical research purposes (Article 6(1)(f) GDPR and Article 9(2)(i) and (j) GDPR).

E-MAIL AND TRADITIONAL CORRESPONDENCE

8. In the case of directing correspondence to the Administrator via e-mail or traditional mail by Data Subjects, Personal Data contained in this correspondence is processed solely for the purpose of communication and resolving the matter to which the correspondence relates.
9. The legal basis for processing is the legitimate interest of the Administrator (Article 6(1)(f) GDPR) consisting in conducting correspondence directed to it in connection with its business activities.

TELEPHONE CONTACT

10. In the case of contacting the Administrator by telephone, in matters not related to the concluded agreement or provided services, the Administrator may request the provision of Personal Data only when it is necessary to handle the matter to which the contact relates.
11. The legal basis in such a case is the legitimate interest of the Administrator (Article 6(1) (f) GDPR) consisting in the necessity to resolve the reported matter related to its business activities.

PURSUIT OF CLAIMS

12. In order to establish, pursue, and enforce any claims arising from the way in which the User uses the Application or other services of the Administrator, the Administrator may process certain Personal Data if it is necessary to prove the existence of a claim of the Administrator, including the extent of the damage suffered.
13. The legal basis in such a case is the legitimate interest of the Administrator (Article 6(1) (f) GDPR), consisting in establishing, pursuing, and enforcing claims and defending against claims in proceedings before courts and other state authorities.

IMPLEMENTATION OF USER RIGHTS

14. In order to enable the exercise of rights under the GDPR, in particular regarding the possibility of submitting complaints, inquiries, and requests, the Administrator has the right to process certain Personal Data for this purpose.
15. The legal basis in such a case is the legitimate interest of the Administrator (Article 6(1) (f) GDPR), consisting in enabling the User to exercise rights under the GDPR.

MARKETING OF SERVICES OFFERED BY THE ADMINISTRATOR

16. Sending commercial information: Based on consent, specifying the communication channel, the Administrator has the right to send messages to the e-mail address and, possibly, contact by telephone, to present its services.
17. The legal basis is the consent of the person to whom the Personal Data relates (Article 6(1)(a) GDPR).
18. In the case of consent to send information via electronic mail, the legal basis for processing personal data will also be Article 10(2) of the Act of 18.07.2002 on the provision of electronic services.
19. In the case of consent to telephone contact for the purpose of providing information, the legal basis for processing personal data will also be Article 398 of the Act of 12 July 2024 on Electronic Communications Law.
20. **Newsletter:** Based on the consent granted by the Data Subject, the Administrator has the right to send information about its activities to the provided e-mail address.
21. The legal basis is the consent of the person to whom the Personal Data relates (Article 6(1)(a) GDPR).

V. NECESSITY TO PROVIDE PERSONAL DATA

CREATING AN ACCOUNT

1. Providing Personal Data is voluntary, but necessary to create an Account within the Application and to provide Services.

NEWSLETTER

2. Data Subjects will receive a newsletter only if they have provided their e-mail address for this purpose. Providing an e-mail address is voluntary but necessary to receive such messages.

VI. PROFILES ON X, FACEBOOK, AND LINKEDIN PORTALS

1. The Administrator has public profiles on social networks X, Facebook, and LinkedIn. In connection with this, it processes Personal Data left by people visiting these profiles (e.g., comments, likes, internet identifiers).
2. Personal Data of Data Subjects visiting the Administrator's profiles are processed: in order to effectively manage profiles by presenting information about the Administrator's initiatives and other activities to portal users and in connection with promoting various types of events, services, and products.
3. Personal Data is also processed for statistical and analytical purposes.
4. Personal Data may possibly be processed for the purpose of pursuing claims and defense against claims.
5. The legal basis for processing Personal Data is the legitimate interest of the Administrator (Article 6(1)(f) GDPR), consisting of promoting its own brand and improving the quality of services provided.
6. If necessary, the legal basis may also include pursuing claims and defending against claims.
7. The above information does not apply to the processing of Personal Data by the administrators of the services (X, Facebook, and LinkedIn). The purpose and scope of Personal Data processing by social network operators is described in detail in the privacy policies of the above-mentioned social networks, available on their websites.
8. The Data Subject can always delete their comments under the Administrator's posts, stop following the Administrator, or resign from having an account on the above-mentioned social networks.

VII. DATA RECIPIENTS

1. In connection with conducting activities requiring the processing of Personal Data, Personal Data may be disclosed to external entities, including in particular Partners and suppliers responsible for the operation of IT systems and equipment, postal operators, couriers, suppliers of accounting, legal, and advisory services, and marketing agencies.
2. In the case of using Services involving the storage of data or photos by the User, such data will be transferred and stored by third parties acting on behalf of the Administrator (e.g., Amazon Web Services, Google Cloud).
3. Personal Data of Data Subjects using online payments are made available to the payment service provider within the meaning of the Act of 19 August 2011 on payment services.
4. The Administrator may share anonymized data (i.e., data that does not identify specific Data Subjects) to external service providers to better recognize the attractiveness of advertisements and services offered by the Administrator.
5. The Administrator reserves the right to disclose selected information about the User to the appropriate authorities or third parties who request such information, based on an appropriate legal basis and in accordance with applicable law.
6. The Administrator does not process and does not have access to Personal Data that the User places in artificial intelligence systems as part of using the Application's functions based on artificial intelligence. Any placement of Personal Data by the User is at their sole risk. Data sent to AI systems is processed in accordance with the principles specified by the providers of these systems (e.g., OpenAI, Google).
7. The processing of Personal Data in connection with the sale and the free award of Badges (Odznaki) and with the marketing service for workshops in the Strefa Mechanika

module of the web version of the Application is governed by the separate Privacy Policy for the sale of Badges, available in Strefa Mechanika. The Administrator of that data is also MotorsAgent Prosta Spółka Akcyjna.

VIII. TRANSFER OF DATA OUTSIDE THE EEA

1. As a rule, Personal Data are processed within the European Economic Area (EEA). Where systems or tools used by the Administrator, including those of the providers named in chapter VII (e.g. Amazon Web Services, Google Cloud), rely on infrastructure located outside the EEA (e.g. in the USA), data are transferred only with appropriate legal safeguards, i.e. on the basis of a European Commission adequacy decision (e.g. the EU-U.S. Data Privacy Framework) or Standard Contractual Clauses approved by the European Commission (art. 46(2)(c) GDPR).

IX. AUTOMATED DECISION-MAKING, INCLUDING PROFILING

1. For the proper functioning of the Application, the Application uses profiling, which, however, does not result in making decisions that produce legal effects concerning the User or similarly significantly affect the User.

X. PERIOD OF PERSONAL DATA PROCESSING

1. Excluding cases that impose a different period of Personal Data storage on the Administrator, the Administrator stores Personal Data for the period of the User's possession of the Account, as well as for a period of 3 years from the deletion or closure of the Account by the User.
2. The period of processing Personal Data may be extended in the event that processing is necessary to establish or pursue claims or defend against claims, and after this period - only in the case and to the extent that will be required by law.
3. In the case where Personal Data is processed on the basis of the legitimate interest of the Administrator, the Administrator processes this data until an effective objection is raised to the processing of Personal Data for the above-mentioned purposes.
4. In the case where Personal Data is processed on the basis of consent expressed by the Data Subject, such consent may be withdrawn at any time. Personal Data will be processed until the consent is withdrawn. Withdrawal of consent does not affect the lawfulness of processing based on consent before its withdrawal.
5. Messages exchanged between Users and workshops in the Strefa Mechanika module, including e-mail replies forwarded into the conversation, are deleted automatically 1 year after the last message in a given conversation. The Administrator does not analyse the content of these messages.

XI. RIGHTS OF DATA SUBJECTS

Data Subjects have the following rights:

1. **RIGHT TO INFORMATION ABOUT THE PROCESSING OF PERSONAL DATA** - on this basis, the Administrator provides the natural person submitting the request with information about the processing of Personal Data, including in particular the purposes and legal bases of processing, the scope of data held, the entities to which they are disclosed, and the planned date of data deletion.
2. **RIGHT TO OBTAIN A COPY OF DATA** - on this basis, the Administrator provides a copy of the processed Personal Data concerning the natural person submitting the request.

3. **RIGHT TO RECTIFICATION** - the Administrator is obliged to remove any inconsistencies or errors in the processed Personal Data and to supplement them if they are incomplete.
4. **RIGHT TO ERASURE** - on this basis, one can request the deletion of Personal Data, the processing of which is no longer necessary to achieve any of the purposes for which they were collected.
5. **RIGHT TO RESTRICTION OF PROCESSING** - in the event of such a request, the Administrator ceases to perform operations on Personal Data - except for operations to which the Data Subject has consented - and their storage, in accordance with the adopted retention principles or until the reasons for the restriction of data processing cease (e.g., a decision of the supervisory authority allowing for further processing of data is issued).
6. **RIGHT TO DATA PORTABILITY** - on this basis - to the extent that Personal Data is processed in an automated manner in connection with a concluded agreement or expressed consent - the Administrator issues data provided by the person to whom they relate, in a format allowing data to be read by a computer. It is also possible to request that this data be sent to another entity, however, provided that there are technical possibilities in this regard, both on the part of the Administrator and the indicated entity.
7. **RIGHT TO OBJECT TO THE PROCESSING OF DATA FOR MARKETING PURPOSES** - the Data Subject may at any time object to the processing of Personal Data for marketing purposes, without having to justify such objection.
8. **RIGHT TO OBJECT TO OTHER PURPOSES OF DATA PROCESSING** - the Data Subject may at any time object - for reasons related to their particular situation - to the processing of Personal Data that takes place on the basis of the legitimate interest of the Administrator (e.g., for analytical or statistical purposes or for reasons related to the protection of property); objection in this respect should contain a justification.
9. **RIGHT TO WITHDRAW CONSENT** - if the data are processed on the basis of expressed consent, the Data Subject has the right to withdraw it at any time, which, however, does not affect the lawfulness of the processing carried out before its withdrawal.
10. **RIGHT TO COMPLAINT** - if it is considered that the processing of Personal Data violates the provisions of the GDPR or other provisions on the protection of Personal Data, the Data Subject may submit a complaint to the authority supervising the processing of Personal Data, competent for the place of habitual residence of the Data Subject, their place of work or place of commission of the alleged violation. In Poland, the supervisory authority is the President of the Office for Personal Data Protection.

XII. SUBMITTING REQUESTS RELATED TO THE IMPLEMENTATION OF RIGHTS

1. A request regarding the implementation of the rights of Data Subjects may be submitted in writing to the address: MotorsAgent Prosta Spółka Akcyjna with its registered office in Radom at ul. Kazimierza Pułaskiego 6/10, 26-600 Radom.
2. A request may also be submitted by e-mail to the address: office@motorsagent.com
3. If the Administrator is unable to identify a natural person on the basis of the submitted request, it will ask the applicant for additional information. Providing such Personal Data is not mandatory, however, failure to provide it will result in refusal to fulfill the request.
4. The request may be submitted personally or through a proxy (e.g., a family member). Due to data security, the Administrator encourages the use of a power of attorney in a form certified by a notary or an authorized legal counsel or attorney, which will significantly speed up the verification of the authenticity of the request.

5. The response to the notification should be provided within one month of its receipt. If it is necessary to extend this period, the Administrator informs the applicant about the reasons for this action.
6. In the event that the request was directed to the Administrator electronically, the response is provided in the same form, unless the applicant requested a response in another form. In other cases, the response is provided in writing. If the deadline for fulfilling the request makes it impossible to provide a response in writing, and the scope of the applicant's data processed by the Administrator enables contact by electronic means, the response should be provided by electronic means.
7. The Administrator stores information about the submitted request and the person who submitted the request in order to ensure the possibility of demonstrating compliance and to establish, defend, or pursue any claims of Data Subjects.

XIII. DATA PROTECTION OFFICER

1. The Administrator has not appointed a Data Protection Officer.

XIV. UPDATE OF THE PRIVACY POLICY

1. This Privacy Policy may be subject to changes resulting either from changes in generally applicable regulations or as a result of changes in the scope of services provided by the Administrator. The Administrator will inform about changes to the Privacy Policy on websites or in the Application, informing about the date of introducing changes, so that you can exercise your rights under the GDPR, in particular withdrawal of consent or raising an objection.