

# Privacy Policy GOMEZ.PL

We consider the privacy and safety concerning your personal data a matter of the utmost importance therefore we have prepared Privacy Policy for you, which explains the way in which Gomez processes your personal data.

## Who we are?

The Controller of your personal data is a Polish company:

### **Gomez Spółka z ograniczoną odpowiedzialnością Spółka komandytowa (a private limited company with a limited partnership)**

#### **2 Tomasz Drobnika St. in Poznan (postcode: 60-693), Poland**

KRS (the Register of Entrepreneurs of the National Court Register number) 0000631068 | VAT PL9721264099 | REGON number 364534202

registration files are stored by Polish District Court in Poznan – Nowe Miasto i Wilda in Poznań, VIIIth Commercial Department of National Court Register (Sąd Rejonowy Poznań - Nowe Miasto i Wilda w Poznaniu, Wydział VIII Gospodarczy - Krajowego Rejestru Sądowego)

You may contact us by:

- e-mail: **bok@gomez.pl**
- telephone: **+48 61 222 91 12**
- mail:

**Gomez Sp. z o.o. Sp.k.**  
**CUSTOMER SERVICE**  
**Diamentowa 9**  
**62-002 Suchy Las**  
**Poland**

You may also contact our **Data Protection Officer** by:

- e-mail: **dataprotection@gomez.pl**
- mail:

**Gomez Sp. z o.o. Sp.k.**  
**DATA PROTECTION**  
**Diamentowa 9**  
**62-002 Suchy Las**  
**Poland**

## Why do we process your data?

### COMPLETION OF YOUR ORDER

If you place an order through our online shop, we shall use your personal data provided in the placing order process to realize the order, the payment for the order and to inform you about the order and delivery status.

### What personal data do we process for these purposes?

- name and surname (obligatory)
- postal address (obligatory)

- e-mail address (obligatory)
- telephone number (obligatory)
- company name and VAT Number/Tax Identification Number (obligatory in the case of entrepreneurs)
- delivery address (optional)
- in the case when another person shall be the recipient of the delivery: the person's name and surname, address and telephone number (optional)
- payment details.

Providing the personal data specified as obligatory herein shall be voluntary, however failure to do so makes placing the order impossible. Not providing the personal data, specified as optional, makes using the additional options which require the data, impossible (e.g. not providing optional data such as a different delivery address makes the delivery of the order to the address impossible).

### **What legal basis do we process your personal data upon?**

We process your personal data based on:

- the contract between you and Gomez [Article 6, section 1, item b of GDPR]
- legally justified interest of the Controller – in the scope of processing data for direct marketing purposes including profiling and the customer's satisfaction level measurement [Article 6, section 1, item f of GDPR]
- legally justified interest of the Controller – for the purposes of the Complaint handling policy [Article 6, section 1, item f of GDPR]
- complying with the obligations of the Controller under the provisions of law [Article 6, section 1, item c of GDPR in conjunction with the provisions of the Accounting Act]

### **How long do we store your personal data?**

We store your personal data up to 7 years (6 years +1 year) effective as of the last day of the calendar year, due to expiration time of claims (Article 118 of the Polish Civil Code, Article 86, section 1 of the Tax Ordinance Act). In the case of ongoing claim proceedings, your personal data may be stored for a longer period of time - until the final time of the proceedings.

### **CUSTOMER ACCOUNT IN THE ONLINE STORE**

If you make a consent and establish a Customer Account, Gomez shall process your personal data provided in the registration form of the Customer Account and in the Customer's personal data tab in the Customer Account in order to establish and use your Customer Account in the online shop.

### **What personal data do we process for these purposes?**

- name and surname (obligatory)
- e-mail address (obligatory)
- company name and VAT Number/Tax Identification Number (obligatory in the case of entrepreneurs)
- postal address (optional)
- delivery address (optional)
- additional e-mail addresses (optional)
- telephone number (optional)
- date of birth (optional)
- in the case when another person shall be the recipient of the delivery: the person's name and surname, address and telephone number (optional)
- history of transactions (including withdrawals from online contracts)
- the number of gathered points and discounts in Gomez Club Program (if the Customer has joined the GC Program).

Providing personal data specified as obligatory herein shall be voluntary, however failure to do so makes establishing the Customer Account impossible. Not providing the optional personal data, makes using the additional options which require the data, impossible (e.g. not providing optional data such as a different delivery address, makes the delivery of the order to the address impossible).

## **What legal basis do we process your personal data upon?**

We process your personal data based on:

- the contract between you and Gomez [Article 6, section 1, item b of GDPR]
- explicit consent of the data subject to the processing of his/her personal data [Article 6, section 1, item a of GDPR]
- legally justified interest of the Controller – in the scope of processing data for direct marketing purposes including profiling and the customer's satisfaction level measurement [Article 6, section 1, item f of GDPR]
- legally justified interest of the Controller – for the purposes of the Complaint handling policy [Article 6, section 1, item f of GDPR]
- complying with the obligations of the Controller under the provisions of law [Article 6, section 1, item c of GDPR in conjunction with the provisions of the Accounting Act]

## **How long do we store your personal data?**

We store your personal data up to 7 years (6 years +1 year) effective as of the last day of the calendar year, due to expiration time of claims (Article 118 of the Polish Civil Code, Article 86, section 1 of the Tax Ordinance Act). In the case of ongoing claim proceedings, your personal data may be stored for a longer period of time - until the final time of the proceedings.

## **DIRECT MARKETING, INCLUDING PROFILING**

If you make purchases in our shops, use our services or visit our online shop website or our pages in social media, Gomez shall process your personal data for the purposes of direct marketing, including profiling. Profiling will not increase the number of the advertisements displayed as it will only make them more well-matched to your needs. Through profiling, on the basis of data collected from activities such as opening our products' pages in our online shop, stored cookies files and the provided to us your personal data, the advertisements displayed and trade information sent to you (if you made a separate consent to receive them) will be more useful. We shall not take any automated decisions (decisions without human participation) towards you.

## **What personal data do we process for these purposes?**

- name and surname
- e-mail address
- IP addresses
- cookie files identity

Majority of popular browsers accept cookies files by default. You may set your browser to reject storing all of or the selected cookies files. You may do so by changing the settings in the browser. Before you decide to change the default settings, remember that cookies files enhance the convenience of using the website. Disabling cookies may interfere with the proper uploading of our website in your browser and may cause problems with logging onto your Customer Account. More information about cookies is available in [Cookies Policy](#).

## **What legal basis do we process your personal data upon?**

We process your personal data based on:

- legally justified interest of the Controller – in the scope of processing data for direct marketing purposes including profiling and the Customer's satisfaction level measurement [Article 6, section 1, item f of GDPR]
- legally justified interest of the Controller – for the purposes of the Complaint handling policy [Article 6, section 1, item f of GDPR]

## **How long do we store your personal data?**

We store your personal data up to 7 years (6 years +1 year) effective as of the last day of the calendar year, due to expiration time of claims (Article 118 of the Polish Civil Code, Article 86, section 1 of the Tax Ordinance Act). In the case of ongoing claim proceedings, your personal data may be stored for a longer period of time - until the final time of the proceedings.

## SENDING TRADE INFORMATION BY ELECTRONIC MEANS

If you agree, Gomez shall process your personal data in order to send you trade information by electronic means.

### What personal data do we process for these purposes?

- name and surname (obligatory)
- e-mail address
- telephone number

(providing at least one of the following data is obligatory: telephone number/e-mail address)

Providing the abovementioned personal data is voluntary, however failure to do so makes receiving information about the newest collections and offers from us (either by telephone or by e-mail) impossible.

### What legal basis do we process your personal data upon?

We process your personal data based on:

- explicit consent of the data subject to the processing of his/her personal data [Article 6, section 1, item a of GDPR]
- legally justified interest of the Controller – for the purpose of the Complaint handling policy [Article 6, section 1, item f of GDPR]

### How long do we store your personal data?

We store your personal data up to 7 years (6 years +1 year) effective as of the last day of the calendar year, due to expiration time of claims (Article 118 of the Polish Civil Code, Article 86, section 1 of the Tax Ordinance Act). In the case of ongoing claim proceedings, your personal data may be stored for a longer period of time - until the final time of the proceedings.

## COMPLAINT HANDLING POLICY

If you file a complaint, Gomez shall process your personal data in order to handle your complaint.

### What personal data do we process for these purposes?

- name and surname (obligatory)
- postal address (obligatory)
- e-mail address (optional)
- telephone number (optional)
- bank account number (optional)
- history of transactions (including complaints)

Providing personal data specified as obligatory herein shall be voluntary, however failure to do so makes the acceptance of and handling the complaint impossible. Not providing the optional personal data, makes using the additional options which require the data, impossible (e.g. not providing optional data such as a bank account number, makes the money transfer to the Customer's account, if the Customer is entitled to receive it on claims, impossible).

### What legal basis do we process your personal data upon?

We process the personal data based on:

- the contract between you and Gomez [Article 6, section 1, item b of GDPR]
- complying with the obligations of the Controller under the provisions of law [Article 6, section 1, item c of GDPR in conjunction with the provisions in Articles 556-576 of the Polish Civil Code]

- legally justified interest of the Controller – for the purposes of the Complaint handling policy [Article 6, section 1, item f of GDPR]
- complying with the obligations of the Controller under the provisions of law [Article 6, section 1, item c of GDPR in conjunction with the provisions of the Accounting Act]

#### **How long do we store your personal data?**

We shall store your personal data up to 7 years (6 years +1 year) effective as of the last day of the calendar year, due to expiration time of claims (Article 118 of the Polish Civil Code, Article 86, section 1 of the Tax Ordinance Act). In the case of ongoing claim proceedings, your personal data may be stored for a longer period of time - until the final time of the proceedings.

#### **HANDLING WITHDRAWAL FROM DISTANCE CONTRACT**

If you declare a withdrawal from contract concluded through our online shop, Gomez shall process your personal data in order to handle the withdrawal from a distance contract.

#### **What personal data do we process for these purposes?**

- name and surname (obligatory)
- postal address (obligatory)
- e-mail address (optional)
- telephone number (optional)
- bank account number (optional)
- history of transactions (including withdrawals)

Providing personal data specified as obligatory herein shall be voluntary, however failure to do so makes the acceptance of and handling the withdrawal from distance contract impossible. Not providing the optional personal data, makes using the additional options which require the data, impossible (e.g. not providing optional data such as a bank account number, makes the money transfer to the Customer's account, if the Customer is entitled to receive it on withdrawal, impossible, and if the payment was realized in a different manner than a money transfer, not providing the telephone number/e-mail address makes this means of contact with the Customer, for the purposes of handling the withdrawal from distance contract, impossible).

#### **What legal basis do we process your personal data upon?**

We process the personal data based on:

- complying with the obligations of the Controller under the provisions of law [Article 6, section 1, item c of GDPR in conjunction with the provisions in Articles 27-38 of the Consumer Rights Act]
- legally justified interest of the Controller – for the purposes of the Complaint handling policy [Article 6, section 1, item f of GDPR]
- complying with the obligations of the Controller under the provisions of law [Article 6, section 1, item c of GDPR in conjunction with the provisions of the Accounting Act]

#### **How long do we store your personal data?**

We store your personal data up to 7 years (6 years +1 year) effective as of the last day of the calendar year, due to expiration time of claims (Article 118 of the Polish Civil Code, Article 86, section 1 of the Tax Ordinance Act). In the case of ongoing claim proceedings, your personal data may be stored for a longer period of time - until the final time of the proceedings.

#### **GOMEZ CLUB PROGRAM**

If you join Gomez Club Program, Gomez shall process your personal data provided in the registration form for the purposes of membership of Gomez Club Program.

#### **What personal data do we process for these purposes?**

- name and surname (obligatory)
- e-mail address (obligatory)
- company name and VAT Number/Tax Identification Number (obligatory in case of entrepreneurs)
- telephone number (optional)

- postal address (optional)
- date of birth (optional)
- number of points and discount gathered in Gomez Club Program (if the Customer joined the GC Program)

Providing personal data specified as obligatory herein shall be voluntary, however failure to do so makes the membership in Gomez Club Program impossible. Not providing the optional personal data, makes using the additional options which require the information, impossible.

#### **What legal basis do we process your personal data upon?**

We process the personal data based on:

- the contract between you and Gomez [Article 6, section 1, item b of GDPR]
- explicit consent of the data subject to the processing of his/her personal data [Article 6, section 1, item a of GDPR]
- legally justified interest of the Controller – in the scope of processing data for direct marketing purposes including profiling and the customer's satisfaction level measurement [Article 6, section 1, item f of GDPR]
- legally justified interest of the Controller – for the purposes of the Complaint handling policy [Article 6, section 1, item f of GDPR]
- complying with the obligations of the Controller under the provisions of law [Article 6, section 1, item c of GDPR in conjunction with the provisions of the Accounting Act]

#### **How long do we store your personal data?**

We store your personal data up to 7 years (6 years +1 year) effective as of the last day of the calendar year, due to expiration time of claims (Article 118 of the Polish Civil Code, Article 86, section 1 of the Tax Ordinance Act). In the case of ongoing claim proceedings, your personal data may be stored for a longer period of time - until the final time of the proceedings.

### **INVOICING**

If it is required by the provisions of tax law or you demand that Gomez issue an invoice/receipt/note, Gomez shall process your personal data for the purposes of issuing such an invoice/receipt/note.

#### **What personal data do we process for these purposes?**

- name and surname (obligatory)
- postal address (obligatory)
- company name and VAT Number/Tax Identification Number (obligatory in case of entrepreneurs)
- delivery address (optional)

Providing personal data specified as obligatory herein shall be voluntary, however failure to do so makes the issuing of the invoice/receipt/note impossible. Not providing the optional personal data, makes using the additional options which require the data, impossible (e.g. not providing optional data such as a different delivery address makes the delivery of the invoice/receipt/note to this address impossible).

#### **What legal basis do we process your personal data upon?**

We process the personal data based on:

- legally justified interest of the Controller – for the purposes of the Complaint handling policy [Article 6, section 1, item f of GDPR]
- complying with the obligations of the Controller under the provisions of law [Article 6, section 1, item c of GDPR in conjunction with the provisions of the Accounting Act]

#### **How long do we store your personal data?**

We store your personal data up to 7 years (6 years +1 year) effective as of the last day of the calendar year, due to expiration time of claims (Article 118 of the Polish Civil Code, Article 86, section 1 of the Tax Ordinance Act). In the case of ongoing claim proceedings, your personal data may be stored for a longer period of time - until the final time of the proceedings.

## CUSTOMER SERVICE

If you have any queries or requests to the Customer Service, Gomez shall process your personal data for the purposes of handling your query/request.

### **What personal DATA do we process for these purposes?**

- name and surname (obligatory)
- postal address (obligatory)
- e-mail address (obligatory)
- telephone number (optional)
- bank account number (optional)
- payment details
- history of transactions (including withdrawals from contracts, complaints)
- number of points and discount gathered in Gomez Club Program (if the Customer joined the GC Program)

Providing personal data specified as obligatory herein shall be voluntary, however failure to do so makes the acceptance of and handling your query/request impossible. Not providing the optional personal data, makes using the additional options which require the data, impossible (e.g. not providing the telephone number makes this means of contact with the Customer for the purposes of the proces of withdrawal from distance contract impossible).

### **What legal basis do we process your personal data upon?**

We process the personal data based on:

- the contract between you and Gomez [Article 6, section 1, item b of GDPR]
- explicit consent of the data subject to the processing of his/her personal data [Article 6, section 1, item a of GDPR]
- legally justified interest of the Controller – in the scope of processing data for direct marketing purposes including profiling and the customer's satisfaction level measurement [Article 6, section 1, item f of GDPR]
- legally justified interest of the Controller – for the puropses of the Complaint handling policy [Article 6, section 1, item f of GDPR]

### **How long do we store your personal data?**

We store your personal data up to 7 years (6 years +1 year)effective as of the last day ot the calendar year, due to expiration time of claims (Article 118 of the Polish Civil Code, Article 86, section 1of the Tax Ordinance Act). In the case of ongoing claim proceedings, your personal data may be stored for a longer period of time - until the final time of the proceedings.

## DIRECT MARKETING –CUTOMER'S SATISFACTION LEVEL MEASUREMENT

If you make purchases in our stores, Gomez shall process your personal data for the purposes of direct marketing – customer's satisfaction level measurement. In this scope Gomez enables you to take part in an anonymous survey YourCX (via YourCX system) and/or sends you a request so that you be able to express your opinion about the shopping you did in Opineo web portal (via Opineo web portal).

### **What perosnal data do we process for these puroposes?**

- e-mail address

### **What legal basis do we process your personal data upon?**

We process the personal data based on:

- legally justified interest of the Controller – in the scope of processing data for direct marketing purposes including profiling and the customer's satisfaction level measurement [Article 6, section 1, item f of GDPR]
- legally justified interest of the Controller – for the puropses of the Complaint handling policy [Article 6, section 1, item f of GDPR]

### How long do we store your personal data?

We store your personal data up to 7 years (6 years +1 year) effective as of the last day of the calendar year, due to expiration time of claims (Article 118 of the Polish Civil Code, Article 86, section 1 of the Tax Ordinance Act). In the case of ongoing claim proceedings, your personal data may be stored for a longer period of time - until the final time of the proceedings.

### Who has the access to your personal data:

We shall not sell or share your personal data for commercial purposes with any third parties. Your personal data shall be transferred in the scope needed exclusively to our partners who help us realize your order and other services which we offer in our store – electronic payments operators, companies providing delivery, accounting, legal, IT services, etc. We conclude appropriate contracts concerning the processing of your personal data with all entities whom we entrust the processing of your personal data so that your data be safe and we keep a register of these entities.

Below you will find the categories of the recipients who we shall reveal your personal data to:

<b>Our employees</b>	<ul style="list-style-type: none"><li>The access to your personal data shall be given to the employees/coworkers whom we authorized to process the given personal data.</li></ul>
<b>Payments operators</b>	<ul style="list-style-type: none"><li>If you make a purchase in our online shop, your personal data, vital to realize the payment, shall be transferred to the payment operator.</li></ul>
<b>Carriers</b>	<ul style="list-style-type: none"><li>If you make a purchase in our online shop, your personal data, vital to the order delivery, shall be transferred to the delivery company chosen by you.</li></ul>
<b>IT and technical services providers</b>	<ul style="list-style-type: none"><li>The access to your personal data may be transferred to the companies providing us with IT and technical services, vital for the proper functioning and development of our website, the IT systems and technical equipment/infrastructure.</li></ul>
<b>Marketing services providers</b>	<ul style="list-style-type: none"><li>If you make a consent, the access to your personal data may be given to companies which provide us with marketing services, including sending our trade information via electronic means (e.g. newsletter), profiling and customer's satisfaction level measurement.</li></ul>
<b>Other services providers</b>	<ul style="list-style-type: none"><li>The access to your personal data may be given to companies which provide us with other services necessary for our further operations and development of the service (e.g. accounting, legal, advisory, etc.)</li></ul>
<b>Gomez group</b>	<ul style="list-style-type: none"><li>The access to your personal data shall be also given to companies from Gomez group (i.e. Gomez Sp. z o.o. located in Suchy Las [the Register of Entrepreneurs of the National Court Register number 0000504410] and partnerships in which Gomez Sp. z.o.o. is a general partner) and employees/coworkers of these companies who were authorized to process specified personal data.</li></ul>

### Where do we store your personal data?

The gathered personal data shall be stored in the European Economic Area (EEA), however it may also be sent to countries which are not part of the area and processed there. Each and every operation concerning transferring the personal data shall be done in accordance with the binding law, especially with 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]. If the information is transferred outside the EEA, Gomez shall use Standard Contractual Clauses and Privacy Shield as preventive measures in relation to those countries where the European Commission found the protection of personal data inadequate.

### What are your rights?

<b>The right to access your data:</b>	<ul style="list-style-type: none"><li>At any moment you have the right to access your data. To exercise this right, contact our Customer Service or – if you have a Customer Account – you may check your personal data on your account.</li></ul>
<b>The right to amend your data:</b>	<ul style="list-style-type: none"><li>You have the right to correct your personal data if it is incorrect. To exercise this right contact our Customer Service or – if you own a Customer Account – you may correct your personal data on your account.</li></ul>



**The right to remove your data:**

You have the right to demand removing your data if:

- Your personal data is no longer vital for the purposes for which it was gathered or processed in a different way;
- You withdrew your consent for the processing of your personal data and there is no legal basis for the processing of the data by Gomez,
- You objected to the processing of your data for the purposes arising from legally justified interests run by the Controllers or a third party,
- Your personal data was processed against the law,
- The personal data must be removed in order to comply with the legal obligation as applicable in the law of the Union or the law of a membership state which Gomez is subject to,
- The personal data was gathered in conjunction with offering a child information society services.

In this case Gomez is obliged to remove your personal data without undue delay, unless an exception specified by the provisions of law occurs.

To exercise this right, contact us.

**The right to limit the processing of your data:**

You have the right to demand that Gomez limit the processing of your personal data in the following cases:

- You question the correctness of your personal data – within a time limit which will allow Gomez to check the correctness of the data;
- The processing of the data by Gomez is against the law (when you prefer Gomez limit using your data instead of removing them),
- Gomez no longer needs your personal data for the purpose of processing it but it is essential for you for the determination, pursuing and vindictaion of claims.
- You file an objection against the processing of your personal data for the purposes arising from legally justified interests run by the Controller or by a third party – until the acknowledgement whether the legally justified bases on the Controller’s side are superior to the bases of your claim.

If the processing was limited, your personal data may be processed (except for the storing) only on your approval or if a cause of further processing, specified in the provisions of law, occurs.

**The right to object to the processing of your data on the basis of justified interest of Gomez**

- You have the right to file – due to your peculiar situation – an objection against the processing by Gomez of your personal data due to a justified interest of Gomez (including profiling). In this case Gomez shall stop processing your personal data, unless any relevant and legally justified bases for processing occur, superior to the reasons of your objection or if it is vital for the pursuing and vindication of claims. In order to exercise this right, contact us.

**The right to object to the processing of your data for the purposes of direct marketing, including profiling**

- You also have the right to file your objection against Gomez processing your data for the pruposes of direct marketing, including the purposes of **profiling** and/or customer’s satisfaction level measurement. To exercise the right, contact us.
- **Profiling** does not increase the number of advertisements displayed and trade information sent to you, it makes them more well-matched to your needs. Through profiling, on the basis of data collected from activities such as opening our products’ pages in our online shop, stored cookies files and the provided to us your personal data, the advertisements displayed and trade information sent to you (if you made a separate consent to receive them) will be more useful. We shall not take any automated decisions (decisions without human participation) towards you.

**The right to withdraw your consent for data processing**

- In relation to your data processed by us on the basis of your consent, you have the right to withdraw the consent to the processing of your personal data at any moment (however, the withdrawal is not retroactive). In order to exercise this right, contact us.

**The right to transfer your data**

- In relations to data processed by us in an automated way on the basis of your consent or the execution of the contract concluded with you, you have the right to transfer the data, i.e. you have the right to obtain the copy of your data in a structured, commonly used and possible to read format. This copy may be sent to you or other entity.

**The right to submit a claim to a supervisory authority**

- If you think that Gomez processes your personal data in an improper way, you may contact us. You also have the right to lodge a claim to a supervisory organ in case the processing of your personal data violates the regulations on personal data protection.