

Privacy notice for our Business Partners and their employees / associates / subcontractors

1. Personal data controller and DPO

The controller of your personal data is KGHM Polska Miedź S.A. with its registered office in Lubin (“we”, “us”, “our”). You may contact us by post at: M. Skłodowskiej-Curie 48, 59-301 Lubin, or by phone at 76/7478 200, and our Data Protection Officer may be contacted in all matters relating to data processing by email at IOD@kghm.com.

2. Purposes of personal data processing and legal basis for processing

We process personal data for the purpose of proper performance of the contract concluded between us and your employer/entity you represent, or the entity for which you act as a partner, associate, advisor or subcontractor, including to document its conclusion and identify persons authorised to perform the tasks set out in the contract, including those with access to KGHM's confidential information. This is necessary in order to pursue the legitimate interest of the controller (Article 6(1)(f) of the GDPR), which is to perform the contract with our business partner and to ensure the security of KGHM's confidential information.

If you are a party to a contract with us as an individual, your personal data will be processed by us for the purpose of performance of that contract (Article 6(1)(b) GDPR).

Notwithstanding the above, we may use your personal data, i.e. in particular your name and contact details, to send you occasional communications (e.g. holiday greetings) or to contact you regarding a promotion of our products or services. The basis for the processing of your personal data for this purpose will be our legitimate interest (Article 6(1)(f) GDPR) – the intention to maintain our relationship, to build a positive image of KGHM, and to market our products or services.

In addition, if your personal data is processed to:

- defend potential claims, and to possibly pursue claims, as well as for statistical, control and audit purposes, the basis for the processing of your personal data will be our legitimate interest (Art. 6(1)(f) GDPR);
- comply with the controller's legal obligations (e.g. tax, accounting), the basis for processing your personal data will be the compliance with legal obligations to which the controller is subject (Article 6(1)(c) GDPR).

3. Reasons for data disclosure and consequences

Disclosure of personal data is voluntary, however, their provision is a condition for entering into the contract or for allowing you to perform the tasks specified in the contract (failure to do so will prevent our collaboration).

4. Data source

We received your data directly from you or from your employer/entity you represent.

If you are a subcontractor of our business partner, we obtained your data from our business partner, directly from you or from publicly available sources (registers, records).

5. Type of personal data

We may process your following personal data: identification data, contact data and data concerning the performance of the contract by you, i.e. in particular your name, the name of the employing entity, contact telephone number, email account, your position/authorisations, our communications, if any. If you are a party to a contract with us, we will also process your registration data or data relating to our settlements.

6. Period of storage of your personal data

As a general rule, data processed on the basis of our legitimate interest will be processed until you object or the purpose for which they were processed has been achieved.

We retain data relating to the performance of the contract for the duration of the contract (and also for the duration of the confidentiality obligation if a separate declaration has been signed) and usually for up to 7 years after its termination, due to tax regulations and the limitation period for certain claims.

Those periods may be appropriately extended as necessary in case of claims and judicial proceedings, if any, by the duration of such proceedings and their settlement, and also if we are obliged by the law to process them for longer periods.

7. Recipients of your personal data

Your personal data will only be accessed by:

- our duly authorised employees or associates who are obliged to keep them confidential and not to use them for any purposes other than those for which we obtained your data;
- entities with whom we work in our day-to-day operations, such as ICT/IT service providers, legal, financial, accounting and advisory service providers, including our group companies, banks, postal/courier operators, our subcontractors.

Your personal data may be disclosed to entities authorised by law (e.g. public authorities and law enforcement authorities: offices, courts, public prosecutors or the police). In such case, information will only be disclosed if there is an appropriate legal basis to do so.

8. Your rights related to the processing of your personal data

We would like to remind you that in certain circumstances the GDPR also gives you the right to:

- Access your data; rectify your data; withdraw your consent without affecting the lawfulness of the processing based on consent before its withdrawal; request erasure of your data; request restriction of processing; data portability;
- Object; in certain situations you have the right to object to the processing of your data, for example, for reasons related to your particular situation you may object to the operations performed by us when we base our processing on our legitimate interests.

When despite your objection we find that there are compelling legitimate grounds for the processing which override your interests, rights and freedoms, or basis for the establishment, exercise or defence of legal claims, we will continue to process data covered by the objection to the extent necessary.

Irrespectively, you may object to the processing of your personal data for direct marketing purposes, at any time, to the extent that the processing is related to such direct marketing (we will then stop processing your data for this purpose).

- Lodge a complaint to the supervisory authority, and in Poland it is the President of the Personal Data Protection Office. Details of the complaint procedure are available at <https://uodo.gov.pl/pl/83/155>.

To exercise the above rights, please contact us or our Data Protection Officer.

9. Automated decision-making

No automated decisions (without any human involvement) will be made as a result of the processing of your personal data.

10. Transfer of data outside the EEA

In connection with the use of modern technologies, such as cloud services, by us or our business partners, such as legal, tax or audit service providers, your personal data may be transferred to countries outside the European Economic Area. In any such case, we apply appropriate safeguards, including, without limitation, standard data protection clauses adopted under the European Commission's decision. You have the right to obtain a copy of the safeguards for the transfer of personal data – to get a copy please contact us or our Data Protection Officer.