

PRIVACY AND COOKIES POLICY

the date of the last modification: 22.10.2020.

1. What is the purpose of the Privacy and cookies policy?

The purpose of this Privacy and cookies policy is to determine what Prouvé will do about your personal data collected i.e. through the Prouvé Website at the following address: www.prouve.com or by e-mail.

The Privacy and cookies policy determines how we care of your personal data and your rights.

The term: „GDPR” means the Regulation of the European Parliament and the Council (EU) 2016/679 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 (General Data Protection Regulation).

2. Who is the Controller of personal data?

The Controller of your personal data is Prouvé spółka z ograniczoną odpowiedzialnością sp.k. with its registered seat in Wrocław (postal code: 53-012) located at the following address: ul. Wyścigowa 56H, NIP (tax id. no.): 8992810863, REGON (stat. no.): 366657707, KRS (the National Court Register no.): 0000665414 (District Court for Wrocław-Fabryczna of Wrocław, VI Commercial Division of the National Court Register), e-mail address: info@prouve.com, telephone number: +48 786 222 324, www.prouve.com („Prouvé”).

3. How does Prouvé process personal data?

Your personal data are processed in accordance with the provisions of generally applicable law, in particular in accordance with the GDPR.

We respect your privacy and therefore we maintain the confidentiality of any information provided by you. Data processing is carried out in accordance with organizational procedures and methods closely related to the indicated purposes.

4. What data are processed by Prouvé and for what purposes?

We process your personal data in several cases:

- **communication and exchange of information** - if a person concerned or Partner contacts Prouvé (e.g. asks for information about the possibility to cooperate or requests information in connection with an existing contractual relationship, including an order placed), and also if it is necessary for Prouvé to contact a Prouvé Partner or another person in connection with an existing contractual relationship (e.g. to provide information about performing of an agreement). In case of telephone communication, Prouvé may record telephone calls with prior consent of a caller.

In the above case, Prouvé processes the personal data that are necessary for communication and exchange of information, including the information shared by e-mail or during telephone conversation;

- **registration as a Prouvé Partner**, when you fill in an Application for a new account at Prouvé. In this case we process the following categories of personal data of the Partner or its representative (necessary to enter into and perform a distribution agreement): first name and surname, date of birth, NIP No., REGON No. (or other relevant identification numbers), address of residence or address for correspondence, e-mail address, telephone number, Partner Number, date of creation of a Partner Account. In addition, we process data on your activity: sum of Points awarded and your position in the Structure, the date of last Order, the expiration date of your Account.

When you log in to the system you have to remember that it is your decision to what extent your data will be visible to other Partners of Prouvé.

These categories of personal data are processed in order to create a Partner Account and enter into a distribution agreement, to perform the provisions of the distribution agreement and its appendices in the form of the Terms and Conditions of Cooperation and the Career Plan, including:

- a) organisation of the Partner network, maintaining contact with the Partners, implementation of programmes (loyalty, incentive),
- b) enabling the Partners to order Products, making financial settlements, documentation of business operations,
- c) calculation of points, Rebates and Remunerations and their documentation,
- d) for the evidentiary purposes;

- **cooperation with a contractor or business partner** - in the event that Prouvé cooperates with a contractor, Prouvé processes the following personal data:

- a) personal data of a contractor who is a natural person, such as, respectively: name and surname / business name, identification number (PESEL no., NIP no., REGON no. or other relevant identification number), address of residence / registered office or address for correspondence, e-mail address, Partner Number (if applicable), date of the creation of the Account (if applicable), or:
- b) personal data of representatives of the contractor who are natural persons, such as: name and surname / business name, identification number (PESEL no. or other relevant identification number), e-mail address, telephone number, position.

The above data are processed to enter into a contract and to perform a contract, or to take steps prior to entering into a contract, as well for the tax, insurance or accountancy purposes relating to the contract concluded.

The provision of above personal data may be a contractual requirement or a requirement necessary to enter into a contract. If you do not provide the personal data, it may be impossible or difficult to enter into and perform a contract or to take other actions before its conclusion.

- **management of Partner's Orders** – when the Order is placed in the Prouvé Online Shop, Prouvé processes the following personal data: first name and surname, NIP No., REGON No. (or other relevant identification numbers), address for correspondence, e-mail address,

telephone number, Partner Number, number of a bank account, the data from the history of orders.

These data are being processed for the following purposes:

- a) to perform the sales agreement which the Partner accepts when placing an Order in the Prouvé Online Shop;
- b) to issue a proper sales document and archive it in accordance with the applicable law;
- c) processing of complaints or other claims of the Partner.

Providing the above personal data may be a contractual obligation or may be necessary to conclude a sales agreement within the scope of the Order placed. In the case of failure to provide such personal data, placing and performing the Order or taking action before placing the Order may be impossible or difficult;

- **direct marketing of our products and services or sending you commercial information by electronic means of communication** – in case you give extra consents connected to receiving commercial information.

In this case you can receive i.a. information whose purpose is promotion of products or services or the Prouvé brand, Prouvé company, and its network of Partners, as well as offers and important information, for example about new products, current discounts or our successes - **on your e-mail address**;

- **marketing activities in the Internet (promotion of products or services, the Prouvé brand, Prouvé company, and its network of Partners)** – in case you give extra consent for publication of your image, first name, surname, Partner Number on the Prouvé Website, official profiles on social networking sites (i.a. Facebook, Instagram) or Youtube channel.

Thank to such consent we can publish your image in photos or videos from special events, trainings and meetings organised by Prouvé. We can also inform others about your promotions in the Prouvé Structure;

- **sharing data of Prouvé Partner with another person** - if a potential Partner or Prouvé Partner requests contact data of another Prouvé Partner, e.g. for the new Partner to be entered into the Structure directly under the Number of the Sponsor chosen, or in order to enable mutual contact between Prouvé Partners - but only if the Prouvé Partner consents to the sharing of his or her personal data.

5. What is the legal basis for the processing of personal data?

The legal basis for the processing of your personal data for the above purposes is:

- article 6 (1) point (a) of the GDPR – if processing takes place upon your consent by undertaking a conversation or exchange of information that are not related to the conclusion or performance of a contract, or
- article 6 (1) point (b) of the GDPR – if processing is necessary to create a Partner Account or enter into a contract, as well for the performance of the contract, or

- article 6 (1) point (c) of the GDPR – if processing is necessary for compliance with a legal obligation to which Prouvé is subject, including the tax liability, an obligation to archive (especially under the Polish Accounting Act of 29 September 1994), an obligation to handle complaints or

- article 6 (1) point (f) of the GDPR – if processing is necessary for the purposes of the legitimate interests pursued by Prouvé, including the following purposes:

a) direct marketing;

b) making notifications relevant for the cooperation with the Partner;

c) the necessity to conduct negotiations in order to conclude and perform a contract with a contractor of Prouvé represented by a natural person (when processing personal data of representatives of the Prouvé's contractor);

d) establishment, exercise or defence of legal claims;

e) verification if the period of six months from the termination of the previous distribution agreement has expired, before you open a new Partner Account.

In the case of additional consents, i.e.:

- consent to the processing of personal data for marketing purposes (for the purpose of sending marketing information to the given e-mail address);
- consent to the publication of the image, first name, surname, Partner Number on the Prouvé Website;
- consent to the sharing of your personal data to another person (a potential Partner or Prouvé Partner)

– the base of the processing is your consent (according to the article 6 (1) point (a) of the GDPR).

6. How long does Prouvé store your personal data?

Generally, your personal data will be processed (stored) during the term of the contract and after its termination for the period required by law or for the period of limitation for claims connected to the contract.

However, in relations to Prouvé Partners - personal data in the form of: first name and surname, e-mail address, NIP No. (or a relevant identification number) will be stored by Prouvé not less than 6 months after termination of a distribution agreement. We believe that we have a legitimate interest in verifying whether the Partner candidate who creates a Partner Account has been already our Partner and whether the period of 6 months from the termination of the previous agreement has expired, which determines the creation of a new Partner Account (in accordance with the provision of point 3.12. subpoint (3) of the Terms and Conditions of Cooperation).

Additionally, when we process your personal data on the basis of your extra consents – naturally, providing you grant them, we will process the personal data until the time you withdraw the consent as previously given. When we process your personal data for direct marketing purposes – we process them until you object to the processing.

Otherwise we may decide to finish processing your personal data if we establish that the consents you granted became out-dated.

In summary, we store your data for no longer than this is necessary for the purposes for which they were collected, unless we are required by applicable provisions of law to store them for a longer period of time.

7. How does Prouvé protect personal data?

We make every effort to protect the Prouvé Website against unauthorized access by third parties and control the methods of collection, storage and other processing of the personal data of the Customer. We have implemented data encryption and we have introduced access control, thanks to which we minimize the effects of possible data security breaches.

The website www.prouve.com also has an SSL certificate. The SSL certificate is a tool ensuring the protection of the website, as well as a guarantee of maintaining the confidentiality of data sent electronically. An SSL certificate is a type of protection consisting in encoding data before they are sent from your browser and decoding them after a secure access to the website. Information sent from the server to you are also encrypted and decoded when they reach the destination.

We undertake to take care of any information provided by you during your visit to the website in accordance with the provisions of generally applicable law, in particular the General Data Protection Regulation.

8. Does Prouvé share your personal data?

When you log in to the system you have to remember that it is your decision to what extent your data will be visible to other Prouvé Partners. As a general rule, other Prouvé Partners only have access to your Partner Number. Your data are visible to the Partners registered "above" you in the Prouvé structure.

In certain circumstance we may share your personal data with other recipients, if this is necessary to perform a contract or pursue other activities connected with performance of our service or selling our products. We can share your personal data with following groups of recipients:

- persons authorised by Prouvé, namely our employees and associates, who need access to the personal data to perform their duties,
- processors, to whom we entrust the processing of the personal data, including: companies providing us with IT services, an accounting office, a law firm, as well franchisees of Prouvé, training companies which co-operate with Prouvé, companies which organise meetings and events for the Partners,
- other recipients of personal data such as: carriers (delivery companies) providing services to Prouvé or banks.

9. Does Prouvé transfer personal data outside the European Economic Area (EEA) and how?

Data of a Prouvé Partner may be transferred out of the European Economic Area, that is to our franchisees, however, we wish to ensure you that if this is a case, we will guarantee high level of security of personal data. These guarantees result in particular from the obligation of applying standard contractual clauses adopted by the Commission (EU) or the participation in the „Privacy Shield” as established by Council Implementing Decision 2016/1250 of 12 July 2016 on the adequacy of the protection provided by the EU-U.S. Privacy Shield.

10. Does Prouvé use personal data profiling?

Personal data of Prouvé Partners may be subject to automated processing, inclusive of profiling. Profiling is to offer you products, if any, which are most suitable for you, however any binding decisions will not be automated.

11. What are your rights in connection with processing of your personal data by Prouvé?

We want you to know about the following rights:

- **the right to request from Prouvé access to your personal data and request a copy of them.** You have the right to obtain confirmation from us as to whether we process your personal data, and if so, you have the right to do so:
 - a) have access to your personal data,
 - b) obtain information on the purposes of the processing, the categories of personal data processed, the recipients or categories of recipients of the data, the planned period of storage of your data or the criteria for determining this period, your rights under the GDPR and the right to lodge a complaint with the supervisory authority, the source of the data, automated decision-making, including profiling, and the safeguards applicable to the transfer of the data outside the European Union,
 - c) obtain a copy of their personal data;
- **the right of rectification (correction) of the personal data.** You have the right to correct the personal data you provided, as well to complete them. You can do it on your own in the bookmark Settings (Privacy). You can also request us to correct the data (if they are incorrect) or to complete them (if they are incomplete);
- **the right to erasure of your personal data (the right to be forgotten).** You can demand us to delete your personal data if in your opinion we have no legal grounds to process them. You can demand the erasure i.a. if:
 - a) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
 - b) you withdraw consent on which the processing is based and where there is no other legal ground for the processing;
 - c) you object to the processing and there are no overriding legitimate grounds for the processing, e.g. you object to the processing of your personal data for marketing purposes;

- d) you object to the processing for the purpose of statistics on the use of the Service and satisfaction survey, and the objection was deemed justified,
- e) the personal data have been unlawfully processed.

Although we have requested the erasure of your personal data, in connection with objection or withdrawal of consent, we may retain certain personal data to the extent necessary for the purposes of establishing, asserting or defending claims. This concerns in particular: your first name, surname, email address and application history, which we retain for the purpose of handling complaints and claims related to the use of our services;

- **restriction of processing of personal data.** You can request us to limit processing of your personal data only to storage of the data or to activities agreed with you – if in your opinion we have incorrect data about you or we process them having no legal grounds, or you want to limit the process for the duration of the examination of an objection to the processing of the data. You have the right to restrict the use of your personal data in the following cases:

- a) you question the correctness of your personal data - then we will limit use of the data for the time necessary for us to verify the correctness of your data,
- b) the process of your personal data is unlawful, but you only demand the restriction of processing instead of erasure,
- c) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed, but you need them for the purposes of establishing, asserting or defending claims,
- d) you object to the processing of your personal data – then we limit the processing for the duration of the examination of an objection to the processing of the data,
- e) you object to the processing of your personal data and due to your particular situation the protection of your interests, rights and freedoms outweighs the interests that we pursue when processing your personal data;

- **the right to object to processing of your personal data** - especially for direct marketing. If you exercise this right, we will stop processing your data for this purpose. If your objection is justified and we have no other legal basis for processing your personal data, we will delete the data you objected to;

- **the right to data portability** (to transfer your personal data to other controllers). You have the right to receive from us the personal data you provided (on the basis of your consent) - in a structured, commonly used machine-readable format, e.g. CSV. You can also entrust us with the transmission of these data directly to another entity;

- **the right to lodge a complaint with a supervisory authority.** You can submit complaints, inquiries and requests to us regarding the processing of your personal data and the exercise of your rights. If you believe that we process your data illegally, you may file a complaint to the supervisory authority (in Poland – the President of the Personal Data Protection Office with its registered office: ul. Stawki 2, 00-193 Warszawa, Poland);

- **the right to withdraw your consent at any time (if we process the personal data on the basis of your consent).** The withdrawal of consent will not affect the lawfulness of processing based on consent before its withdrawal. The statement of withdrawal of consent can be sent

on this e-mail address: do@prouve.com or by post to the registered office of Prouvé (ul. Wyścigowa 56H, 53-012 Wrocław, Poland).

12. Who can you contact if you have questions about our Privacy and cookies policy, including data protection?

We value your opinions. If you have any comments or concerns about the rules of data protection, please contact us:

- by email: do@prouve.com,

- by post: Prouvé spółka z ograniczoną odpowiedzialnością sp.k., ul. Wyścigowa 56H, 53-012 Wrocław, Poland.

13. What are „cookies”?

We use cookies when we collect some informations about you. A "cookie" is a small text file that is automatically created by your browser when you use a website. It contains information about you such as your IP address, browser type, operating system, time of visit, source of entry.

Prouvé uses cookies, to:

- find out how you use the Prouvé Website and, as a result, be able to make appropriate changes to it, tailored to your needs,
- ensure the operation of basic functionalities of the Prouvé Website (e.g. authentication cookies used for logging in),
- ensure security (e.g. cookies to detect abuses in the authentication process),
- remember settings chosen by you and the personalization of the appearance of the pages.

Thanks to the „cookies” Prouvé collect only anonymous information about you (not connected to your personal data).

14. Can I resign from „cookies”?

You decide on the use of cookies by Prouvé. You can do it after you visit the Website at the address: www.prouve.com.

By consenting to the use of cookies, you can use certain features of the Prouvé Website, e.g. logging into a Partner Account.

Unless you agree to the sending and use of cookies by Prouvé, the cookies will not be used to remember your preferred settings and other information related to your use of the Prouvé Website.

Most often, web browsing software (web browser) allows cookies to be stored on your device.

You can change your cookies settings at any time. Failure to change cookies settings means that they will be placed on your terminal device, and thus we will store information in your terminal device and gain access to these information.

15. How you can resign from „cookies”?

You can disable cookies at any time. For this purpose, you can take advantage of the advice provided by the most popular browsers.

Information on how to use the above option can be found at the manufacturer of your browser (Opera, Firefox, Internet Explorer, Chrome, Safari).

More information about cookies can be found at: www.wszystkociasteczkach.pl.

16. Can we make changes to our Privacy and cookies policy?

We reserve the right to make changes to this Privacy and cookies policy at any time by notifying you at this page. We recommend that you check this page frequently and refer to *the date of the last modification* above.