

Dear Sirs,

In order to fulfil the information obligation on the part of the Society of Authors ZAiKS in terms of processing personal data, as provided for in the General Data Protection Regulation of the European Parliament and of the Council (EU) 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) and in relation to the entry into force of the Act of 15 June 2018 on the Collective Management of Copyright and Related Rights, below please find the information on the use of your personal data by ZAiKS. The information is provided pursuant to Article 13 GDPR. We kindly request you to read the following information.

WHO IS A CONTROLLER OF YOUR PERSONAL DATA?

A controller of your personal data is the Society of Authors ZAiKS, with its registered seat in Warsaw, at Hipoteczna 2, 00-092 Warsaw, entered into the register of associations, other social and professional organisations, foundations and public health care institutions kept by the Regional Court for the Capital City of Warsaw, the 12th Commercial Department of the National Court Register (KRS), KRS file number: KRS 0000037327, NIP 525-15-71-004, REGON – 000775184 (“ZAiKS”).

Data protection officer: Ewelina Zielska, e-mail at dane.osobowe@zaiKS.org.pl.

WHAT ARE THE OBJECTS OF PERSONAL DATA PROCESSING?

ZAiKS processes your personal data for the purposes of your identification.

WHAT ARE LEGAL GROUNDS FOR PERSONAL DATA PROCESSING?

With regard to the objects referred to hereinabove, the personal data are processed based upon a legally justified interest of ZAiKS (Article 6.1.f GDPR) which involves the identification of a person entitled by the rightholder to represent him/her before ZAiKS. ZAiKS has evaluated the effect of such processing on privacy as well as your rights and freedoms. Upon considering the interests of you and ZAiKS, the Society has concluded that such processing has no adverse effect on your rights and freedoms and such processing does not excessively interfere with your privacy,

TO WHOM WILL ZAIKS DISCLOSE YOUR PERSONAL DATA?

ZAiKS may disclose your personal data to the following categories of entities, (i.e. the recipients of personal data):

1. users in connection with using the works created by the rightholder – who is your principal – for the purpose of identification of the repertoire managed by ZAiKS; an obligation to disclose the data is provided for in Article 51 of the Act on Collective Management of Copyright and Related Rights,
2. courts and prosecutor's offices within extent necessary to file claims related to illegal use of works,
3. law firms providing ZAiKS with legal services,
4. the entities that desire to use the works within extent going beyond collective management of copyright performed by ZAiKS – only upon your consent,
5. the persons whose copyright is managed by ZAiKS – exclusively upon your consent,
6. entities providing ZAiKS with accounting and auditing services,
7. entities providing ZAiKS with IT support and programming services,
8. mail operators and the so-called courier firms, within extent that will prove necessary for these entities to provide ZAiKS with relevant services,
9. entities with whom ZAiKS has executed an agreement on the entrusting with personal data processing,
10. collective management organizations participating in the system of collective management of copyright and related rights and other entities collecting fees on the order of ZAiKS, including specifically other collective management organizations of author's rights and related rights, with their registered seats in Poland or foreign collective management organizations as well as international organisations dealing with the protection of rights and interests of the entitled persons (e.g. CISAC, GESAC).

We also inform that the scope of disclosure may differ depending on the recipient of personal data.

WILL ZAIKS TRANSFER THE PERSONAL DATA OUTSIDE THE EUROPEAN ECONOMIC AREA (I.E. OUTSIDE THE TERRITORY OF THE EUROPEAN UNION, ICELAND, NORWAY AND LICHTENSTEIN)?

Due to the establishing international cooperation with other collecting societies and using IT tools allowing for exchange of information about repertoire, your personal data may be transferred outside the European Economic Area. The personal data are transferred on the basis of applicable contractual clauses or any other appropriate legal mechanisms which specifically ensure security of the processed personal data. ZAIKS informs about an option to obtain a copy of personal data which have been transferred.

FOR WHAT TIME WILL THE PERSONAL DATA BE STORED?

The personal data will be stored for the entire term of the copyright, i.e. for the author's live and 70 years after his/her death.

DO I HAVE A RIGHT OF ACCESS TO MY PERSONAL DATA? CAN I CORRECT OR UPDATE THEM?

Yes, you have a right of access to your personal data and the right to rectify and/or erase the data or limit their processing, as well as a right to transfer the data. In addition, any data subject may file an objection to having his/her personal data processed, based on relevant legal and actual grounds. The access to personal data may be acquired by:

- 1) electronic mail at: dane.osobowe@zaiKS.org.pl,
- 2) directly at a registered seat of the Society of Authors ZAIKS.

AM I ENTITLED TO LODGE A COMPLAINT IN CONNECTION WITH PERSONAL DATA PROCESSING?

Yes, the data subject may lodge a complaint with the supervisory authority, i.e. President of the Personal Data Protection Authority, Stawki 2, 00-193 Warsaw.

AM I ENTITLED TO WITHDRAW A CONSENT TO DISCLOSE MY PERSONAL DATA TO THE ENTITIES THAT DESIRE TO USE THE WORKS WITHIN THE EXTENT THAT GOES BEYOND COLLECTIVE MANAGEMENT OF COPYRIGHT PERFORMED BY ZAIKS?

Yes, you may at any time withdraw your consent to disclose your personal data to the entities that desire to use your works within the extent that goes beyond the collective management performed by ZAIKS. However, the processing of personal data by ZAIKS on the basis of a relevant consent granted, before its withdrawal, remains legally effective and binding.

MAY I WITHDRAW A CONSENT TO DISCLOSE MY PERSONAL DATA TO THE PERSONS WHOSE COPYRIGHT IS MANAGED BY ZAIKS?

Yes, you may at any time withdraw your consent to disclose your personal data to persons whose copyright is managed by ZAIKS. However, the processing of personal data by ZAIKS on the basis of a relevant consent granted, before its withdrawal, remains legally effective and binding.

IS THE DISCLOSURE OF PERSONAL DATA A CONTRACTUAL OR STATUTORY OBLIGATION? AM I OBLIGED TO DISCLOSE PERSONAL DATA AND WHAT ARE THE CONSEQUENCES OF A FAILURE TO DISCLOSE THE DATA?

The disclosure of personal data by you remains voluntary. In the event of your failure to disclose personal data, ZAIKS will not be able to identify a person entitled by rightholder for the representation purposes before ZAIKS.