

INFORMATION ON PROCESSING OF PERSONAL DATA IN CONNECTION WITH THE PROVISION OF LEGAL, TAX AND PAYROLL SERVICES

Who processes personal data?

The administrator of your personal data is the legal and tax law firm operating under the name: Ginelli Wienskowski Sobczak Radcy Prawni i Doradcy Podatkowi spółka komandytowo-akcyjna with its registered office in Poznań, at Poplińskich 10/6, 61-574 Poznań, entered in the register of entrepreneurs of the National Court Register kept by the District Court Poznań Nowe Miasto and Wilda in Poznań, Department VIII of the National Court Register under the number 0000966797, NIP 7831856084 and REGON 521857958 (GWS or Firm).

What data are processed?

The Firm processes data on natural persons - Customers who are natural persons and natural persons whose data it obtained from Customers in the course of and for the purpose of providing services to them, in particular constituting basic identification and contact data (e.g. name, surname, telephone number, e-mail address, organizational assignment), as well as further data transmitted in the course of communication with the Customer or contained in the documents of a given case.

Is it necessary to provide data?

Providing data is voluntary, however, the consequence of failing to provide them will be inability to conclude or perform the agreement with GWS.

In particular, anti-money laundering and anti-terrorist financing regulations may condition the conclusion of a contract on the provision of certain data concerning the Customer.

For what purpose are the data processed?

Data will be processed for:

1. conclusion and performance of an agreement concluded by the Customer with the Firm, the subject of which is the provision of legal and tax advice, keeping tax records, HR and payroll services, including representation of the Customer in the course of judicial and administrative proceedings, and making necessary settlements in connection with the performance of the agreement,
2. to perform the statutory duties of GWS, in particular tax and reporting duties,
3. realization of the legally justified interest of GWS described below - for the time necessary for the realization of the legally justified interest of the Firm, in this regard no longer, however, than until your objection is considered justified by the particular situation. Objection is not entitled in the case of personal data obtained in connection with the provision of legal assistance or performance of tax advice - in this case we apply respectively the 10-year and 5-year periods indicated below.

On what basis do we process personal data?

The legal basis for processing is:

- Article 6(1)(b) of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27.04.2016 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 (hereinafter: GDPR) to the extent necessary for the conclusion and performance of the contract,
- Article 6(1)(c) of the GDPR to the extent necessary for the GWS Firm to perform its statutory duties,
- Article 6(1)(d) GDPR to the extent necessary to protect the vital interests of the data subject,
- Article 6(1)(f) of the GDPR, i.e. the legally justified interest of the GWS Firm, consisting in ensuring the necessary settlements in connection with the concluded agreement, asserting claims, defending against claims and preventing fraud,
- Article 9(2)(f) GDPR to the extent necessary to establish, assert or defend claims or in the exercise of justice by the courts.

GWS processes personal data in accordance with the principles arising from the laws regulating the professions of legal adviser and tax adviser. In particular, personal data and other information relating to Clients' cases are confidential information in accordance with the obligation of legal advisers and tax advisers to maintain professional secrecy.

You will not be subject to a decision which is based solely on automated processing, including profiling, and which produces legal effects or similarly significantly affects you.

Who can be a recipient of personal data?

The Firm does not provide personal data to unauthorized persons. Apart from employees and associates who are authorized to process them within the Firm, the data may be made available only to a limited circle of recipients. Recipients may be third parties, providing to the Firm auxiliary services to ensure the proper provision of services by the Firm (e.g. tax advisers, legal advisers, providers of accounting, HR and payroll services, IT, postal operators and courier companies). Depending on the type of service carried out on behalf of the Client (e.g. preparation of an opinion, request for a binding interpretation of tax law, judicial or administrative proceedings, commercial transaction, contract negotiations and preparation, etc.), data recipients may also be other entities participating in a given activity (e.g. competent authorities and bodies, other participants in these activities, their advisers and representatives, contracting parties).

In addition, data recipients may be entities to which GWS is obliged to transfer data on the basis of legal regulations, in particular regulations on anti-money laundering and terrorist financing, accounting regulations and tax law regulations.

Personal data will not be transferred outside the European Economic Area.

For how long do we process personal data?

The storage period for personal data collected in connection with the exercise of the legal assistance or proceedings shall be 10 years from the end of the year in which the proceedings or legal assistance in which the personal data were collected end.

The retention period for personal data collected in connection with the provision of tax advisory services is 5 years from the date of service.

What rights do you have?

You have the right to:

- access to your data in so far as this does not prejudice the legal adviser or tax adviser's duty of professional secrecy;
- rectify your data;
- request erasure of data to the extent that processing is not necessary for the establishment, exercise or defence of claims;
- restrict data processing in so far as it does not prejudice the legal adviser or tax adviser's obligation of professional secrecy;
- data relocation.

For reasons related to your particular situation, you also have the right to object to the processing of your data insofar as the Administrator processes your data on the basis of its legitimate interest, and insofar as the personal data were not obtained in connection with the provision of legal assistance or the performance of tax advice.

In addition, you have the right to lodge a complaint with a supervisory authority if your data is processed contrary to legal requirements. In Poland, this authority is the President of the Office for Personal Data Protection.