

## **Disclosure obligation for purchasers**

Pursuant to the Article 13 of the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27<sup>th</sup> of 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 the repealing Directive 95/46/EC (General Data Protection Regulation, “**GDPR**”), the controller provides the following details on the processing of your personal data:

### **1. Personal Data Controller**

The Controller of your personal data is Flora Development 23 sp. z o.o. with its registered office in Warsaw at ul. Cybernetyki 7A, 02-677 Warsaw, entered in the Register of Entrepreneurs of the National Court Register kept by the District Court for the capital city of Warsaw, 13th Commercial Division of the National Court Register under National Court Register KRS:0000851589, Tax Identification Number NIP: 5213902663, Business Registry Number REGON: 386636227, share capital: PLN 1,750,000 ("Controller").

### **2. Contact details**

You may contact the Controller as follows:

- a. by post, to the address: ul. Cybernetyki 7A, 02-677 Warsaw;
- b. by e-mail, to: [office@floradevelopment.com](mailto:office@floradevelopment.com).

### **3. Purposes and legal basis of processing**

The Controller will process your personal data for the following purposes:

- a. for purposes related to taking measures, upon your request, prior to the conclusion of a contract with you (including a reservation contract, a development contract, a preliminary contract, a sales contract or any other contract whose purpose is to transfer ownership of a real estate) or the performance of a contract already concluded (on the basis of the Article 6 Section 1 Letter b) GDPR, i.e. the processing is necessary for the performance of a contract to which the data subject is a party or for the performance of pre-contractual measures taken at his/her request);
- b. for purposes related to the fulfilment of legal obligations imposed on the Controller by applicable EU laws, regulations and legislative acts, e.g. obligations resulting from tax regulations or regulations imposing an obligation on the Administrator to make certain documentation available to the relevant authorities, obligations imposed on the Controller on the basis of the Act on the protection of the rights of the purchaser of a dwelling or a detached house and the Developer Guarantee Fund or the Act on the ownership of premises (on the basis of the Article Section 6 Letter c of the GDPR, i.e. processing is necessary for the fulfilment of a legal obligation imposed on the Controller);

- c. for the purposes of day-to-day customer service – pursuing the Controller's legitimate interest in contacting customers and responding to their queries to the extent not directly related to the concluded agreement (on the basis of the Article Section 6 Letter f of the GDPR, i.e. processing is necessary for the fulfilment of the Controller's legitimate interest);
- d. for purposes related to the establishment, investigation or defence against claims related to the contract concluded with you (on the basis of the Article Section 6 Letter f of the GDPR, i.e. processing is necessary for the implementation of the Controller's legitimate interest, which in this case is the establishment, investigation or defence against claims);
- e. for the purposes of maintaining a customer database (on the basis of the Article Section 6 Letter f of the GDPR, i.e. processing is necessary for the implementation of the Controller's legitimate interest, which in this case is the organisation of the Controller's work).

#### **4. Data retention period**

The Controller will keep your personal data for the time necessary to fulfil the purposes for which they were collected, that is:

- a. in the case of data processed in connection with the conclusion of a contract with you – the data shall be stored until the contract is concluded and, after its termination or expiry, for the time necessary to fulfil all legal obligations related to it (in particular, for the period indicated in the Letter b below) or for the period of limitation of possible claims (as a general rule, 2 years from the end of the calendar year in which the claim is due in the case of claims under the sales contract, 5 years from the end of the calendar year in which the property was handed over in the case of claims under the warranty for defects, and 5 years from the end of the calendar year in which tax was due in the case of tax claims). Where judicial or administrative proceedings have been initiated, personal data may be processed until the legal conclusion of those proceedings;
- b. in case of data processed for the purposes related to the fulfilment of legal obligations imposed on the Controller – the data shall be stored for the period of expiry of the legal obligation to store the data resulting from relevant regulations;
- c. in the case of data processed for the purposes related to the day-to-day servicing of you as a customer – the data shall be stored until the conclusion of the matter in connection with which the contact was made;
- d. in the case of data processed for the purposes of maintaining a customer database – until the end of the contract and the expiry of all the Controller's obligations related to it, with the exception of data the Controller has another basis for processing (e.g. the consent you have given for the processing of data for marketing purposes – in this case, the data may be processed until you withdraw your consent).

#### **5. Recipients of data**

Your data may be transferred to the following categories of entities:

- a. to public administration bodies, within the limits of the law (courts, administrative bodies, tax authorities, etc.);
- b. to the Controller's subcontractors and entities providing services to the Controller, for example: accounting services, IT services, debt recovery services;
- c. notary and legal offices;
- d. providers of services, tools or IT systems used by the Controller;
- e. other companies belonging to the same capital group as the Controller who provide services to the Controller;
- f. banks holding the escrow account and banks financing the investment.

In any case, the transfer of your data to the entities listed above will be carried out only to the extent necessary and on the basis of an appropriate authorisation, a data processing entrustment agreement or applicable legislation.

## **6. Transfer of data outside the European Economic Area**

The Controller carries out processing in the territory of the European Economic Area and your data will not be transferred to third countries.

## **7. Your rights**

At any time you may exercise the rights referred to in the Article 15 and the GDPR, that is:

- a. the right to access your personal data (the Article 15 of the GDPR) and to receive a copy of it;
- b. the right to rectification (correction) of your personal data (the Article 16 of the GDPR);
- c. the right to erasure of personal data (the Article 17 of the GDPR) - unless the processing is necessary for one of the purposes listed in the Article 17 Section 3 of the GDPR;
- d. the right to restrict processing (the Article 18 of the GDPR) of personal data concerning you;
- e. the right to object to the processing (the Article 21 of the GDPR) - where the processing is based on the legitimate interest of the Controller (the Article 6 Section 6 Letter f of the GDPR);
- f. the right to data portability (the Article 19 of the GDPR), i.e. the right to receive your personal data, which the Controller processes under contract and whose processing is carried out by automated means, in a structured, commonly used and machine-readable format;
- g. the right to lodge a complaint with a supervisory authority (the President of the Office for the Protection of Personal Data) (the Article 77 of the GDPR).

In order to exercise the aforementioned rights, to make a notification or to receive information about the ways in which your personal data is processed, you may submit your request in writing or by e-mail to the addresses indicated in point 2 above.

#### **8. Information as to whether the provision of data is mandatory**

Your provision of personal data is voluntary, but at the same time, if you do not provide the Controller with your personal data, it may not be possible to perform the contract between you and the Controller.

#### **9. Automated processing**

No decisions will be made in relation to you based solely on fully automated processing of your personal data.