

Appendix No. 5

Appendix No. 5. Privacy Protection Policy

Part I. Scope of application

1. Allegro.pl sp. z o.o. with its registered office in Poznań at ul. Grunwaldzka 182, (60-166) Poznań (for convenience, hereinafter referred to as: **"Allegro.pl"** or **"the Company"**), which is the operator of a trading platform available at www.allegro.pl (for convenience, hereinafter referred to as: **"Allegro"**) is the controller within the meaning of Regulation (EU) of the European Parliament and of the Council 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 (for convenience, hereinafter we shall use the abbreviation: **"GDPR"**) with regard to personal data of Users who are natural persons. This means that Allegro.pl determines the purposes and means of processing Users' personal data independently and on its own responsibility. In the event of any questions or concerns about the protection of your personal data by Allegro.pl, please contact Allegro.pl (the e-mail address has been provided in Part XII hereof). Personal data mean any information that may identify you, such as your name and surname, phone number, e-mail address and your shipping address to deliver items purchased by you on Allegro. Whenever in this document we use the term "to process" or "processing", we mean all activities and operations performed on your personal data (such as storing or analysing them in order to provide services to you).
2. The purpose of this Privacy Protection Policy is to determine the actions taken by Allegro.pl related to the protection of processed personal data, including the data collected via Allegro as well as the mobile application and the services and tools related to them used by Users to perform such actions as the Registration, posting or browsing Listings and performing a number of other actions related to the above in connection with the use of Allegro.pl's services by Users. All our activities are subject to data protection laws, e.g. the GDPR or the Personal Data Protection Act of 10 May 2018 (Journal of Laws, 2018, item 1000). Our Privacy Protection Policy is subject to Polish law and complies with the GDPR.
3. We received your personal data from you when you set up the Account (or in relation to transactions made on Allegro without the need to register beforehand and to have an Account pursuant to Article 2.7 of the Allegro User Agreement) and also later when you made transactions on Allegro using the Account and in relation to the update of your data you made via the Account.
4. You may use Allegro, and also download the mobile application or use the services and tools related to them, only after reading this Privacy Protection Policy and Allegro User Agreement.
5. Upon clicking the links posted on Allegro or the mobile application, you may be redirected to webpages or platforms that represent a service provided by entities other than Allegro.pl and thus remaining beyond our direct or indirect control, where the processing process, including collection of personal data, is carried out in accordance with the terms and conditions of such entities laid down, for example, in the privacy protection policy applicable to these services or applications, particularly in the cases specified below.

Part II. Processing of personal data by Allegro.pl, including their obtaining and storing

Below, we have listed the most frequent operations performed on Users' personal data, thus also on your personal data, in connection with the use of Allegro.pl's services.

1. **Account Data and profile data:** Subject to the provisions contained in item 1) hereinbelow, we require that you give the following personal data in order for us to conclude and perform the agreement with you and thus to provide you the service:

- the e-mail address, password and date of birth (for a standard account) or
- the e-mail address, login name, password, phone number and information on the company and its address (for a Business Account).

If, for some reason, you do not give us those personal data, we will unfortunately not be able to enter into an agreement with you, and consequently you will not be able to use Allegro.

If required by law, we may require you to give other data that are indispensable for example for accounting or tax reasons. Other than that, giving your data is voluntary.

1) if you make a transaction without the need to register or have an Account beforehand, you will need to give your e-mail address so that we can enter into and perform the agreement with you. If, for some reason, you do not give us those personal data, we will unfortunately not be able to enter into an agreement with you, and consequently you will not be able to use Allegro, as described in the preceding sentence;

If required by law, we may require you to give other data that are indispensable for example for accounting- or tax reasons. Other than that, giving your data is voluntary.

The User, if they choose so, may create a profile in their Account, which may also contain other data, such as the User's location, their name and surname, telephone number and photos posted by the User on Allegro platform. Profiles created in Accounts may be used by Users to establish contacts with other Users, e.g. in the case of expressing interest in a listing posted on Allegro platform, also on charytatywni.allegro.pl website.

2) Users may share their personal data and other information in their public profiles (i.e. profiles that anyone who uses the Internet can access) based on their own deliberate and informed decision. The user should carefully consider the risks that may be associated with such public disclosure of personal data, in particular of their address or exact location. Such risks may include the possibility of identifying the User by other individuals, the loss of privacy to a certain extent and even identity theft in extreme cases. In the case of logging in to Allegro via an external authentication service offered by entities not controlled whatsoever by Allegro.pl, such as Facebook Connect, Allegro.pl, on Allegro, collects data only in the form of the User's e-mail address and only for the purpose of such logging in.

1. **Transactions:** On Allegro, Allegro.pl may process (e.g. store or analyse) information being the User's personal data, enabling the Buyer and the Seller to enter into an agreement, send messages, communicate with other Users and make payments for services provided by Allegro.pl on Allegro, also on charytatywni.allegro.pl. Certain data necessary to post a Listing are also required to set up an Account. The information posted by the User in Listings and "Messages to the Buyer" does not originate from Allegro.pl and is not initiated by Allegro.pl.

For this reason, to the maximum extent permissible by applicable law, Allegro.pl shall not be liable for information posted in Listings and in the "Message to the Buyer".

2. **User service:** On Allegro, including charytatywni.allegro.pl, Allegro.pl may collect and otherwise process (e.g. store or analyse) personal data of Users who contact the User service department. Such data may be necessary to communicate with the User (e.g. to reply to their questions), but also to fulfil their request. Contact may be established also using the data posted for this purpose in the User's Account. If permitted under applicable law, Allegro.pl shall also be entitled to obtain (and otherwise process, e.g. store) other personal data regarding communication with Users, e.g. information about support requests or feedback from Users.

3. **Contact form:** On Allegro, Allegro.pl may collect personal data of Users who contact Allegro.pl and Sellers via available tools, including the contact form available on Allegro. Such data are necessary to enable Allegro.pl to contact Users, but also to allow Users to contact other Users, for purposes related directly to Allegro, e.g. in connection with the conclusion of sale agreements as part of transactions made on Allegro, including charytatywni.allegro.pl. The contact form provided by Allegro.pl may not be used to send private correspondence not related to the performance of a transaction and its use for such purposes may violate Allegro User Agreement. In order to prevent violations of law, including unfair practices, Allegro.pl shall collect data regarding communication made using the aforementioned form. Allegro.pl may also analyse and block, using special software, the content of messages exchanged between Users via the aforementioned contact form, in particular if they are spam (unsolicited advertising information), contain prohibited content (e.g. they prompt to commit crimes) or otherwise jeopardize Users' safety (e.g. their aim is to unlawfully obtain the password to a given Account).

4. **Data collected on the website and in mobile devices:** When it is necessary to provide the service to Users or it is a legitimate interest of Allegro.pl or third parties (e.g. ensuring security of IT resources or safety of other Users), Allegro.pl may automatically obtain and record data transmitted to the server by Users' browsers or devices. Such data may include but are not limited to: cookies, an IP address (i.e. the address used by the User's device used to access the Allegro), parameters of the software and hardware used by the User (thanks to which we are able to improve, for example, the quality of the services provided by us), webpages viewed, mobile device identification number, information on the use of applications and other data regarding devices and the use of systems. Such information will be collected when the user uses the Allegro website or mobile application.

5. **Surveys:** Additionally and only with the User's consent, Allegro.pl will occasionally collect Users' personal data, such as age, by means of surveys sent to Users by e-mail or made available directly on Allegro. Such data are used to examine Users' preferences and adapt the offer of Allegro.pl to their expectations as well as to carry out statistical analyses. The consent to be sent the survey, and its completion and sending back to Allegro.pl is always voluntary and the User may opt out of receiving surveys in the same way in which they agreed to receive them.

6. **Competitions:** Occasionally, Allegro organises competitions. Personal data of Users (e.g. contact details) taking part in a competition may be used by Allegro.pl to organise the competition in an efficient way, e.g. to notify the winner.

7. **Promotional campaigns:** Occasionally, Allegro organises promotional campaigns. Contact details of Users taking part in a promotional campaign voluntarily are processed by Allegro.pl in compliance with applicable law and for the purposes related to such a campaign. The User may opt out of receiving information on such campaigns at any time in the same way in which they entered a competition or joined a campaign.

Part III. IP address, cookies and identification numbers of mobile devices

1. Allegro.pl may collect data via services provided on Allegro using such technologies as cookies, tracking pixels and local shared objects (e.g. in a browser or device). The use of such technologies by Allegro.pl is described in detail at: <https://allegro.pl/regulamin/pl/polityka-plikow-cookies>.
2. Allegro mobile application uses Google Account service to authenticate the User's device and verify the User's identity. During the authentication and verification process, none of the User's data are shared with the service operator.

Part IV. Use of collected data

1. Allegro.pl processes (e.g. collects, stores, analyses, etc.) Users' personal data on Allegro for the following purposes and on the following legal grounds:
 - **Whenever it is required for performing the contract with you, including in order to:**
 - 1) enable the provision of the service electronically and full use of Allegro, including the performance of transactions and payment of sales commissions or commissions for the goods sold in the Official Allegro Store and in the charytatywni.allegro.pl platform;
 - 2) set up and manage the User's Account(s);
 - 3) handle the User's Account and Transactions on Allegro and at charytatywni.allegro.pl website, including solving technical issues;
 - 4) perform agreements concluded under sale agreements with other Users on Allegro as part of own sale by Allegro.pl, only with reference to data obtained in connection with the conclusion of such agreements;
 - 5) contact Users, also for purposes related to the provision of services, User service, through available communication channels, in particular e-mails and phone calls;
 - 6) handle complaints on Allegro and at the Official Allegro Store;
 - 7) pay out compensation as part of the Buyers Protection Programme if you intend to use that Programme;
 - 8) handle Users' requests sent in particular to the User service department and via the contact form;
 - 9) provide the service Allegro Pay Later;

- **When the duty to process the data exists under the applicable laws, which includes the processing for tax and accounting reasons.**
- **When we process your personal data on the basis of legitimate interests of Allegro.pl which include:**

1) monitoring Users' activities, including searched keywords, posted Listings, and managing traffic on Allegro;

2) adapting the advertisements and content to the previously viewed content, **adapting the listings categories or the individual listings in the Allegro settings or in the settings of third party services based on your activity on Allegro;**

3) direct marketing of own services of Allegro.pl, goods from the Official Allegro Store, or services or goods of third parties;

4) contacting Users, also for purposes related to the permitted marketing activities through available communication channels, in particular e-mails and phone calls;

5) supporting credit services;

6) supporting insurance for purchased items;

7) ensuring the provision of payment services and the possibility of paying commissions on transactions made on Allegro or for goods sold in the Official Allegro Store, securing payments at charytatywni.allegro.pl website,

8) ensuring the security of services we provide to you electronically, **including the enforcement of the compliance with the Allegro internal rules** and prevention of fraud and abuse, **and ensuring safe traffic;**

9) conducting surveys, examinations and analyses of Allegro, also in terms of the operation, the improvement of the operation of available services or the estimation of the main interests and needs of visitors;

10) handling Users' requests sent in particular to the user service department and via the contact form **when they are not directly related to the agreement performance;**

11) organising loyalty programmes, competitions and promotional campaigns in which Users may participate;

12) debt collection, conducting court, arbitration and mediation proceedings;

13) conducting statistical analyses,

14) storing data for archiving purposes;

15) ensuring accountability, i.e. the possibility of demonstrating that:

a) personal data are processed lawfully, fairly and in a transparent manner in relation to the data subject;

- b) the purpose of data processing is stated explicitly;
- c) the data being processed are adequate, relevant and limited only to the purposes for which they are processed;
- d) personal data are accurate and, where necessary, kept up to date;
- e) personal data are processed in a manner that ensures their appropriate security;
- f) and that the storage of data is limited to the strict minimum necessary for the purposes for which such data are processed.

- **If you give your consent, we will process your personal data for the following purposes:**

- 1) recording data in the cookie files, gathering data from the websites and mobile applications;
- 2) organising competitions and promotional campaigns in which you may participate;
- 3) enabling contact with a public benefit organisation if you make a payment at the charytatywni.allegro.pl platform, or adapting the listings and services in line with your previous activity.

You may withdraw your consent to personal data processing at any time in the same way you gave it. We will process your personal data until you withdraw your consent.

1. Allegro.pl is authorised to store the data collected and tracked on Allegro only to accomplish the aforementioned business purposes.

Part V. Users' rights in terms of data processing and exercising those rights

1. We guarantee you that you will be able to exercise all of your rights under the GDPR, i.e. the right to access data and obtain copies of data, the right to rectify data and the right to erasure, the right to restrict data processing, the right to data portability, as well as the right to object to personal data processing, also when the data are processed for the purpose of direct marketing, and when they are profiled for that purpose.

You may exercise the right to rectification if you notice that your data are incorrect or incomplete.

You may exercise the right to erasure if: your data are no longer required for the purposes for which they had been collected by the Company; you withdraw your consent to data processing; you object to the processing of your data or your data are processed in breach of the law.

You may exercise the right to restriction of processing if you notice that your data are incorrect – you may request restriction of your data processing for a period so that we can check whether those data are correct; your data are processed in breach of the law but you do not want them to be erased; we will no longer need your data but you may need them to defend or assert your claims; or you file an objection against data processing – until it is

determined whether the legitimate grounds on our part prevail over the basis of the objection.

You may exercise the right to data portability if your data are being processed on the basis of your consent or an agreement with you, and when the data are processed automatically.

2. Notwithstanding the provisions in item 1 above, we have prepared a special instruction for Users who would like to exercise their rights under the GDPR. This document describes in detail how Users can exercise their rights against Allegro.pl. and it is available on [this page](#).

If you exercise your right to object to data profiling, you should log out of all devices and delete cookies from them (in some cases, the process may take up to 48 hours). The instruction how to delete cookies is available in the Cookies Policy on [this page](#).

3. Please contact us if you have any concerns regarding us processing your personal data. You can e-mail us at: iod@allegro.pl.

Please note that you may lodge a complaint in relation to us processing your personal data with a supervisory authority, i.e. the President of the Office of Personal Data Protection, (the address: President of the Office of Personal Data Protection, ul. Stawki 2, 00-193, Warszawa).

VI. Data sharing

1. Allegro.pl may disclose Users' personal data to the following third parties only with the consent of the Users concerned or based on the legitimate interest of Allegro.pl:
 - 1) to other websites operated by Allegro.pl;
 - 2) to entities cooperating with Allegro.pl and operating websites or online applications (including mobile applications) in order to publish Users' listings posted in classified ads categories;
 - 3) to entities cooperating with Allegro.pl and operating websites or online applications (including mobile applications) which make it possible to compare opinions on transactions, in order to collect opinions on Transactions made on Allegro using surveys.
2. Allegro.pl may cooperate with third parties (e.g. specialised providers of data storage services or of analytical services, [debt collection services](#)) so that such entities may provide services to us. In this case, such entities are not authorised to use Users' personal data for their own purposes (data will always be processed on behalf of and for Allegro.pl) and their activities are subject to applicable law and this Privacy Protection Policy;

The scope of collaboration includes:

- 1) information storage and access: storing information or accessing information already stored in the User device such as advertising identifiers, device identifiers, cookies and similar technologies;
- 2) personalisation: collecting and processing information to personalise website or application advertisements and/or content;
- 3) advertisement selection, delivery and reporting: collecting and combining information with previously collected information to select and deliver advertisements to you and to measure

how effective they are (what advertisements are displayed; how often they are displayed; when and where they are displayed; or whether you have taken any action in relation to an advertisement, including, e.g. clicking on such advertisement or making a purchase); and
4) conducting debt collection proceedings.

3. Allegro.pl may disclose Users' data to other entities (such as companies delivering the goods) if it is indispensable for them to perform the agreement, in order to effect the orders placed on Allegro, which includes the following in particular:

- 1) accepting the order for execution,
- 2) packing the parcel,
- 3) delivering the parcel to the designated address.

In the above cases, the entities to which Users' personal data are disclosed may become separate data controllers of those personal data.

4. We disclose your personal data to parties to the transactions that you make on Allegro and to entities that support us in providing electronic services, i.e. to entities that provide payment services, credit services, insurance services, consulting or audit services, that support User service, the promotion of the listings or that cooperate as part of marketing campaigns.

5. Allegro.pl may disclose Users' personal data to public authorities supporting Allegro in the fight against fraud and abuse on Allegro, also in connection with pending investigations regarding any possible violations of law or with combating other possible violations of Allegro User Agreement.

6. Pursuant to the applicable Privacy Protection Policy, Allegro.pl undertakes not to sell Users' personal data. In the event of the restructuring or sale of the business or part thereof, and the transfer of all or part of assets to a new owner, Users' personal data may be transferred to the Buyer in order to ensure the continuation of the provision of the service on Allegro.

7. With the User's consent, Allegro.pl may disclose the User's personal data to public benefit organisations at charytatywni.allegro.pl website in order to enable them to thank the User for their donation.

8. Due to the necessity of preventing the performance of certain functions on Allegro by internet bots, we use Google reCAPTCHA mechanism to check occasionally whether the behaviour of platform users may seem to be like the behaviour of bots. Therefore, Allegro.pl may disclose to Google Inc. your IP address.

9. Allegro.pl may disclose anonymised data (i.e. data that do not identify specific Users) to third-party service providers, trusted partners or research agencies in order to better understand the attractiveness of advertisements and services to Users, improve the overall quality and efficiency of services provided by Allegro.pl or the aforementioned entities, or to participate in scientific research offering broadly-understood benefits to the society.

10. The Sellers subject to the GDPR, after obtaining personal data of Buyers from Allegro.pl, must fulfil all obligations towards Buyers resulting from the GDPR and other legal provisions, and also make it possible for them to exercise their rights under the GDPR.

Part VII. Do we transfer your data to countries outside the European Economic Area?

Your personal data will be transferred outside the European Economic Area to:

1. Google LLC with its registered office in Mountain View, CA, the United States due to the use of the e-mail system and tools that are part of G-Suite for statistical- and administrative purposes and in relation to the use of the Google reCAPTCHA mechanism for security purposes;
2. Google Ireland Limited with its registered office in Dublin, Ireland, in connection with the use of personal data processing services offered by this entity to ensure the provision of services by Allegro.pl offered on Allegro;
3. Medallia, Inc., with its registered office at San Mateo, CA, United States, in relation to the survey studies conducted by the Company, using the tools provided by that entity,

always basing on adequate legal safeguards, that include but are not limited to the standard contractual clauses in respect of the transfer of personal data to processors that have their registered offices in third countries, as approved by European Commission. You can receive copies of such clauses from the Company by writing us at: iod@allegro.pl.

Part VIII.

All data collected by Allegro.pl are protected using reasonable technical and organisational measures and security procedures in order to protect them against unauthorised access or unauthorised use. Entities affiliated with Allegro.pl, trusted partners and third-party service providers manage data in accordance with security and privacy protection requirements.

Part IX. Data retention period

1. We retain your personal data during the term of our agreement with you and also thereafter for the following purposes:
 - to assert claims in relation to the agreement performance,
 - to perform obligations resulting from law, including in particular tax or accounting regulations;
 - to prevent misuse and fraud,
 - statistical and archiving purposes,

for no more than 6 years from the end of the year in which the agreement was terminated; where the transaction was made without prior registration or account, for no more than 3 years from the sale agreement conclusion date which takes place as a result of making a transaction without the need to register and have an account on Allegro beforehand.

2. We store your personal data for marketing purposes during the agreement term or until you file an objection against such processing, whichever is earlier.

3. When organizing loyalty programs, competitions and promotional campaigns in which you may participate – we will process your data for the duration of those programmes, competitions or campaigns and the period of evaluation and handing the rewards.

4. To ensure accountability, i.e. to demonstrate that the regulations concerning personal data processing were complied with, we will retain the data for a period during which Allegro.pl is required to store the data and documents that contain such data, to document the fulfilment of legal requirements and to enable an audit of their fulfilment by a public authority.

5. If we support you so that you obtain a loan, we will retain your data for that purpose for as long as you applied for that loan.

Part X. Amendments to provisions

If necessary, Allegro.pl may amend this Privacy Protection Policy. In such a case, the provisions of Article 14 item 1 and 2 of the Allegro User Agreement shall apply accordingly.

Part XI. Contact details

For more information on the processing of your personal data and to get answers to questions concerning Privacy Policy please contact our data protection officer. The contact details are below:

e-mail address: iod@allegro.pl,

mailing address: Inspektor Ochrony Danych Allegro.pl sp. z o.o., ul. Grunwaldzka 182, 60-166 Poznań.