

PRIVACY POLICY

DESA Dzieła Sztuki i Antyki Sp. z o. o with its registered office in Krakow

Lawful basis for processing of personal data

Regulation (EU) 2016/679 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 (General Data Protection Regulation).

Personal Data Controller

DESA Dzieła Sztuki i Antyki Sp. z o. o. is the controller of personal data with its registered office in Krakow hereinafter referred to as DESA. Contact in regard to the processing of personal data by DESA.

ul. Floriańska 13, 31-019 Kraków

tel. +48 12 422 27 06

e-mail: biuro@desa.art.pl

Personal data collection

DESA acquires personal data while concluding with DESA consignment agreement, marketing sale agreement, maintenance agreement, service agreement [e.g. framing] or providing other services, transferring an object to valuation, via contact form, newsletter subscription, during personal or internet registration for auctions conducted by DESA or via e-mail.

Purpose and basis of processing of personal data.

The obtained personal data is processed in order to perform the agreement, including:

- performance of the agreements concluded under the sale agreement, maintenance agreement, service agreement [e.g. framing] or consignment agreement,
- complaints-handling policy,
- handling reports,

- contacting for the purposes relating to the performance of the agreements, making and receiving payment,

In addition, such data is processed in accordance with the law:

- for tax and accounting purposes,
- maintaining the evidence book of architecture monuments accepted and offered for sale.

Furthermore, the data shall be processed by DESA on the basis of the legitimate interests of DESA for the purpose:

- conducting marketing activities, including direct marketing of goods and services offered by DESA,
- contacting with Customers in order to preform marketing activities through available communication channels, particularly in electronic form, by telephone with the consent of the Customer,
- handling Customers' requests delivered directly or via the contact form, if they are not directly related to the performance of the agreement,
- debt collection, conducting court, conducting legal proceedings, arbitration and mediation procedures,
- data storage for archival purposes.

The consent for the processing of personal data might be withdrawn by any means at any moment. Personal data will be processed until the consent is withdrawn or a legal obligation to process data imposed by the current legal regulations expires.

Personal data

For the purposes of performing the obligations arising from the binding agreement with DESA, and to the respect for the obligations defined by generally applicable law regulations, providing of the following personal data is required:

- first name and last name,
- home address or postal address,
- PESEL number [*Personal Identity Number*] or number of different identity document,
- e-mail address,

- telephone number,
- bank account number.

Refusing to provide personal data, except for the bank account number and e-mail address prevents from the conclusion of the agreement.

When applicable law regulations require to provide other personal data is necessary e.g. for account or taxes reasons.

Rights related to the processing of personal data by DESA

- the right to withdraw the consent for personal data to be processed,
- the right of access to personal data,
- the right to request rectification of personal data,
- the right to request removal of personal data,
- the right to request a restriction to the processing of personal data,
- the right of objection to the processing of personal data on account of a special situation – in cases of data processing with regard to the legal justification for interests of DESA,
- the right to the transfer of personal data, i.e. right to receive the personal data from DESA, in a widely used IT format that can be sent to the another personal data controller; this right applies to the data processed by DESA and the consent of Customer.

These rights shall be exercised when:

- regarding the request to the rectification of personal data – the data is inaccurate or incomplete,
- regarding the request to the removal of personal data: the data is no longer necessary for the purposes, for which it was obtained by DESA; the consent to data processing has been withdrawn, an objection to data processing has been raised or the data is processed unlawfully,
- regarding the request to the restriction to the processing of personal data:
 - a. when the data are inaccurate, it is possible to restrict the processing of personal data for a period of time sufficient to check the correctness of the data,

- b. when the data will be processed unlawfully, but there will be no request for their removal,
 - c. when the data are no longer needed, but may be needed by the Customer to defend or pursue claims,
 - d. when an objection to the processing of the data has been raised, until the validity of the objection is established,
- in respect of the request to transfer personal data: when Customer agrees or if it results from the agreement concluded with the Customer or when the processing is automated.

The complaints regarding the processing of personal data by DESA may be filed with supervisory authority, which is the President of the Office for Personal Data Protection.

Office for Personal Data Protection

ul. Stawki 2, 00-193 Warszawa

The right to object to the processing of personal data by DESA when:

- the processing of personal data is based on the legal justification for interests for statistical purposes, and the opposition is justified by a special situation,
- personal data is processed for the purposes of direct marketing, including being profiled for this purpose.

Making available personal data

The personal data may be made available to entities supporting DESA in bookkeeping, legal service, website, information systems and providing consulting and audit services. Entities entrusted by DESA with the processing of personal data perform their tasks under the agreement with DESA. Conclusion of personal data processing agreement by DESA includes contractual clauses, approved by the European Commission. In addition, it is possible to transfer personal data to public authorities struggling with fraud and abuse.

Personal data storage

Personal data is stored for the entire duration of the agreement concluded with the Customer, as well as after its termination for the purposes of:

- handling claims in connection with the performance of the agreement,

- performing of obligations arising from the law, in particular tax and accounting,
- preventing from fraud and abuse,
- statistical and archiving.

The data is stored for up to period of 10 years from the end of the agreement or for a period resulting from the law imposing an obligation on DESA to process data.

DESA stores personal data for marketing purposes for the duration of the agreement or before the time when an objection to such processing is raised, whichever comes first.

Personal data may be transferred outside the European Economic Area to based on adequate legal security, which may be contractual clauses for the protection of personal data, approved by the European Commission.

Personal data shall be processed by automated means, but without using automated profiling.