

## **Information regarding the principles of personal data processing in GTC S.A.**

The purpose of this document is to inform you of the rules of processing the personal data collected in connection with the business activities pursued by Gdańsk Transport Company S.A. with its registered office in Sopot which is their Controller (or Joint Controller) .

We attach great importance to privacy protection. Therefore, with the security of the processing of your personal data in mind we wish to assure you that we approach data protection with diligence and in compliance with our obligations ensuing from the binding regulations which govern personal data protection.

**This document applies to the following data categories:**

- a) data processed in connection with the use of the [www.a1.com.pl](http://www.a1.com.pl) website
- b) personal data of the A1 Motorway users, i.e. the persons travelling on the toll A1 Motorway;
- c) personal data of the persons who contact the Controller on their own initiative by traditional mail or e-mail,
- d) personal data of the clients, suppliers, or commercial partners with whom the Controller signs contracts/agreements, their representatives and contact persons;

We process all personal data in compliance with the 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 based on the Personal Data Protection Act of 10 May 2018 (Journal of Laws 2018, it. 1000).

### **I. Definitions**

**Controller** – the entity defined in Art. 4(7) GDPR, here: Gdańsk Transport Company S.A. with its registered office in Sopot;

**A1 Motorway**– the concession section of the toll A1 Motorway between Rusocin and Toruń;

**personal data** – any information relating to an identified or identifiable natural person ('data subject') by reference to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity of the natural person, including the IP address of the device, location data, online identifier, and information collected by the cookie files or any other similar technology;

**GDPR** – 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);

**Act** – Personal Data Protection Act of 10 May 2018.

**Joint Controllers** – the entities named in it. II.2 of this document who – being data controllers - jointly define the purposes and methods of processing the personal data referred to in it. X;

## II. Personal Data Controller

1. The Controller of your personal data is Gdańsk Transport Company Spółka Akcyjna with its registered office in Sopot, ul. Powstańców Warszawy 19, NIP 5831092438, entered in the Register of Entrepreneurs maintained by the District Court Gdańsk-North in Gdańsk, KRS [National Court Register] Commercial Division VIII, under the KRS No. 0000018489.
2. With regard to the personal data referred to below in it. X of this document, Gdańsk Transport Company S.A. is a joint controller of the personal data together with the Operator of the A1 Motorway, i.e. Intertoll Polska sp. z o.o. with its registered office in Pelplin, ul. Ropuchy 7a, 83-130 Pelplin. The core of the arrangements between the joint controllers with respect to their joint controller function is presented in Appendix No. 1 to this document.
3. If you have any questions concerning this document or the processing of personal data, or if you want to exercise the rights you enjoy as the data subject, please contact the Controller in one of the following ways:
  - a) by sending a letter to the following address: Gdańsk Transport Company S.A. with its registered address in Sopot (81-718), ul. Powstańców Warszawy 19, with an annotation: „dane osobowe” [„personal data”];
  - b) by sending an email to the following address: gtc@gtcsa.pl, including „dane osobowe” [„personal data”] in the message title.

## III. The rights of the data subjects

The rights of the persons whose personal data are processed are defined in detail in the GDPR, in particular in Art. 7 and Arts. 15 – 21 GDPR, and in the Act.

Every subject whose personal data are processed enjoys the following rights depending on the legal grounds of data processing and the conditions referred to in Arts. 12-23 GDPR:

1. **right of access to his/her own personal data, including the right to obtain their copies and information on personal data processing** – anyone who makes the request will be provided with information on the processing of personal data, first of all on the purposes

of the processing and the legal basis thereof, the range of the data in the Controller's possession, the entities to which the personal data are disclosed, and the planned period after which the data will be erased (in accordance with Art. 15 GDPR);

2. **right to rectification of his/her personal data**, if inaccurate or incomplete (in accordance with Art. 16 GDPR);
3. **right to erasure of his/her personal data** ('right to be forgotten'), if the grounds indicated in Art. 17(1) GDPR apply, subject to the exclusions defined in Art. 17(3) 3 GDPR (in accordance with Art. 17 GDPR);
4. **right to restriction of the processing of personal data** in the cases indicated in Art. 18(1) GDPR (in accordance with Art. 18 GDPR);
5. **right to portability of the personal data** in the cases specified in Art. 20(1) GDPR (in accordance with Art. 20 GDPR);
6. **right to object to the processing of personal data** based on Art. 6(1)(e) or (f) GDPR, profiling included, based on the regulations (in accordance with Art. 21 GDPR);
7. **right not to be subject to decisions based solely on automated processing, profiling included** (in accordance with Art. 22 GDPR);
8. **right to withdraw the consent to the processing of personal data** (Art. 7(3) GDPR);
9. **right to file a complaint with the supervisory body** (President of the Personal Data Protection Office, ul. Stawki 2, 00-193 Warszawa – whenever the processing is conducted in violation of the law. Detailed information is available at [www.uodo.gov.pl](http://www.uodo.gov.pl)).

#### **IV. Data collection via the Controller's website [www.a1.com.pl](http://www.a1.com.pl)**

When browsing the [www.a1.com.pl](http://www.a1.com.pl) website ('Service') you get guaranteed free access to the content published on the Service, including the news and information on the A1 Motorway, the tolls for using the A1 Motorway and the payment methods, the rules governing the use of the A1 Motorway and safety, the calculators, rules and regulations, applications, competitions or campaigns, the contact data and the data related to the activities pursued by the Controller as the concessionaire of the A1 Motorway.

The [www.a1.com.pl](http://www.a1.com.pl) website automatically collects no other information but that contained in the cookie files ('cookies').

A cookie file is a small text file uploaded onto the user's device (computer, laptop, smartphone, tablet, etc.) to browse the Service. The files contain various information, some of them indispensable for the Service to function correctly.

Cookie files are used for the following purposes:

- a. indispensable cookies – to make the [www.a1.com.pl](http://www.a1.com.pl) website work,

- b. cookies which define preferences – so as to adjust the Service content to individual preferences of the user and optimise the use of the Service; the files primarily recognise the user’s device so as to display the website according to his/her preferences;
- c. statistics cookies – to compile statistical data which help understand the preferences and interactions of the users. The statistics are used e.g. to assess popularity of the Website. Analysis of the statistics is anonymous;
- d. marketing cookies – to make it possible to display advertisements more tailored to the specific user, also those published by external advertisers.

The table below lists the cookie files used in the Service

Indispensable files	test_cookie (1 day)
Files defining the preferences	pll_language (1 year)
Statistics files	_dc_gtm_UA-# (1 day) _ga (2 years) _gat (1 day) _gid (1 day)
Marketing files	_fbp (3 months) _gcl_au (3 months) ads/ga-audiences (session) IDE (1 year)
Non-classified files	_icVLftzxEd (1 day) BWRgPCzcrm (1 day)

There are two main types of the cookie files used in the Service: session cookies and persistent cookies. Session cookies are temporary files stored on the user’s end device until the moment he/she leaves the Service or turns off the software (internet browser). The persistent cookie files are stored on the user’s end device for the period specified in the cookie file parameters or until they are deleted by the user.

The cookie files serving analytical purposes also include the Google Analytics cookies (used by Google Inc. with its registered office in the USA to analyse the way in which the Service is used by the user, to compile statistics and reports on the functioning of the Service). The Controller does not share any personal data with the service operator, he provides him only with anonymised information. Google does not use the collected data to identify the user, nor does it combine the information so as to enable his/her identification. Detailed information on the extent and rules of data collection in connection with the service can be found at: <https://www.google.com>.

The user can change the settings of his/her browser at any time so as to block the service of cookie files, or be informed of each placing of the files on his/her device. Other available options can be checked in the settings of the user’s internet browser. It should be remembered that most

browsers accept the uploading of cookie files onto the end device by default. Please, note, that changing the settings of the user's internet browser may restrict his/her access to the Service or affect some of the Service functions.

The Service features integrated social media buttons (Facebook, Twitter, YouTube). By clicking on any of the buttons, you will be redirected to the site of the Controller's account on the respective social media portal. Subsequent browsing of the portal is subject exclusively to the data document applicable to the portal.

In the case you use applications available via the Service, participate in campaigns, competitions, or programmes organised/ co-organised by the Controller, you will find the rules of personal data processing under the application, campaign, competition, or programme defined in their separate dedicated regulations/ policies.

## **V. Processing of the personal data of the A1 Motorway users.**

The use of the A1 Motorway can be connected with the processing of the A1 Motorway users' personal data. The processed personal data can in particular include the data recorded by the video monitoring cameras of the monitoring system installed at the tolling plazas (especially the vehicle type/ category, number plates, image), the cameras installed on the A1 Motorway, as well as the personal data provided by the A1 Motorway users in connection with toll collection, or the reports they submit, or incidents involving A1 Motorway users, or loss settlements (in particular: the given name, surname, address, email address, telephone number, vehicle type/category, number plates, location data, series and number of the identity document, PESEL number, number of the driving licence, number of the policy, incident reports).

The purposes of the processing of the A1 Motorway user personal data include in particular:

- a) providing the A1 Motorway use service,
- b) servicing of the toll payments for travelling on the A1 Motorway, the claiming of damages related thereto, if any, included;
- c) ensuring that using the A1 Motorway is safe, which includes the handling of road incidents, if any;
- d) handling of the reports from the users, related to the use of the A1 Motorway.

The legal basis for the processing of the above data is:

- a) Art. 6(1)(b) GDPR – the processing is necessary for the performance of the concluded contract and in order to take steps prior to entering into the contract;
- b) Art. 6 (1)(c) – the processing is necessary for compliance with the legal obligation to which the Controller is subject, i.e. to comply with the obligations imposed by the regulations of the law, in particular the tax and accounting obligations binding on the Controller.

- c) Art. 6(1)( e) GDPR – the processing is necessary for the performance of the task carried out in the public interest, i.e. the collection of the toll and performance of other tasks entrusted to the Controller in its capacity of the public road administrator under the Concession Agreement, based on the Act on Public Roads, and the Act on Toll Motorways and the National Development Fund.
- d) Art. 6(1)(f) GDPR – the processing is necessary for the purposes of the legitimate interests pursued by the Controller, which is understood in particular as ensuring the correct process of toll collection and settling the toll payment transactions for the use of the A1 Motorway, documenting and ensuring that the video monitoring system charges the correct toll rates, managing the A1 Motorway duly, protecting the property, ensuring safety of using the A1 Motorway, managing road incidents, also with the use of the video monitoring system, pursuing claims and defending against any claims raised in connection with the use of the A1 Motorway, including claims related to the toll or any incidents, compiling reports, analyses, and statistics for the Controller’s internal needs and the needs of the entities related to the Controller, handling of any complaints, grievances, requests, reports, incidents, etc., and servicing the Controller’s campaigns;

Personal data will be stored by the Controller for a period no longer than necessary to meet the purposes for which they are processed:

- a) the purpose of contract performance – over the contract validity, and then until any claims become time-barred, pursuant to the regulations of the law;
- b) the purpose of satisfying the legal obligation binding on the Controller – for the period defined in the regulations of the law;
- c) the purpose of performing the task carried out in the public interest – over the period specified in the regulations of the law;
- d) the purposes ensuing from the legitimate interests of the Controller – over the period necessary for the Controller to perform his obligations, extended by the period of pursuing any claims or defending against any claims raised against the Controller, taking into account the claim limitation periods specified in the regulations of the commonly binding law. As a rule, the data recorded in the monitoring system are stored for 30 dni. The period can be extended on request from the competent authority for securing the recorded image in connection with any actions in progress, or in the event this proves necessary for the purposes ensuing from the legitimate interests of the Controller or any third party (e.g. to secure potential claims related to contract performance).

The provision of the data is voluntary. To the extent the provision of personal data is connected with the signing of a contract, their provision is prerequisite for contract conclusion. In other words, without the provision of the personal data it will not be possible to conclude the contract. In other cases, failure to provide all or some of the personal data can prevent the taking of specific actions.

## **VI. Processing of the personal data of anyone who contacts the Controller by traditional mail or e-mail**

If you contact the Controller by sending a letter, enquiry, request, or complaint, etc. by traditional mail (postal delivery, courier delivery, personal submission, etc.) or e-mail, your personal data given in the correspondence may be processed, namely: your given name, surname, address, e-mail address, telephone number, vehicle type/ category, number plates, your business position, including your profession, the conducted business activities, or employment, your location data, PESEL, number and series of your identity document, and insurance policy number.

The above data are processed by the Controller for handling and considering the enquiry, report, request, or complaint, for keeping contact with you in the course of the operations pursued by the Controller, for registering the correspondence, preparing and archiving documents, compiling reports, analyses, and statistics for the internal needs of the Controller and any entities with equity or personal ties to the Controller, i.e. based on Art. 6(1)(f) GDPR.

When sending a letter to the Controller, it is you who decide what data you provide. The provision of data is voluntary, although failure to provide them can prevent the Controller from taking specific actions in the matter the correspondence concerns, or make it impossible to provide feedback on the way your matter has been resolved.

The personal data referred to above will be processed until the moment the matter which the correspondence concerns is resolved, and no longer than required for the Controller's other legitimate interests such as, in particular, establishing and pursuing claims and defending against claims in the matter the correspondence concerns – in such a case the personal data can be stored until the claims become time-barred or until the moment the matter is validly and finally closed, if initiated based on the binding regulations of the law.

## **VII. Processing of the personal data of clients, suppliers, or commercial partners we enter into contracts with, their representatives, and contact persons**

In the case a contract is signed with the Controller by a client, supplier, or commercial partner, the personal data of the Controller's clients, suppliers, and commercial partners, as well as their representatives and contact persons indicated in the contract, can be processed, e.g. the given name and surname, address, e-mail address, telephone number, professional experience, position, professional qualifications, PESEL, and number and series of the identity document.

The processing of the above personal data serves the purposes connected with the conclusion, performance, and servicing of the contract concluded by the Controller, in particular for the purposes listed below, based on the legal grounds stated there:

- a) the processing is necessary for contract performance - Art. 6(1)(b) GDPR, i.e. for the performance of the concluded contract and in order to take steps preceding its signing;

- b) the processing is necessary for the purposes ensuing from the legitimate interests pursued by the Controller – Art. 6(1)(f) GDPR, i.e. for the purposes of drawing, concluding, and performing the contract, on-going contact connected with contract performance, registering the correspondence, preparing and archiving documents related to contract performance, compiling reports, analyses, and statistics for the internal needs of the Controller and entities with equity or personal ties to the Controller, and for establishing or pursuing claims, or defending against any claims, as well as for seeing to the quality of the cooperation; and
- c) the processing is necessary to comply with a legal obligation binding on the Controller– Art. 6(1)(c) GDPR, i.e. to comply with the obligations imposed by the regulations of the law, in particular the tax and accounting obligations binding on the Controller.

The Controller will store the personal data referred to above no longer than necessary to attain the purposes for which the personal data are processed, i.e.:

- a) the purpose of contract performance – over the contract term and the period of contract performance, and upon contract termination – until the moment the claims related thereto become time-barred, pursuant to the regulations of the law;
- b) the purpose of satisfying legal obligation binding on the Controller – over the period ensuing from the regulations of the law;
- c) the purposes ensuing from the Controller’s legitimate interests– over the period necessary to perform Controller’s obligations, extended by the term available for pursuing claims in connection with the contract, or defending against any claims raised against the Controller, based on the regulations of the commonly binding law, taking into account the time limitation periods defined in the regulations of the commonly binding law.

The provision of personal data is voluntary, but necessary for contract conclusion and performance.

### **VIII. Processing of personal data for the marketing purposes**

Your personal data will not be used for any marketing purposes.

### **IX. Personal data recipients**

Your personal data can be received by the entities or authorities the Controller is obliged to give access to the data under the commonly binding law, or the entities which provide the Controller with services related to the processing of personal data under a contract for the purposes specified herein.

We can transfer personal data to:



- a. entities which cooperate with the Controller, in particular: providers of legal, consultancy, marketing, audit consultancy, and certification services, providers of document archiving and training services, email service providers, IT service providers, including the maintenance services covering the systems used for the monitoring purposes, the entities which provide courier, postal, forwarding, or transport services – each time based on the relevant contracts which guarantee privacy protection;
- b. public authorities entitled to obtain personal data in a specific procedure, pursuant to the binding law;
- c. entities with equity or personal ties to the Controller;
- d. Intertoll Polska sp. z o.o. with its registered office in Pelplin (Operator of the A1 Motorway) in its capacity of the joint controller and entity in charge of the A1 Motorway maintenance on our behalf, the latter including the collection of the toll for using the A1 Motorway.

Personal data shall not be transferred to any third country (i.e. any country outside of the European Union and the European Economic Area)/international organisation, nor shall they be subject to automated decision-making, profiling included.

## **X. Joint Control**

Joint control applies to the following categories of personal data:

- a) data of the persons who request consent for the performance of works in the A1 Motorway Right of Way
- b) data of the persons (Motorway Users) to whom calls for payment are sent in connection with their failure to pay the toll for using the Motorway
- c) data of the representatives/ attorneys authorised to contact us in connection with contracts and agreements of understanding concerning the Motorway
- d) data of the persons who contact the Joint Controller on their own initiative by traditional mail/ in writing or by e-mail to the extent the contact concerns the A1 Motorway
- e) data of the persons and vehicles involved in/ affected by traffic incidents on the Motorway
- f) data stored in the Motorway monitoring system
- g) data included in the records of acceptance of the works pursued in the Motorway Right of Way, and records of handing over the work site,
- h) data included in the documentation of the inspections required under the building law, the measurement results, and environmental tests
- i) data of the persons and vehicles using the vouchers which entitle to free use of the Motorway, or entitled to use the Motorway free of charge on another basis.

## **XI. Closing provisions**

1. This document comes into force and effect as of 12 October 2023.

2. If necessary, this document can be updated. The updates, if any, will be published on an on-going basis on the [www.a1.com.pl](http://www.a1.com.pl) website, specifying the date of the most recent update.
3. The Controller can, from time to time, develop new or offer additional services or functionalities. Should the introduction of new or additional services or functionalities result in a change of the way in which we collect or process your personal data, we shall provide you with additional information, the terms and conditions, or rules. Unless indicated otherwise, any new or additional services or functionalities we introduce will be subject to the provisions of this document.

### *Appendix No. 1*

#### **Core arrangements between the joint controllers with respect to the processing of personal data**

**Gdańsk Transport Company S.A.** with its registered address in Sopot, ul. Powstańców Warszawy 19, NIP 5831092438, entered in the Register of Entrepreneurs maintained by the District Court Gdańsk-North in Gdańsk, Commercial Division VIII of the National Court Register [KRS] under the KRS No. 0000018489

and

**Intertoll Polska Sp. z o.o.** with its registered office in Pelplin, ul. Ropuchy 7A, Pelplin 83-130, NIP: 5851416737, entered in the Register of Entrepreneurs maintained by the District Court Gdańsk-North in Gdańsk, Commercial Division @VII of the KRS under the KRS No. 0000233369.

- in their capacity of joint controllers, in satisfaction of the obligations defined in the 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), hereinafter also referred to as the 'GDPR' – in particular the obligations laid down in Art. 26(2) GDPR, hereby inform that:

1. recognising the nature, range, context, and purposes of the personal data processing, and the risks of infringing on the rights or freedoms of the natural persons being the data subjects, the joint controllers implement the relevant technical and organisational measures so as to ensure that the processing is done in compliance with the GDPR.
2. Each joint controller has committed himself to:
  - a) cooperate in the performance of the obligations binding on the joint controllers in connection with the processing of personal data;
  - b) process personal data in compliance with the GDPR and other regulations of the commonly binding law, and in particular to:
    - ensure its accountability with respect to the processing of personal data;
    - implement appropriate technical and organisational measures so as to ensure that the personal data safety level addresses the risk of infringement on natural persons'

- rights or freedoms, and to document implementation of the measures, to the extent of the processing performed by the specific joint controller;
- ensure that the processed personal data can only be accessed by authorised persons who have committed themselves to keep their secrecy or are subject to the statutory confidentiality obligation;
  - exchange between themselves all information and materials necessary to perform the obligations related to personal data protection;
  - inform each other of any circumstances which might affect the correctness of data processing;
  - share between themselves all information necessary to prove satisfaction of obligations ensuing from the GDPR;
- c) refrain from any factual or legal steps which might breach the security of personal data in any way, or expose the other joint controller to civil, administrative, or criminal liability.
3. The joint controllers have agreed that the joint controller who receives the personal data being subject to joint control shall, with respect to satisfaction of the obligations ensuing from the GDPR, be obliged to do the following independently and on his own:
- a) ensure the performance of the obligation to provide information to the data subject,
  - b) obtain consent to the processing of personal data from the data subjects – if the processing is conducted based on the consent given by the data subject.
4. The joint controllers have agreed that any requests from data subjects shall be responded to by the joint controller who received the request or declaration. If a request is sent to both joint controllers, both of them will be obliged to give their own individual reply, having first agreed their common position in the matter.
5. Moreover, the joint controllers have undertaken to:
- a) enter into contracts with data processing entities and give on-going instructions to the processing entities;
  - b) maintain a common register of personal data processing activities, a register of the processing categories, and a register of security breach incidents concerning the co-controlled data;
  - c) make joint decisions, if it proves necessary to transfer the data to a country outside the European Economic Area;
  - d) grant authorisations to process personal data to persons processing the jointly controlled personal data;
  - e) regularly monitor compliance with the GDPR.
6. The joint controllers have undertaken to cooperate when responding to requests from data subjects. To that end, the specific joint controller shall be obliged to notify the other joint controller forthwith of any request from the entitled person exercising his/her rights under the GDPR, and to provide the other joint controller with any necessary information to that extent.

7. The joint controllers have agreed that as concerns their satisfaction of the obligations relating to the management of any personal data protection breaches and reporting them to the supervisory authority and the data subject, the above shall be done by the joint controller who identified the breach. If the breach is identified by both joint controllers, the obligations defined in Arts. 33-34 GDPR shall be satisfied by the joint controller whose actions or omission to act resulted in the breach. Irrespective of the above, the joint controllers shall be obliged to cooperate in their satisfaction of the obligations laid down in Arts. 33 - 34 GDPR. To that end, the specific joint controller shall be obliged to notify the other joint controller forthwith, and in any case no later than within 24 hours following the discovery of an incident, of every discovered personal data breach, the steps taken in connection with the breach, the content of the notification sent to the supervisory authority in connection with the breach, and to provide the other joint controller with any necessary information to that extent.
8. The joint controllers shall notify the data subjects of their co-controlling capacity, and of the basic content of their joint arrangements.
9. Irrespective of the above, the data subject can exercise his/her rights in respect of and against each and any of the joint controllers (Art. 26(3) GDPR).
10. The joint controllers provide the following contact points:

**GTC S.A.:**

*Gdańsk Transport Company S.A. with its registered office in Sopot (81-718), ul. Powstańców Warszawy 19 (please, send any letters to the above address, adding the following annotation: "dane osobowe" ['personal data']);*

*[gtc@gtcsa.pl](mailto:gtc@gtcsa.pl) (please, send any letters to the address, adding the following annotation: "dane osobowe" ['personal data']).*

**Intertoll Polska sp. z o.o.:**

*Intertoll Polska sp. z o.o. with its registered office in Pelplin (83-130), Ropuchy 7a (please, send any letters to the above address, adding the following annotation: "dane osobowe" ['personal data']);*

*[sekretariat@intertoll.pl](mailto:sekretariat@intertoll.pl) (please, send any letters to the address, adding the following annotation: "dane osobowe" ['personal data']).*

*This document is approved by the signatories of the Management Board of Gdansk Transport Company S.A.*