

**TRANSPARENCY POLICY ON THE PERSONAL DATA PROCESSING**  
**BY SMP POLAND Sp. z o. o. with its registered office in Warsaw**

**Dear all**

SMP POLAND Sp. z o. o. with its registered office in Warsaw (Court Register No.: 0000251871, Tax Identification No.: 5252357052, REGON: 140435130) cares about the privacy of its potential clients, contractors, their employees, job candidates and other individuals whose personal data it processes. Therefore, based on the provisions of the Regulation of the European Parliament and of the Council (EU) 2016/679 of 27 April 2016 on the protection of individuals 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) (OJEU L 119, p. 1) - hereinafter RODO, we provide below the most important information about the principles of data processing by SMP POLAND Sp. z o.o. We strive to ensure transparency of data processing for each data subject. In particular, we always inform about the processing of data at the time of their collection, including the purpose and legal basis of processing.

**1. DEFINITIONS**

1.1. **Data Controller.** SMP POLAND Sp. z o. o. with its registered office in Warsaw (Court Register No.: 0000251871, Tax Identification No.: 5252357052, REGON: 140435130; contact details: ul. Magazynowa 2, 15-399 Białystok, email: daneosobowe@smppoland.pl.

1.2. **Personal data:** all information about a natural person identified or identifiable by one or more specific factors that determine the physical, physiological, genetic, mental, economic, cultural or social identity of a natural person, including physical likeness, voice recording, contact details, location data, information included in correspondence, information collected through recording equipment or other similar technology.

1.3. **Data Subject:** any natural person whose personal data is processed by the Data Controller, such as a person visiting the Controller's premises or directing an email inquiry to the Controller.

1.4. **Policy:** this Transparency Policy on personal data processing.

1.5. **GDPR:** Regulation (EU) 2016/679 of the European Parliament and of the Council of 7 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.

**2. DATA PROCESSING BY THE CONTROLLER**

2.1. In connection with its business activities, the Data Controller collects and processes personal data in accordance with the relevant laws, including in particular the GDPR, and the data processing rules provided for therein.

2.2. When processing data, the Controller shall ensure its security and confidentiality, as well as access to information about this processing to data subjects. If, despite the security measures in place, there is a breach of personal data protection (e.g., data "leakage" or data loss), the Controller shall take action under the legal regulations, including, if such an obligation under the law arises, informing the data subject of such an event. The controller ensures transparency of data processing. In particular, the controller always informs about data processing at the time of their collection, including the purpose and legal basis of processing (in particular, for

example, when entering into a contract with a data subject).

2.3. The Controller shall ensure that the data are collected only to the extent necessary for the specified purpose and processed only for the required time.

### **3. CONTACT WITH THE CONTROLLER**

3.1. Contact with the Controller: SMP POLAND Sp. z o. o. with its registered office in. Warsaw - contact details: ul. Magazynowa 2, 15-399 Białystok, email: daneosobowe@smppoland.pl.

### **4. PERSONAL DATA SECURITY**

4.1. The Controller conducts risk analysis on an ongoing basis and monitors the adequacy of the data security measures used to the identified threats. If necessary, the Controller shall implement additional measures to enhance data security.

4.2. The Controller has implemented procedures to allow access to personal data only to authorised persons and only to the extent necessary due to their tasks - to ensure the integrity and confidentiality of the data.

4.3. The Controller shall use organisational and technical solutions to ensure that all operations on personal data are recorded and performed only by authorised persons.

4.4. In addition, the Controller shall take all necessary measures to ensure that its subcontractors and other cooperating entities also provide a guarantee of the application of appropriate security measures whenever they process personal data on behalf of the Controller.

### **5. PURPOSES AND LEGAL BASIS FOR DATA PROCESSING BY THE CONTROLLER**

#### **5.1. Email and traditional correspondence**

If correspondence is sent to the Controller via email or traditional means, unrelated to the services provided to the sender or any other agreement concluded with the sender, the personal data contained in such correspondence shall be processed solely for the purpose of communication and settlement of the matter to which the correspondence relates. The legal basis for processing is the legitimate interest of the Controller (Article 6(1) item f of the GDPR), involving conducting correspondence addressed to them in connection with their business activities. The Controller shall only process personal data relevant to the matter to which the correspondence relates. All correspondence shall be stored in a manner that ensures the security of the personal data and other information contained therein and shall be disclosed only to authorised persons.

#### **5.2. Telephone contact**

When contacting the Controller by telephone on matters unrelated to the agreement concluded or services provided, personal data may be requested only if it is necessary to handle the matter to which the phone call relates. In such a case, the legal basis for processing is the legitimate interest of the Controller (Article 6(1) item f of the GDPR), involving the need to handle reported matters related to the business activity conducted.

Personal data in the form of a recording of a call are processed: for purposes related to the service of clients and stakeholders via the hotline in case the Controller provides such a service (the legal basis for processing is the necessity of the processing for the provision of such a service (Article 6(1) item b of the GDPR); for the purpose of monitoring the quality of service and verifying the work of hotline consultants (the legal basis for processing is the legitimate interest of the Controller (Article 6(1) item f of the RODO) involving ensuring the highest possible quality of service to clients and stakeholders.

### **5.3. Recruitment**

a) As part of the recruitment processes, the Controller expects the transfer of personal data (e.g., in a resume) only to the extent specified in the labour laws. Therefore, information should not be provided in a broader scope. If the submitted applications contain such additional data or do not contain consent to the processing of additional data, they shall not be used or taken into account in the recruitment process.

b) Please be advised that sending to SMP POLAND Sp. z o. o. with its registered office in Warsaw application documents containing personal data in a scope broader than specified in the Labour Code, or disclosing them by you at further stages of the recruitment process shall constitute an explicit action confirming your consent to the processing of your data by SMP POLAND Sp. z o. o. with its registered office in Warsaw for the purpose of the recruitment process. Please note that in this regard you are entitled to withdraw your consent at any time. Withdrawal of your consent shall not affect the lawfulness of processing that has been carried out before such withdrawal.

c) If you would like us to consider you for other job positions at SMP POLAND Sp. z o. o. with its registered office in Warsaw, including future recruitments, please add the following clause in the body of your application documents: "I hereby grant consent to SMP POLAND Sp. z o. o. with its registered office in Warsaw to process my personal data contained in the job application and attached documents for future recruitment processes at SMP POLAND Sp. z o. o. with its registered office in Warsaw". Please be advised that you are entitled to withdraw your consent at any time. Withdrawal of your consent shall not affect the lawfulness of processing that has been carried out before such withdrawal.

d) Personal data are processed for the following purposes: to perform the obligations arising from the law, related to the employment process, including primarily the Labour Code - the legal basis for processing is the legal obligation incumbent on the Controller (Article 6(1) item c of the GDPR in connection with the provisions of the Labour Code); to carry out the recruitment process in the scope of data not required by law, as well as for future recruitment processes - the legal basis for processing is the consent (Article 6(1) item a of the GDPR); to establish or pursue potential claims or defend against them (the legal basis for processing is the Controller's legitimate interest (Article 6(1) item f of the GDPR).

e) In the case of recruitment conducted via Pracuj.pl sp. z o.o. Group or the eRecruiter system, personal data may be transferred to third countries due to technical solutions used by the aforementioned entities. In such a case, the Controller shall provide adequate safeguards by entering into an agreement based on the Standard Contractual Clauses approved by the European Commission or under binding corporate rules, or by using an entity participating in the Programme.

Privacy Shield. A copy of the safeguards used can requested in writing or by email to the contact details specified in Article 1.

#### **5.4. Collecting data in connection with the performance of agreements, in particular, sale agreements, other agreements and the provision of services**

If data are collected for the performance of a specific agreement, the Controller shall provide the data subject with detailed information regarding the processing of their personal data. Personal data will be processed in particular:

- a) to perform the agreement pursuant to Article 6(1) item b of the GDPR,
- b) to fulfil legal obligations incumbent on the Data Controller under generally applicable laws, in particular tax and accounting regulations - the legal basis for processing is Article 6(1) item c of the GDPR,
- c) to conduct service quality surveys - the legal basis for processing during the agreement period is the Data Controller's legitimate interest (Article 6(1) item f of the GDPR). The Controller's legitimate interest is to obtain information on the level of client satisfaction with the sales service process/services provided. After the termination of the agreement, the legal basis of data processing for the above purpose shall be your consent (Article 6(1) item a of the GDPR),
- d) for analytical and statistical purposes - the legal basis for processing is the Controller's legitimate interest (Article 6(1) item f of the GDPR). The Controller's legitimate interest is to analyse the results of its business operations,
- e) to pursue the Data Controller's legitimate interest of potentially establishing or pursuing claims or defending against them - the legal basis for processing is the Controller's legitimate interest (Article 6(1) item f of the GDPR),
- f) in order for the Data Controller to send marketing content to you. The legal basis for processing is the Controller's legitimate interest (Article 6(1) item f of the GDPR). The legitimate interest of the GDPR is to send marketing content to you,
- g) to present offers or other information about the situation- at your request before entering into an agreement, based on Article 6(1) item b of the GDPR,
- h) to process complaints, requests and appeals, based on Article 6(1) items b-d and f of the GDPR. In this regard, the legitimate interest of the Data Controller is to process complaints, requests and appeals,
- i) for internal administrative purposes of the SMP (Standard Motor Products) - SMP Inc USA Capital Group. The legal basis for the processing is the Controller's legitimate interest (Article 6(1) item f of the GDPR). The Controller's legitimate interest is to ensure the efficient operation of the SMP (Standard Motor Products) Capital Group.

#### **5.5. Data collection in other cases**

In connection with its operations, the Controller also collects personal data in other cases, e.g. at business meetings, at industry events, or through the exchange of business cards - to establish and maintain business contacts. In this case, the legal basis for processing is the legitimate interest of the Controller (Article 6(1) item f of the GDPR), involving networking in connection with their business activities. Personal data collected in such cases shall be processed only for the purpose for which they were collected, and the Controller shall ensure its adequate protection.

## **5.6. DATA RECIPIENTS**

In connection with operations that require personal data processing, these data are disclosed to external entities, including, in particular, providers of IT systems and IT services, entities that provide the Controller with services required for the performance of the agreement concluded with you, including legal services, postal operators and couriers, banks in the execution of payments, certain persons of regulated professions such as lawyers, notaries or auditors; bodies entitled to receive your data under the law (e.g. tax authorities, the Police).

In addition, your data may be transferred outside the EEA, i.e. to entities of the SMP (Standard Motor Products) - SMP Inc USA Capital Group, in particular to the extent that SMP Inc USA provides the Controller with IT services (servers, software, etc.). In the case of cross-border data transfers to entities outside the European Economic Area (EEA) within the SMP Group whose level of data protection has not been deemed adequate by the European Commission, we shall rely on the safeguards implemented to ensure the protection of your personal data: standard contractual clauses approved by the European Commission. In order to obtain a copy of the above safeguards or details of their availability, you may send a written request in accordance with the details specified in Articles 1 or 2 above.

The level of personal data protection outside the European Economic Area (EEA) differs from that provided by European law. For this reason, the Controller shall transfer personal data outside the EEA only when necessary, with adequate protection, primarily through cooperation with processors of personal data in countries for which a relevant decision of the European Commission has been issued; application of standard contractual clauses issued by the European Commission; application of binding corporate rules approved by the relevant supervisory authority; in case of transfers to the USA - cooperation with entities participating in the Privacy Shield program approved by a decision of the European Commission. The Controller shall always notify you about the intention to transfer personal data outside the EEA at the stage of data collection.

## **6. PERIOD OF PERSONAL DATA PROCESSING**

Personal data shall be processed for a period determined by the type of service provided, the purpose of processing, the validity of the offer or the duration of the agreement, and in the case of consent - until the withdrawal of consent, but no longer than the duration of the agreement, and after this period, for the time necessary for post-contractual service (e.g. after-sales customer service). The personal data processing period may be extended each time by the limitation period for claims if the processing of personal data is necessary for the Controller to pursue any claims or defend against them. After this period, data shall be processed only to the extent and for the time required by law, including tax and accounting laws. To the extent that data are processed for the purpose of targeting marketing content, they shall be processed until you withdraw your consent or object to such processing.

## **7. RIGHTS RELATED TO THE PROCESSING OF PERSONAL DATA**

We ensure the exercise of the rights of data subjects. The right can be exercised upon the request:

- a) via a form for the exercise of rights, which you can get by asking us for its template at the following email address [daneosobowe@smppoland.pl](mailto:daneosobowe@smppoland.pl).
- b) by contacting the Controller (ul. Magazynowa 2, 15-399 Białystok).

### **a) Right to rectify data**

You have the right to rectify and complete the personal data you have provided. Concerning personal data, it is

possible to request rectification of such data (if incorrect) and their completion (if incomplete).

**b) Right to object to the use of data**

In certain situations, especially when we process your personal data based on legitimate interest or for marketing purposes, you have the right to object at any time to the use of your personal data, including profiling, if we process your data based on our legitimate interest. If your objection proves to be valid and we have no other legal basis for processing the personal data, we shall delete the data against which the objection was made.

**c) The right to delete data (“right to be forgotten”)**

You have the right to request the deletion of all or some of your personal data. You are entitled to request deletion of your data when:

- a) specific consent has been withdrawn, to the extent that personal data was processed based on consent,
- b) personal data are no longer necessary for the purposes for which they were collected or for which they were processed,
- c) an objection has been raised to the use of data for marketing purposes,
- d) personal data are processed illegally.

Despite a request for deletion of personal data, due to an objection or withdrawal of consent, we may retain some personal data to the extent necessary for the purposes of establishing, pursuing or defending claims.

**d) Right to restrict data processing**

You have the right to request the restriction of personal data processing. You are entitled to request restriction of the use of your personal data in the following cases:

- a) when the accuracy of your personal data is questioned, in which case we shall restrict its use for the time we need to verify the accuracy of the data, but no longer than 7 days,
- b) when data processing is unlawful and instead of deleting the data, restriction of their use is requested,
- c) when the personal data are no longer necessary for the purposes for which we collected or used them, but they are necessary for you to establish, pursue or defend claims,
- d) when an objection has been raised to the use of your data - then the restriction shall be effective for the time needed to consider whether - due to your particular situation - the protection of your interests, rights and freedoms outweighs the interests we pursue by processing personal data.

**e) Right of access your data**

You have the right to obtain confirmation from us as to whether we process your personal data, and if we are, you are entitled to:

- a) access your personal data,
- b) obtain information about the purposes of processing, the categories of personal data processed, the recipients or categories of recipients of such data, the intended period of data retention or the criteria for determining that period, your rights under the GDPR and your right to file a complaint with a supervisory authority, the source of such data, automated decision-making, including profiling, and the safeguards applied in connection with the transfer of such data outside the European Union,
- c) obtain a copy of your personal data.

**f) Right to withdraw consent**

If your data is processed based on the consent you have granted, you have the right to withdraw it at any time, which, however, shall not affect the lawfulness of the processing carried out before the withdrawal of such consent.

**g) Right to transfer data**

If we process your data based on agreement or consent and in an automated manner, you have the right to receive the personal data provided to us, and then the right to send it to another personal data controller. You have the right to request that we send your personal data directly to another controller, if technically possible. We shall send your personal data as a file in a commonly used, machine-readable format that allows for sending the received data to another personal data controller.

**h) Right to file a complaint**

If you find that the processing of personal data breaches the provisions of the GDPR or other provisions regarding the protection of personal data, you have the right to file a complaint to the President of the Personal Data Protection Office.

**8. Making demands related to the exercise of rights**

The request for the exercise of the rights of data subjects can be made: In writing: SMP POLAND Sp. z o. o. ul. Magazynowa 2, 15-399, Białystok, email: [daneosobowe@smppoland.pl](mailto:daneosobowe@smppoland.pl).

If we are unable to identify the person based on their request, we shall ask them for additional information. The request can be submitted in person or through a proxy (such as a family member). The response shall be provided in writing unless the demand is made by email or a response is requested in electronic form. If, in the exercise of the above-mentioned rights, a demand has been made to us, we shall either meet it or refuse to meet it immediately, but no later than one month after receiving it. However, if - due to the complexity of the demands or the number of demands - we are unable to meet your demand within one month, we shall meet it within another two months and inform you in advance of the intended extension of the deadline.

**Filing of complaints, inquiries and requests**

You may submit complaints, inquiries and requests to us regarding the processing of your personal data and the exercise of your rights. Please use the contact details provided above.