

## **PRIVACY POLICY OF THE MALINIAK.NET ONLINE STORE**

The Privacy Policy of the maliniak.net online store determines the manner of collecting, processing and using the personal data acquired from the Users through the online store maliniak.net operating under the domain address <http://maliniak.net>

### **1. Definitions**

1.1. The Administrator - Rafał Micek, an entrepreneur operating under the firm Maliniak Speedway Akcesory with the address ul. Dworcowa 7, 64-100 Leszno, is the personal data administrator;

1.2. Personal data - information about an identified or identifiable natural person identified by one or more specific factors that determine: physiological, physical, genetic, mental, economic, cultural or social identity, including device IP, online identifier, and information collected through cookies and other similar technology;

1.3. The Policy - this Privacy Policy;

1.4. GDPR - Regulation (EU) of the European Parliament and of the Council of 27th 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) (Official Journal of the European Union L 119/1);

1.5. The Website - the online platform operated by the Administrator under the domain address: <http://maliniak.net> ;

1.6. User - each and every natural person visiting the Website or utilizing one or more of the services or functionalities described in the Policy;

### **2. Processing of the personal data in connection with the use of the Website**

2.1. The Administrator collects the data in connection with the use of the Website by the User in such a scope as is necessary for the provision of the individual services he offer. The detailed rules and goals of the processing of the Personal Data are described below.

### **3. Goals and the legal basis for the processing of the Personal data by the Website**

#### **a) Use of the Website**

3.1. The Personal data of all the Users who utilize the Website are processed by the Administrator:

3.1.1. in order to provide services electronically in the scope of providing Users with content collected on the Website - the legal basis for the processing of the Personal data is Article 6 Section 1 Letter B of the GDPR (necessity of processing personal data in order to perform the contract);

3.1.2. in order to establish and pursue claims or defend against claims - the legal basis for processing of the Personal Data is Article 6 Section 1 Letter F of the GDPR (legitimate interest of the Administrator).

#### b) Contact Form

3.1.3. The Administrator provides the means to contact him via an electronic Contact Form. The use of the Contact Form by the User requires the input of the Personal data necessary to establish the contact by the Administrator with the User and then to provide said User with a reply to the inquiry. The User may also input other data in order to facilitate the contact or management of the inquiry. Inputting data that is marked as mandatory is necessary for the filing in and management of the inquiry. Refusal to input the mandatory data results in the lack of ability to manage the inquiry. Input of the other data by the User is strictly voluntary.

3.14. The goal of the processing of the Personal data is identification of the sender and management of the inquiry filed in via the Contact form - the legal basis for the processing of the Personal data is Article 6 Section 1 Letter B of the GDPR (necessity of processing personal data in order to perform the contract) and Article 6 Section 1 Letter A of the GDPR (in the scope of the Data provided by the User voluntarily);

#### c) Marketing

3.1.5. The Administrator may utilize the Personal data of a User also for the purpose of generating marketing content for them, inter alia via e-mail messages, via SMS/MMS. The Administrator undertakes the aforementioned activities only if the User consents to them; said consent may be withdrawn by the User at any moment.

#### 3.2. The Personal data is processed:

3.2.1. in order to transmit the ordered commercial information - the legal basis is Article 6 Section 1 Letter F of the GDPR (legitimate interest of the Administrator in connection with the granted consent);

3.2.2. for analytical and statistical purposes - the legal basis is Article 6 Section 1 Letter F of the GDPR (legitimate interest of the Administrator in running analysis of the Users' activity on the Website in order to improve the functionalities);

### **4. Cookies**

4.1. The Administrator in running of the Website utilizes cookies.

## **5. The Personal data processing period**

5.1. The length of the Personal data processing period depends on the category of the provided service and the goal of their processing. Essentially, the Personal data are processed for the entire duration of the providing of services by the Administrator, until the consent given by the User is withdrawn or in case of lodging an effective objection processing of Personal Data in cases where the legal basis for processing of the Personal data is the legitimate interest of the Administrator;

5.2. The Personal data processing period may be prolonged if the processing of the Personal data is required to establish and pursue potential claims or in order to defend against potential claims. After the lapse of such period the processing of the Personal data may be prolonged only within the requirements of the law. After the end of the Personal data processing period, the Personal data is irrecoverably removed or anonymized.

## **6. Users' rights**

6.1. The User has the right to access the content of the Personal data and the right to demand rectification, removal and restriction of the processing of said data. The User also has the right to transfer the Personal data and to file a complaint with a statutory organ in charge of the protection of the Personal data;

6.2. The User has the right to file in an objection to the processing of the Personal data if the processing of said data is based on the legitimate interest of the Administrator;

6.3. within the scope of the processing of the Personal data on the basis of the User's consent, the User has the right to withdraw said consent at any moment by contacting the Administrator via e-mail.

## **7. Recipients of the Personal data**

7.1. The Personal data may be disclosed to the third parties in the connection with the providing of the services, in particular to the providers of the IT services facilitating the proper use of the Website;

7.2. In the case of the Administrator has had acquired the User's consent, the User's Personal data may be disclosed to other entities for their own purposes, including marketing purposes;

7.3. The Administrator reserves the right to disclose the selected information pertaining to the User to the competent authorities or other entities which submit a demand to disclose such information on the grounds of a proper legal basis and within the scope of the law.

## **8. Transferring the Personal data out of the European Economic Area (EEA)**

8.1. The degree of Personal data protection outside of the European Economic Area differs from what the European law provides. Therefore, the Administrator transmits the Personal Data out of the

EEA only if that is necessary and with provision of the appropriate degree of protection, in particularly through:

8.1.1. cooperation with the entities processing Personal data in the states that have been subject of a decision issued by the European Commission stating that appropriate degree of Personal data protection is provided;

8.1.2. employment of the standard contractual clauses issued by the European Commission;

8.1.3. employment of the binding corporate rules and practices approved by a competent supervisory authority;

8.2. The Administrator always informs the User about the intent to transfer the Personal data out of the EEA at the collection stage.

## **9. Protection of the Personal data**

9.1. The Administrator conducts the risk analysis on an ongoing basis in order to ensure that the Users' Personal data are processed securely - particularly, that the access to the Personal data is given only to the duly authorized persons and only in the scope required by the tasks performed by said persons. The Administrator takes care to ensure that all processing of the Personal data is recorded and done only by the authorized employees and contractors.

9.2. The Administrator undertakes all necessary means to ensure all his sub-contractors and entities with whom he cooperates pledge to employ appropriate safety measures in each and every case they process the Personal data on the Administrator's demand.

## **10. Contact**

10.1. Contact with the Administrator is possible via e-mail: [shop@maliniak.net](mailto:shop@maliniak.net) or via phone: +48 516 088 114.

## **11. Amending the Privacy policy**

11.1 The Privacy policy is verified on an ongoing basis and amended if necessary.

11.2. The current version of the Privacy policy has been adopted and comes into force on 01.09.2024r.